



STATE OF NEW MEXICO, COUNTY OF CHAVES
FILE FOR RECORD AUG 18, 2016 AT 12:04 O'CLOCK PM
Book 00072 Page 00754 Pages 6
Dave Kunko, County Clerk

JULY 28, 2016

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 Corn called the meeting to order at 9:00a.m. Those present were Commissioners Duffey, Wooton, Chesser, Corn and Cavin. Also present were County Manager Stan Riggs, Public Services Director Bill Williams, Chief Deputy Sheriff Shane Baker, Finance Director Joe Sedillo, Chief Deputy Treasurer Charlotte Andrade, 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 June 10th and June 20th meetings. Commissioner Duffey seconded the motion. A voice vote was unanimous and the motion carried.

PRESENTATIONS

50 YEARS WITH THE PENASCO VOLUNTEER FIRE DEPARTMENT

Jim Ellett was presented with a large plaque for his 50 years with the Penasco Volunteer Fire Department. Commissioner Chesser stated during this time the Penasco Fire Department has made over 1,000 runs.

NMAC RODEO COMPETITION

Sylvia Aguirre and Rebecca Box were recognized for their participation and efforts in the NMAC Rodeo Competition in Hobbs, NM. They were the first females to ever compete in the Rodeo.

CERTIFICATE OF ACHIEVEMENT

The Government Finance Officer Association awarded Joe Sedillo and the Finance Department with the Certificate of Achievement Award.

AGENDA

Stan Riggs asked that item #1 be removed from the agenda and item #21 be moved to be heard prior to item #3.

PUBLIC HEARING

CHAVES COUNTY COMPREHENSIVE PLAN

Marlin Johnson explained that this item is a proposed amendment to the Chaves County Comprehensive Plan. The amendment deals with the public lands section of the plan. Mr. Riggs stated that it is important that Chaves County be prepared in the area of Public Lands. Chairman Corn opened the public hearing to public comment.

In Favor : None

Against : None

Commissioner Wooton moved to approve the Chaves County Comprehensive Plan Amendment. Commissioner Duffey seconded the motion. Commissioner Chesser asked if Eddy County was revising their plan. Mr. Riggs stated the Stewards of Liberty were in contact with Eddy County. A voice vote was unanimous and the motion carried.

AGREEMENTS AND RESOLUTIONS

RESOLUTION R-16-034 REAUTHORIZING THE CHAVES COUNTY PREDATOR CONTROL PROGRAM

Mr. Riggs stated that this resolution reauthorizes the Chaves County Predator Control Board. An election of livestock owners, including cattle, sheep and goat owners was recently conducted by the Chaves County Predator Control Board. He stated the results of the election showed 59% of cattle owners and 90% of sheep and goat owners voted for a special levy of \$.50. The program will begin January 1, 2017 for a 5 year period. He stated the proposed Board would consist of Mark Marley, Ricky Pierce, Vernon Crockett, Russell Leonard and Chuck Wagner. Commissioner Chesser moved to approve Resolution R-16-034. Commissioner Cavin seconded the motion. A voice vote was unanimous and the motion carried.

AGREEMENTS A-16-005, A-16-006, A-16-007, A-16-008, A-16-009

Lucia Serrano stated Agreement A-16-005 is with Chaves County Wings for LIFE for the Building Assets Program. A-16-006 is also with Wings for LIFE for the Why Try Middle School Program. A-16-007 is with Chaves County CASA for the Gender Specific Program. A-16-008 is with Chaves County CASA for the Youth Advocacy Program. A-16-009 is with Chaves County CASA for the Alternative Education Program. Commissioner Cavin moved to approve Agreements A-16-005, A-16-006, A-16-007, A-16-008 and A-16-009. Commissioner Chesser seconded the motion. A voice vote was unanimous and the motion carried.

AMENDMENT #1 TO AGREEMENTS A-15-024, A-14-020 AND AGREEMENT A-16-014

Lucia Serrano stated the Chaves County DWI Program was awarded Local DWI Grant Funds and Local DWI Distribution Funds. Amendment # 1 to Agreement A-15-024 is with Wings for LIFE. Amendment #1 to Agreement A-14-020 is with ASPEN of New Mexico and Agreement A-16-014 is with the Pecos Valley Teen Court. Commissioner Wooton moved to approve amendment #1 to Agreement A-15-024, Amendment #1 to Agreement A-14-020, and Agreement A-16-014. Commissioner Cavin seconded the motion. A voice vote was unanimous and the motion carried.

AGREEMENT A-16-015 WITH US DEPT. OF AGRICULTURE (USDA), ANIMAL PLANT HEALTH INSPECTION SERVICE (APHIS), AND WILDLIFE SERVICES (WS) FOR A COOPERATIVE WILDLIFE SERVICES PROGRAM

Stan Riggs explained that this agreement is for a Wildlife Services Program. Brian Archuleta from USDA explained parts of the program. There was discussion on feral pigs. Commissioner Wooton moved to approve Agreement A-16-015. Commissioner Chesser seconded the motion. A voice vote was unanimous and the motion carried.

AGREEMENT A-16-016 WITH DR. DONALD WENNER FOR MEDICAL OFFICE BUILDING LEASE

Mr. Riggs explained that this agreement is with Dr. Wenner for a Medical Office Building Lease. The lease has been increased 5%. Dr. Wenner has leased this space for many years. It is a one year lease with three additional one year options. Commissioner Duffey moved to approve Agreement A-16-016. Commissioner Cavin seconded the motion. A voice vote was unanimous and the motion carried.

AGREEMENT A-16-017 WITH AMERICAN STEWARDS OF LIBERTY FOR CONSULTING SERVICES

Mr. Riggs stated that this agreement would allow Chaves County to contract with American Stewards of Liberty for consulting services regarding all issues involving endangered species and federal land use planning. Commissioner Duffey moved to approve Agreement A-16-017. Commissioner Wooton seconded the motion. A voice vote was unanimous and the motion carried.

RESOLUTION R-16-023 RATIFICATION OF RESOLUTION ADOPTING THE 2016/2017 ARTERIAL PROGRAM, AGREEMENT A-16-018 WITH NMDOT FOR 2016/2017 ARTERIAL PROGRAM

Mr. Riggs mentioned that this resolution adopts the arterial program and this agreement is with the NMDOT for a single penetration chip seal on approximately 29.49 miles of County Roads. Commissioner Chesser moved to ratify Resolution R-16-023 and approve Agreement A-16-018. Commissioner Duffey seconded the motion. A voice vote was unanimous and the motion carried.

RESOLUTION R-16-024 RATIFICATION OF RESOLUTION ADOPTING THE 2016/2017 SCHOOL BUS ROUTE PROGRAM, AGREEMENT A-16-019 WITH NMDOT FOR 2016/2017 SCHOOL BUS ROUTE PROGRAM

Mr. Riggs stated this resolution adopts the school bus route program and this agreement is with the NMDOT for a single penetration chip seal for the school bus route consisting of approximately 10.22 miles of County Roads. Commissioner Wooton moved to approve ratification of Resolution R-16-024 and Agreement A-16-019. Commissioner Cavin seconded the motion. A voice vote was unanimous and the motion carried.

RESOLUTION R-16-025 RATIFICATION OF RESOLUTION ADOPTING THE 2016/2017 COUNTY CO-OP PROGRAM, AGREEMENT A-16-020 WITH NMDOT FOR 2016/2017 COUNTY CO-OP PROGRAM

Mr. Riggs stated this resolution adopts the County Co-op Program and this agreement is with NMDOT for a single penetration chip seal for the Co-op Program consisting of approximately 11.10 miles of County Roads. Commissioner Duffey moved to approve ratification of Resolution R-16-025 and Agreement A-16-020. Commissioner Chesser seconded the motion. A voice vote was unanimous and the motion carried.

AGREEMENT A-16-021 DENTAL BENEFITS

Sandra Rodriguez stated that on June 10, 2016 the Commission awarded RFP-16-2 to Dental Source and this agreement is the contract for those services. The cost per employee compared to the last contract with Dental Source has decreased. Commissioner Duffey moved to approve Agreement A-16-021 for dental benefits. Commissioner Wooton seconded the motion. A voice vote was unanimous and the motion carried.

RESOLUTION R-16-032 & AGREEMENT A-16-022 WITH SENMEDD/COG ANNUAL MEMBERSHIP AND BOARD APPOINTMENT

Mr. Riggs stated that this resolution and agreement if approved would authorize Chaves County's membership in the Southeastern New Mexico Economic Development District/Council of Governments. Chaves County must also appoint a member to sit on the Board. Commissioner Chesser moved to approve Resolution R-16-032, Agreement A-16-022 and appoint Hubert Quintana to the Board. Commissioner Duffey seconded the motion. A voice vote was unanimous and the motion carried.

AGREEMENT A-16-023 WITH EYE ASSOCIATES OF NM FOR OFFICE SPACE LEASE

Mr. Riggs stated Eye Associates of NM are interested in expanding their operation and would like to lease the additional suite that is next to their currently leased office space. Eye Associates plans to remodel the additional space. The new lease payment will be 7,449.00 per month. Commissioner Wooton moved to approve Agreement A-16-023. Commissioner Duffey seconded the motion. A voice vote was unanimous and the motion carried.

RESOLUTION R-16-033 AUTHORIZING CHAVES COUNTY TO PARTICIPATE IN A LEGAL PROCEEDING CHALLENGING THE BLM 2.0 PLANNING RULE, AGREEMENT A-16-024 WITH AMERICAN STEWARDS OF LIBERTY FOR 2.0 COALITION SUPPORTER AGREEMENT

Stan Riggs explained this resolution would authorize Chaves County to participate in a legal proceeding brought to U.S. District Court challenging the BLM's 2.0 planning rule and the Interior Department's climate change adaptation and landscape scale mitigation program. This Agreement if approved would allow Chaves County to financially support any litigation involving the BLM 2.0 planning rule. Commissioner Duffey stated it is very important that we participate. There are 7 states interested in this litigation. Commissioner Duffey moved to approve Resolution R-16-033 and Agreement A-16-024. Commissioner Cavin seconded the motion. A voice vote was unanimous and the motion carried.

RESOLUTION R-16-026 AMENDING THE CHAVES COUNTY PURCHASING POLICY

Sandra Rodriguez explained the proposed changes to the Chaves County Purchasing Policy. One change limits tips to 20% of the bill. The other change requires delivery of goods be made to a Chaves

County building. Commissioner Chesser moved to approve Resolution R-16-026. Commissioner Wooton seconded the motion. A voice vote was unanimous and the motion carried.

RESOLUTION R-16-027 FIXED ASSET INVENTORY

Anabel Barraza explained the Fixed Asset Inventory. Commissioner Wooton moved to approve Resolution R-16-027. Commissioner Duffey seconded the motion. A voice vote was unanimous and the motion carried.

RESOLUTON R-16-028 APPROVAL OF BUDGET ADJUSTMENT

Anabel Barraza went over the line item adjustments to the budget. Commissioner Wooton moved to approve Resolution R-16-028. Commissioner Duffey seconded the motion. A voice vote was unanimous and the motion carried.

RESOLUTION R-16-029 APPROVAL OF FY 2016/2017 FINAL BUDGET

Joe Sedillo gave a brief explanation of the final budget. He stated the Auditors have been in the building the last few days. Mr. Sedillo thanked his staff and especially Anabel for all their work. Commissioner Duffey moved to approve Resolution R-16-029. Commissioner Wooton seconded the motion. Commissioner Duffey stated he appreciated all the hard work on the budget. A voice vote was unanimous and the motion carried.

RESOLUTION R-16-030 AUTHORIZING SUSPENDING THE MINIMUM PENALTY REQUIREMENTS OF THE PROPERTY TAX CODE

Charlotte Andrade explained that due to the high rate of property tax collections, it is felt that a minimum \$5.00 penalty is unnecessary. Commissioner Wooton moved to approve Resolution R-16-030. Commissioner Chesser seconded the motion. A voice vote was 4 to 1 and the motion carried. Chairman Corn voted against the motion.

RESOLUTION R-16-031 APPROVAL OF 2016 FINAL QUARTER FINANCIAL REPORT

Toni Gomez gave a brief explanation of the 2016 Final Quarter Financial Report. Commissioner Wooton moved to approve Resolution R-16-031. Commissioner Duffey seconded the motion. A voice vote was unanimous and the motion carried.

ITB'S AND RFP'S

RFP 16-3 PROFESSIONAL ARCHITECTURAL SERVICES FOR TOBOSA FACILITY ADDITION

Sandra Rodriguez explained RFP 16-3 for architectural services. She stated they received 4 proposals and the committee recommends ASA Architects of Roswell. Commissioner Chesser moved to approve RFP-16-3. Commissioner Duffey seconded the motion. A voice vote was unanimous and the motion carried.

OTHER BUSINESS

APPOINT MEMBER TO THE ROSWELL/CHAVES COUNTY ETZ COMMISSION

Marlin Johnson stated Greg Nibert had resigned from the ETZ Board and the County Commission needs to appoint a new member. Royce "Poncho" Maples has expressed a desire to serve on the board and staff recommends his appointment to serve the remainder of the one year term. Commissioner Chesser moved to approve the appointment of Royce "Poncho" Maples. Commissioner Cavin seconded the motion. A voice vote was unanimous and the motion carried.

APPOINTMENT OF NEW DWI PLANNING COUNCIL MEMBER

Lucia Serrano stated the DWI Planning Council is requesting approval for the change in membership from Pat Barncastle from the District Attorney's Office to J. Michael Thomas from the District Attorney's Office. Commissioner Wooton moved to approve the appointment. Commissioner Cavin seconded the motion. A voice vote was unanimous and the motion carried.

