



STATE OF NEW MEXICO, COUNTY OF CHAVES
 FILE FOR RECORD SEP 15, 2016 AT 01:54 O'CLOCK PM
 Book 00072 Page 00760 Pages 3
 Dave Kunko, County Clerk

AUGUST 18, 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, Chesser, Corn and Cavin. Commissioner Wooton was absent. Also present were County Manager Stan Riggs, Public Services Director Bill Williams, Deputy Sheriff Daniel Ornelas, Finance Director Joe Sedillo, County Clerk Dave Kunko, news media, staff and guests.

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

MINUTES

Commissioner Chesser moved to approve the Minutes from the July 28th Commission meeting. Commissioner Duffey seconded the motion. A voice vote was unanimous and the motion carried.

PUBLIC HEARINGS

SUBDIVISION CASE SD 2016-01 LA PAZ SUBDIVISION PRELIMINARY PLAT

Marlin Johnson stated this subdivision would create 25 lots between 5 and 5.3 acres each. He also stated this project would be done in 3 to 4 phases. Chairman Corn opened the public hearing to public comment.

In Favor : None

Against : None

Commissioner Chesser moved to approve Subdivision Case SD 2016-01. Commissioner Duffey seconded the motion. Commissioner Chesser stated that he was concerned about all the wells that would be drilled and that this could develop into a problem. He asked if it would be possible to require that people have water rights. Mr. Riggs stated this has already been looked at and approved by the State Engineer. Richard Tresise, applicant stated that all the information required by the State Engineer's Office was provided prior to their approval. A voice vote was 2 – 2 and the motion failed. Commissioners Chesser and Cavin voted against the motion.

CASE Z 2016-05 REQUEST TO CONTINUE SPECIAL USE PERMIT

Marlin Johnson stated that Mr. Campa has requested a continuance of the Special Use Permit to allow a trucking operation at 3768 E. Crossroads. He stated the Planning and Zoning Commission recommended to deny the continuation. Chairman Corn opened the public hearing to public comment.

In Favor: Charles Simms, James Rose, Freddy Olivas, Ms. Campa

Against: Neal Benjamin

Chairman Corn stated that the Commission had agreed one year ago to allow Mr. Campa 12 months to find a new location for his trucks. This area is zoned residential and a trucking business is not compatible with the comprehensive plan. Commissioner Cavin stated he remembers the agreement and he finds it disturbing that Mr. Campa has not made an attempt to move the business. Commissioner Chesser moved to deny the request for a continuation of the Special Use Permit with the findings of fact. Commissioner Duffey seconded the motion. A voice vote was unanimous and the motion carried.

AGREEMENTS AND RESOLUTIONS

AGREEMENT A-16-026 WITH NM DFA FOR APPROPRIATION #16-A2400

Georgianna Hunt explained that this agreement is with NM DFA for an appropriation in the amount of \$30,000 for designing, constructing and installing a barrier fence including all related equipment and infrastructure for Sierra Volunteer Fire Station #1. Commissioner Chesser moved to

approve Agreement A-16-026. Commissioner Cavin seconded the motion. A voice vote was unanimous and the motion carried.

AGREEMENT A-16-027 WITH NM DFA FOR APPROPRIATION #16-A2399

Georgianna Hunt explained that this agreement is with NM DFA for an appropriation in the amount of \$25,000 for planning, designing and constructing parking lot improvements for the District #8 Volunteer Fire Department. Commissioner Cavin moved to approve Agreement A-16-027. Commissioner Duffey seconded the motion. A voice vote was unanimous and the motion carried.

AGREEMENT A-16-028 WITH ASA ARCHITECTS FOR TOBOSA PUBLIC FACILITY ADDITION

Sandra Rodriguez stated on July 28, 2016 the Commission awarded RFP 16-3 for Professional Architectural Services for the Tobosa Facility Addition to ASA Architects. This agreement is the contract for those services. Commissioner Duffey moved to approve Agreement A-16-028. Commissioner Chesser seconded the motion. A voice vote was unanimous and the motion carried.

RESOLUTION R-16-035 2018 - 2022 CHAVES COUNTY ICIP

Georgianna Hunt explained that the NM DFA requires the ICIP to be updated annually. Mr. Riggs stated this will be a tough year to get funding. Commissioner Cavin moved to approve Resolution R-16-035. Commissioner Chesser seconded the motion. There was a lengthy discussion on some of the priorities. Commissioner Duffey wished to amend the order by moving #9 up to #2 and moving #2 down to #6 and renumber the others that were affected. Commissioner Cavin and Chesser accepted the change as a friendly amendment. A voice vote was unanimous and the motion carried.

