



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

FEBRUARY 19, 2015

The Board of Chaves County Commissioners held their Regular Commission meeting in the Commission Chamber of the Joe Skeen Building, #1 St. Mary's Place in Roswell, New Mexico. Chairman Duffey called the meeting to order at 9:00a.m. Those present were Commissioners Duffey, Wooton, Corn, Chesser and Cavin. Also present were County Manager Stan Riggs, Public Services Director Sonny Chancey, Finance Director Joe Sedillo, Sheriff Britt Snyder, Treasurer Steve Harris, County Clerk Dave Kunko, news media, staff and guests.

Commissioner Wooton led the Pledge of Allegiance and Commissioner Chesser led in prayer.

MINUTES

Commissioner Wooton moved to approve the minutes from the January 15, 2015 Regular Commission Meeting. Commissioner Chesser seconded the motion. Commissioner Corn stated he was unable to download the minutes and he would vote in the affirmative just so he could change his mind at a later date. A voice vote was unanimous and the motion carried.

PRESENTATIONS

CHAVES COUNTY QUEEN – STEPHANIE MILLER

Chairman Duffey asked that the new Chaves County Queen, Stephanie Miller step forward. She is not only the Chaves County Fair Queen she also won the competition at the Eastern New Mexico State Fair. She will represent Chaves County at the New Mexico State Fair this September. Stephanie took a picture with the Commission and she thanked everyone for all the support. She is having a gun raffle to raise additional funds. She stated she loves Chaves County and appreciates what the County does for Agriculture and hopes to do well this September.

HEINFELD, MEECH & CO., PC

Joe Sedillo stated this is the 2014 Audit Presentation by Neil Gallasini from Heinfeld, Meech & Company, P.C. Mr. Gallasini stated all of the financial information was submitted to the State of New Mexico on time. This year the County submitted their first Comprehensive Annual Financial Report (CAFR). It is larger than the usual audit. It has additional information in it and is a very valuable document to the County. This document is looked at very favorably by lending companies and bonding agencies. This document has also been submitted to the Government Financial Officer Association (GFOA) and is up for an achievement award for financial reporting. Commissioner Corn asked for Neil to explain the PERA liability impact for future years. It will have a big impact by showing up as a liability on the balance sheet. It will really have little effect on the day to day operations. Neil thanked the Administration for being so helpful during the audit. Chairman Duffey stated Chaves County would be recognized by NMAC and will receive the Mid-sized County Award.

AGENDA

Stan Riggs stated item #14, Out of State travel needed to be removed from the agenda.

PUBLIC HEARINGS

PROPERTY TAX REBATE BENEFITTING LOW INCOME PROPERTY TAXPAYERS

Mr. Riggs stated this Public Hearing was required by the State and is whether a property tax rebate benefitting low income property taxpayers in Chaves County should be made available through the adoption of a County Ordinance. He stated this Ordinance has never been approved in New Mexico. Staff recommends denial of the Ordinance. Chairman Duffey opened the public hearing for public comment.

Public Comment In Favor – None

Public Comment Against – None

Commissioner Chesser moved to deny creating an Ordinance for low income property taxpayers in Chaves County. Commissioner Wooton seconded the motion and it carried unanimously.

ORDINANCE O-093 – AUTHORIZING THE ISSUANCE AND SALE OF TAXABLE INDUSTRIAL REVENUE BONDS FOR THE NEXTERA SOLAR PROJECT

Mr. Riggs stated that if approved this ordinance would authorize Chaves County to issue and sell Taxable Industrial Revenue Bonds (IRBs) in an amount not to exceed \$290,000,000 for the NextEra Energy Solar Project. The bond term is 30 years and NextEra plans to purchase the bonds. At no time will Chaves County be obligated to pay these bonds. NextEra will pay PILOT payments in the amount of \$480,000.00 per year to Chaves County and \$320,000.00 to the Roswell Independent School District. Chairman Duffey opened the public hearing for public comment.

Public Comment In Favor – Jim Shandeloff from NextEra spoke in favor of the project. Niel Benjamin also spoke in favor of the project.

Public Comment Against – Victor Hamill lives in the area and opposes the project. Mr. Mistry asked for a convenience store in this area and was turned down even though this would fit in the Comprehensive Plan. He spoke against the project.

Commissioner Corn move to approve Ordinance O-093. Commissioner Wooton seconded the motion. Commissioner Wooton attended the open house last night and felt like it answered a lot of questions. Mr. Hamill said there was no reason to vote today. Let this go to ETZ and the City of Roswell first. Commissioner Cavin asked when the project would start once approved. Jim from NextEra stated they believe it will begin in the 4th Quarter of 2015 and be completed in 2016. There was some discussion about using a local bank, the interest rates and the use of local people to build the project. Chairman Duffey stated there is a letter from US Department of Fish and Wildlife to be put into the Record. The motion went to a vote and carried unanimously.

CASE Z 2015-1 – PETITION FOR REZONING FROM AGRICULTURAL DISTRICT TO INDUSTRIAL

Marlin Johnson stated the property is currently vacant, but the applicant wishes to have trailer sales, a repair shop, outside storage of trailers, recreational vehicles and sell concrete on a full time basis from the property. Mr. Johnson stated this property is surrounded by Industrial zoning and staff recommends approval subject to the 7 conditions of approval. Chairman Duffey opened the public hearing for public comment.

Public Comment in Favor – None

Public Comment Against – None

Commissioner Wooton moved to approve Case Z 2015-1 with the conditions of approval and findings of fact. Commissioner Cavin seconded the motion. Commissioner Wooton stated Mr. Hacker was moving his business and will be a good example for this area. A voice vote was unanimous and the motion carried.

AMENDMENT #1 TO AGREEMENT A-14-004 BETWEEN CHAVES COUNTY AND CYFD

Charlotte Andrade stated this would ratify amendment #1 to Agreement A-14-004 between Chaves County and CYFD. She stated this action corrects the match liability language in the agreement. Commissioner Wooton moved to approve amendment #1 to Agreement A-14-004. Commissioner Chesser seconded the motion and it carried unanimously.

RATIFICATION OF AGREEMENT A-14-038 BETWEEN CHAVES COUNTY AND SOUTHEASTERN NEW MEXICO VETERANS TRANSPORTATION NETWORK

Stan Riggs stated the recently purchased vans for the Southeastern New Mexico Veterans Transportation Network had arrived and Chairman Duffey signed the agreement so the vans could be used immediately. This would ratify that action. Commissioner Wooton moved to approve ratification of Agreement A-14-038. Commissioner Cavin seconded the motion and it carried unanimously.

AGREEMENT A-15-002 BETWEEN CHAVES COUNTY AND ROSWELL MEDICAL CARE

Mr. Riggs explained this agreement would allow Chaves County to reimburse Roswell Medical Care for services they provide indigent residents of Chaves County in accordance with Ordinance #58. The initial contract is for a period of 5 months with an option of continuing the agreement for a year which would begin July 1, 2015. The initial amount of the contract is \$50,000. He also stated they have provided services for us before. Commissioner Chesser moved to approve Agreement A-15-002. Commissioner Corn seconded the motion. A voice vote was unanimous and the motion carried.

AGREEMENT A-15-003 BETWEEN CHAVES COUNTY AND KANSAS STATE BANK

Tammy Brisco West stated the Road Department has received funding in the amount of \$31,860 to lease a new wheel loader. The County has contracted with Sierra Machinery under the government HGAC contract for a Volvo L90G wheel loader in the amount of \$166,394. The lease is offered through Kansas State Bank. Chaves County has done business with them before and there is a good relationship between the 2 parties. Terry Allensworth stated the loader was 3.5 cubic yards. Commissioner Corn moved to approve Agreement A-15-003. Commissioner Wooton seconded the motion. There was discussion about purchasing after the expiration of the lease and whether the equipment had to meet certain specifications to be able to return to the company. Mr. Riggs stated in New Mexico they are required to take back the equipment no matter what. A voice vote was unanimous and the motion carried.

RESOLUTION R-15-003 – APPROVAL OF BUDGET ADJUSTMENTS

Anabel Barraza explained the budget adjustment request and stated there was a detailed list provided. Commissioner Wooton moved to approve Resolution R-15-003. Commissioner Corn seconded the motion. A voice vote was unanimous and the motion carried.

RESOLUTION R-15-005 – APPOINTMENT TO THE COUNTY BOARD OF REGISTRATION

Chaves County Clerk Dave Kunko stated this resolution is required by law. In each odd numbered year the Board of Commissioners must appoint members to the Board of Registration. The Democrat and Republican Parties have submitted a list of individuals they would like to see appointed to the board. Commissioner Wooton moved to approve Resolution R-15-005 as submitted. Commissioner Chesser seconded the motion. A voice vote was unanimous and the motion carried.

RESOLUTION R-15-006 – DWI GRANT AND DISTRIBUTION APPLICATION FY 2016

Charlotte Andrade explained the County is applying for funding under the FY2016 Local DWI Grant Fund. This fund is established to support programs, services or activities to prevent or reduce the incidence of DWI. Commissioner Corn moved to adopt Resolution R-15-006. Commissioner Wooton seconded the motion. A voice vote was unanimous and the motion carried.

RESOLUTION R-15-008 – APPROVING CHANGE IN MANPOWER ALLOCATION

Mr. Riggs stated that if approved this resolution would upgrade one position in the Finance Department and down grade one vacant position in the Manager's Suite. Commissioner Cavin moved to approve Resolution R-15-008. Commissioner Wooton seconded the motion. There was some discussion over the positions and the change in duties. A voice vote was unanimous and the motion carried.

RESOLUTION R-15-009 – AUTHORIZING THE SUBMISSION OF A 2015 CDBG PROGRAM APPLICATION

Charlotte Andrade stated this resolution would authorize the submission of a New Mexico CDBG Application to DFA for the 2015 grant application cycle. Commissioner Chesser moved to approve Resolution R-15-009. Commissioner Corn seconded the motion. Commissioner Corn asked if this was being resubmitted due to the technicality disqualification from last year. Ms. Andrade stated that was correct. A voice vote was unanimous and the motion carried.

RESOLUTION R-15-010 – BUDGET INCREASE TO FY 2014/2015 FOR OTHER GRANTS AND CONTRACTS

Charlotte Andrade explained this resolution reflects budget adjustments to FY14/15 for 2 NMFA loans on behalf of the Sierra Volunteer Fire Department. Loan proceeds were approved in the amount of \$615,000 for the construction of Sierra Main Station #4. Loan proceeds were also approved in the amount of \$267,003 for the purchase of a Class A engine. Commissioner Wooton moved to approve Resolution R-15-010. Commissioner Corn seconded the motion. A voice vote was unanimous and the motion carried.

REQUEST FOR OUT-OF-STATE TRAVEL FOR THE SHERIFF'S OFFICE

Sheriff Britt Snyder stated that 2 deputies have been assigned to the Chaves County Metro Narcotics Task Force and need to attend a mission specific training being held in Fort Worth, Texas. He also stated the Task Force is funding the majority of the cost. Commissioner Wooton moved to approve the request for out-of-state travel for the Sheriff's Deputies. Commissioner Chesser seconded the motion. A voice vote was unanimous and the motion carried.

2015 COMMISSION COMMITTEE APPOINTMENTS

Mr. Riggs stated the Commission Committee appointment list was provided. Commissioner Cavin moved to approve the appointments as listed. Commissioner Corn seconded the motion. A voice vote was unanimous and the motion carried.

APPROVAL OF CHECKS

Commissioner Chesser moved to approve checks in the amount of \$4,528,973.36. Commissioner Corn seconded the motion. A voice vote was unanimous and the motion carried.

APPROVAL OF REPORTS

Commissioner Corn moved to approve the reports for the period. Commissioner Chesser seconded the motion. A voice vote was unanimous and the motion carried.

UNSCHEDULED COMMUNICATIONS

Charlotte Andrade thanked Steve Harris for appointing her to Chief Deputy Treasurer and she stated she looked forward to the challenge and opportunity. She also thanked Joe Sedillo for all the support and confidence while she was in Finance. Rita Kane Doerhoefer stated at 9:00 am she had called the Road Department about some potholes. She returned home around 2:00 pm and they had already been filled. She stated the service she received was awesome. She mentioned she is currently on Jury Duty and stated the Great American Clean up and Walk for Hope were coming very soon.

MANAGER'S COMMUNICATIONS

Stan thanked Joe Sedillo for such a clean audit. The CAFR is an awesome document and will really help the County's bond rating. The DWI audit is being conducted by the State and it began today. He thanked Charlotte for all her work in the Finance department and for all the Grant Funds she had brought to Chaves County. The Detention Center construction is estimated to be at 81% complete. They are still on schedule to be completed early. He congratulated Tammy Brisco West on being the 1st Certified Public Procurement Officer. He met with the City and Judge Hudson on Mental Health Issues. They are working hard and he feels this will be a good program. He thanked Commissioners Corn, Cavin and Duffey for all their work at the State Legislature in Santa Fe.

COMMISSIONER'S COMMUNICATIONS

Commissioner Wooton thanked Joe and Anabel for such a great audit. He thanked those representing the County in Santa Fe. He asked if it would be possible to post a map to the dump sites on the County Website.

Commissioner Cavin thanked the elected officials and staff for all their hard work. Chaves County really is a shining star in the State of New Mexico. Mr. Riggs really does a great job for

the County. He attended the DWI event in Santa Fe and felt it was a great event and kids even got to voice their concerns. We are moving in the right direction on Behavioral Health. He believes the NextEra project will be great for Economic Development. He also thanked the Commission.

Commissioner Chesser thanked the Road Department for doing such a good job and making us look good. Hagerman has gotten a bad rap on the School Board Elections. They are very good citizens that care about their community. There was a miscommunication on where to go vote.

Commissioner Corn stated he has made several trips to Santa Fe and will be headed to Washington D.C. tomorrow to discuss Endangered Species, PILT, the Federal Budget Discretionary Fund among other things. Things have been very disturbing in Santa Fe. They want to do programs but do not want to pay for them. They make us reduce services because they keep passing down the cost to us. They are putting us in a dangerous position.

Commissioner Duffey thanked the Commission for doing a good job. An inventory of Public Lands is being conducted. We do not need more regulation. He congratulated Joe Sedillo, Anabel and staff on the audit. The Road Department has received a safety award and check in the amount of \$7,000.

The meeting was adjourned pending the signature of documents at 11:09a.m.

CHAVES COUNTY BOARD OF COMMISSIONERS

James Duffey
JAMES DUFFEY, CHAIRMAN

Absent
KYLE D. "SMILEY" WOOTON, MEMBER

Absent
KIM CHESSER, MEMBER

Robert Corn
ROBERT CORN, VICE CHAIRMAN

William E. Cavin
WILLIAM E. CAVIN, MEMBER

ATTEST: *by: Jeff Ortega*
DAVE KUNKO, COUNTY CLERK