APPROVE OUT OF STATE TRAVEL FOR SHERIFF'S OFFICE

Chief Deputy Baker stated the Sheriff's Office is requesting out of State travel for Detective Maria Wilson to attend the Crimes Against Children Conference in Dallas, Texas, August 8th to the 11th. CASA is coordinating this training opportunity and the Children's Advocacy Center is paying for transportation, hotel and registration fees for Detective Wilson. The Sheriff's Department will cover her meals. Commissioner Duffey moved to approve out of State travel for Detective Wilson. Commissioner Wooton seconded the motion. A voice vote was unanimous and the motion carried.

APPROVE JOB SPECIFICATION FOR PUBLIC SERVICES DIRECTOR

Mr. Riggs stated that Bill Williams was recently appointed to the position of Public Services Director. The Human Resources Director has recommended some changes to the job specification. Commissioner Wooton moved to approve the new job specification for the Public Services Director. Commissioner Duffey seconded the motion. A voice vote was unanimous and the motion carried.

AMEND CERTIFICATION OF CANVAS RESULTS FROM 2016 PRIMARY ELECTION

County Clerk Dave Kunko stated the Certification of Canvas had to be amended due to an oversight by a presiding judge not counting the actual acceptable write-ins for the Education Commission District 8 position. The count for write-ins was reduced by 6 votes for Chaves County. Commissioner Wooton moved to approve the Amended Certification of Canvas Results from the 2016 Primary Election.

DFA APPROVAL OF FY 16/17 INTERIM BUDGET – NO MOTION REQUIRED

Anabel stated this item includes a letter from DFA – Local Government Division approving Chaves County's 2016/2017 Interim Budget. She stated this is just an information item and no action is required by the Commission.

APPROVAL OF CHECKS

Commissioner Duffey moved to approve checks in the amount of \$2,562,803.79. Commissioner Chesser seconded the motion. A voice vote was unanimous and the motion carried.

APPROVAL OF REPORTS

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

UNSCHEDULED COMMUNICATIONS

Dave Kunko stated he had been very sick during the Primary Election and missed the entire week and wished to thank his staff, Stan Riggs, IT, Bill Williams, and any other departments that assisted with the Primary Election.

MANAGER'S COMMUNICATIONS

Stan Riggs stated the Department Heads and Elected Officials did a great job with their budgets. The County was sued by an individual for a wreck. The road was actually a City Road and the judge threw out the law suit, stating the road did not belong to the County. The City was not named in the law suit. Next Tuesday at 10:00 a.m. in this room there will be a Predator Control Board Meeting. Brian Archuleta from the USDA will be at the meeting. The next Regular Commission Meeting will be August 18th. He also thanked Joe Sedillo and his staff for all their work on the budget.

COMMISSIONER'S COMMUNICATIONS

Commissioner Cavin thanked all the County offices for their hard work.

Commissioner Wooton thanked everyone for their work on the budget. He stated the Jail was completed and a lot of money was saved. The 4-H and FFA Fairs are here so get out and support the youth. He congratulated Bill Williams on his new position.

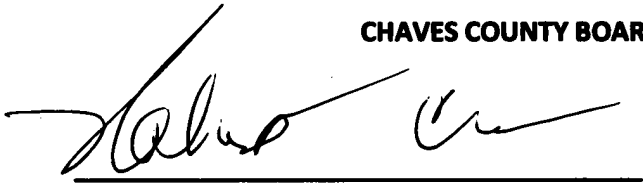
Commissioner Chesser thanked everyone for their hard work on the budget. He mentioned the AZ/NM Coalition meeting and the Wolf Law Suit.

Commissioner Duffey said the Commission and the County has a great attitude which helps us get through adversity. He stated that some people claim there is nothing for the youth to do in this County which is wrong. There are so many opportunities through 4-H, FFA and other programs.

Chairman Corn spoke about the NACO meeting and the Resolution that was passed at NACO was started right here. He would like to see it become part of the NACO platform. He mentioned the number of endangered species that keep getting added to the list and that very few ever come off the list. He stated it is important that we get involved at the national and local levels. He stated his hat was off to Joe and the Finance Department. He mentioned that if the Wolf Bill passes the Senate it would change everything. BLM and Federal Employees are beginning to listen because more and more entities are getting involved to fight the issues.

The meeting was adjourned pending the signature of documents at 4:30p.m.

CHAVES COUNTY BOARD OF COMMISSIONERS



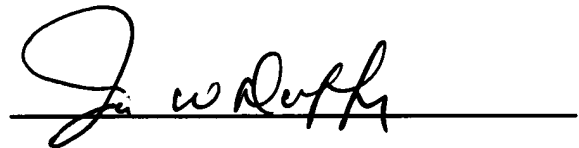
ROBERT CORN, CHAIRMAN



WILLIAM E. CAVIN, VICE CHAIRMAN




KYLE D. "SMILEY" WOOTON, MEMBER



JAMES DUFFEY, MEMBER



KIM CRESSER, MEMBER

ATTEST: 

DAVE KUNKO, COUNTY CLERK