RESOLUTION R-16-036 DESIGNATES CONTACT PERSON FOR THE COUNTY; AGREEMENT A-16-029 WITH STATE OF NEW MEXICO FOR SOLID WASTE COMPACTORS

Mr. Riggs stated this resolution authorizes the Chairman to sign the agreement and sets forth the County representatives authorized to request reimbursement and act as the contact for this appropriation. The agreement sets out the terms and conditions for the County to utilize the funds. Commissioner Duffey moved to approve Resolution R-16-036 and Agreement A-16-029. Commissioner Cavin seconded the motion. A voice vote was unanimous and the motion carried.

OTHER BUSINESS

APPROVE OUT OF STATE TRAVEL FOR 2016 REGION 6 EPA BROWNFIELDS CONFERENCE

Marlin Johnson stated Chaves County applied for a USEPA Brownfield Community-Wide Petroleum and Hazardous Materials Assessment Grant in 2015. The County was unsuccessful and plans to apply for another one this year. Attending the conference might help improve the County's chances of obtaining the grant. Commissioner Cavin moved to approve out of State travel for Marlin Johnson. Commissioner Duffey seconded the motion. A voice vote was unanimous and the motion carried.

PERMISSION TO PURCHASE BRUSH TRUCK FOR MIDWAY VOLUNTEER FIRE DEPARTMENT

Angelo Gurule stated that the Midway Volunteer Fire Department has asked for permission to purchase a Skeeter Type 5 Flat-bed Brush Truck. The purchase was included in this year's budget and will be paid for from the Fire Fund. The State Fire Marshall has approved the truck specifications. Commissioner Duffey moved to approve the Brush Truck Purchase. Commissioner Cavin seconded the motion. A voice vote was unanimous and the motion carried.

APPROVAL OF CHECKS

Commissioner Duffey moved to approve checks in the amount of \$2,578,477.09. Commissioner Cavin 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

Rita Kane Doerhoefer thanked Bill Williams for the Walk for Hope sign. She thanked the County for all their help on the UFO and Veteran’s Parade. She also thanked the Commission for making tough decisions.

MANAGER’S COMMUNICATIONS

Stan Riggs stated the Girl Scouts have decorated the courthouse lawn with blue ribbons in support of law enforcement. The Gathering of Counties at the State Fair is set for September 13th. Angelo Gurule will be representing Chaves County and if anyone else would like to attend they are welcome. He mentioned an issue at Avenida de Amigos. An application for a permanent fence across the road was denied and the applicant may appeal the decision. He also stated the County changed the Land Use Plan last month and we are ready to move forward with the coordination with BLM on the Carlsbad Resource Management Plan.

COMMISSIONER’S COMMUNICATIONS

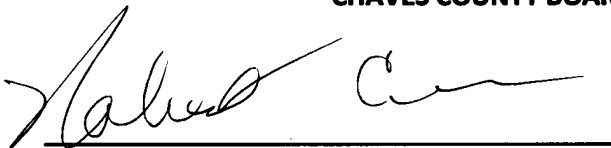
Commissioner Cavin thanked all the County offices for their hard work. He stated School was back in session. He mentioned the BLM Southeast New Mexico lease sale.

Commissioner Duffey thanked Chairman Corn for going to the NMAC Conference in Ruidoso, on his behalf. It was a tough decision made today on the trucking business. The owner was given ample time to make changes. There would be more money for ICIP projects if we weren’t spending money fighting the federal government. He appreciates those that participated in the Fair and support the youth of Chaves County.

Chairman Corn mentioned the NMAC meeting and he is a member of the Tax Committee formed by the association. He said it is interesting that a non-county person is the chairman of that committee. The first committee meeting is August 23rd in Santa Fe. He has been re-appointed as Vice Chairman of the Public Lands Subcommittee at NACO. He is looking forward to continuing his roll with NACO, especially in the realm of endangered species. He is anticipating doing a letter on the Federal Rule on the gas flaring issue. It is not completed yet. Most of the Federal rules and regulation changes have a drop dead date of December 31st.

The meeting was adjourned pending the signature of documents at 10:45p.m.

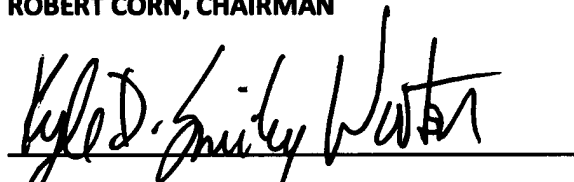
CHAVES COUNTY BOARD OF COMMISSIONERS



ROBERT CORN, CHAIRMAN

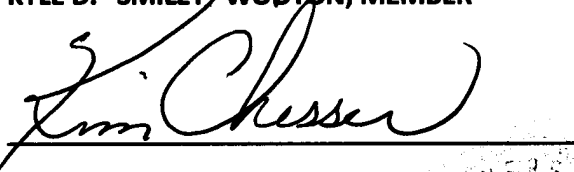


WILLIAM E. CAVIN, VICE CHAIRMAN



KYLE D. "SMILEY" WOOTEN, MEMBER

JAMES DUFFEY, MEMBER



KIM CHESSER, MEMBER



DAVE KUNKO, COUNTY CLERK



ATTEST: