



STATE OF NEW MEXICO, COUNTY OF CHAVES  
FILE FOR RECORD APR 21, 2016 AT 02:01 O CLOCK PM  
Book 00072 Page 00737 Pages 4  
Dave Kunko, County Clerk

**MARCH 17, 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, Corn and Cavin. Commissioner Chesser was absent. Also present were County Manager Stan Riggs, Public Services Director Sonny Chancey, Sheriff Britt Snyder, Finance Director Joe Sedillo, County Assessor Mark Willard, County Clerk Dave Kunko, news media, staff and guests.

Candidate for Commission District 3, Skip Gooch led the Pledge of Allegiance and Candidate for Commissioner District 3, Jeff Bilberry led in prayer.

#### **MINUTES**

Commissioner Wooton moved to approve the Minutes from the February 18, 2016 Regular Commission Meeting. Commissioner Duffey seconded the motion. A voice vote was unanimous and the motion carried.

#### **PROCLAMATION – AGRICULTURE APPRECIATION DAY IN CHAVES COUNTY**

Chairman Corn read a proclamation for Agriculture Appreciation Day in Chaves County. Commissioner Duffey moved to ratify the proclamation. Commissioner Wooton seconded the motion. A voice vote was unanimous and the motion carried.

#### **PUBLIC HEARINGS**

##### **CASE Z 2016-02 REQUEST TO REZONE TO INDUSTRIAL FROM AGRICULTURAL**

Marlin Johnson explained that Case Z 2016-02 is a request to rezone from Agricultural to Industrial to allow an oil pumping facility on this property. Chairman Corn opened the public hearing to public comment.

In Favor:           None

Against:           None

Commissioner Wooton moved to approve Case Z 2016-02 with the stipulations and findings of fact. Commissioner Duffey seconded the motion. A voice vote was unanimous and the motion carried.

##### **RESOLUTION R-16-012 REVISION #10 TO ORDINANCE O-058**

Stan Riggs explained Resolution R-16-012 is Revision #10 to Ordinance O-058. This revision would allow the County to reimburse rural clinics for services provided at a rate of 65% of billed charges. The prior rate was 50%. Chairman Corn opened the public hearing to public comment.

In Favor:           None

Against:           None

Commissioner Cavin moved to approve Resolution R-16-012, Revision #10 to Ordinance O-058. Commissioner Wooton seconded the motion. A voice vote was unanimous and the motion carried.

#### **AGREEMENTS AND RESOLUTIONS**

##### **AGREEMENT A-16-004 SALES AGREEMENT**

Mr. Riggs explained that this Agreement would authorize the chairman to execute a sales agreement for a section of right-of-way located at 1019 S. Eisenhower Road. This will align the right-of-way on Eisenhower. Commissioner Wooton moved to approve Agreement A-16-004. Commissioner Duffey seconded the motion. A voice vote was unanimous and the motion carried.

**AMENDMENT #1 TO AGREEMENT A-15-016 WITH WINGS FOR LIFE**

Lucia Serrano stated amendment #1 to Agreement A-15-016 would provide additional funding to Wings for Life in the amount of \$5,742.00. Commissioner Duffey moved to approve amendment #1 to Agreement A-15-016. Commissioner Cavin seconded the motion. A voice vote was unanimous and the motion carried.

**CHANGE ORDER #4 TO AGREEMENT A-13-028 WITH BRADBURY STAMM**

Sonny Chancey explained Change Order #4 to Agreement A-13-028. He stated the DOJ/ADA settlement agreement required the County to add an ADA compliant cell to the Juvenile Detention Center and required the County to Procure outside security escorts during construction of the CCADC so that the officers on duty could take care of normal operations of the Detention Center. The cell remodel cost \$27,679.15 and the security escorts were \$40,277.71. Commissioner Wooton moved to approve change order #4 to Agreement A-13-028. Commissioner Duffey seconded the motion. A voice vote was unanimous and the motion carried.

**RESOLUTION R-16-010 APPOINTMENTS TO THE COUNTY VALUATION PROTEST BOARD**

Stan Riggs stated New Mexico State Law requires the Board of Commissioners to appoint 2 members to the County Valuation Protest Board. An employee of the State Property Tax Division also serves as a board member. The Board of Commissioners is also required to appoint alternates to the Board. Mark W. Daniels and James M. Jones are willing to serve as members of the Protest Board and Frank Sturges and Edward W. McClelland are willing to serve as alternates. Commissioner Wooton asked how often this Board met. County Assessor Mark Willard said they meet one day per year. Commissioner Duffey moved to approve Resolution R-16-010. Commissioner Cavin seconded the motion. A voice vote was unanimous and the motion carried.

**RESOLUTION R-16-011 CERTIFICATION OF MILEAGE OF MAINTAINED COUNTY ROADS**

Sonny Chancey explained that New Mexico State Law requires the Counties to report annually the total number of certified miles to the Secretary of Highway and Transportation. This report is for the purpose of funding to Counties for road maintenance. He stated there were 1,409.033 miles of certified County maintained roads. Commissioner Wooton moved to approve Resolution R-16-011. Commissioner Duffey seconded the motion. A voice vote was unanimous and the motion carried.

**OTHER BUSINESS****REQUEST FOR OUT OF STATE TRAVEL – PLANNING AND ZONING DEPARTMENT**

Marlin Johnson explained that this item is a request for out of state travel for him to attend the NACO, WIR meeting in Jackson, Wyoming. Commissioner Wooton moved to approve the out of State travel. Commissioner Duffey seconded the motion. A voice vote was unanimous and the motion carried.

**CHAVES COUNTY ANNUAL ROAD HEARING APPLICATIONS SUMMARY**

Sonny Chancey gave a summary of the 2016 Annual Road Hearing to be held on April 22<sup>nd</sup>. He mentioned that Applications #2 and #4 were incomplete and excluded from the road hearing process. He said application #1 is on Dakota Road and #3 is on Wagon Trail Road. These will be viewed on the 22<sup>nd</sup>. He stated no action was required at this time.

**APPROVAL OF PERA VOLUNTEER FIRE DEPARTMENTS ANNUAL REPORTS**

Angelo Gurule presented the PERA Annual Reports and qualification forms for the Chaves County Volunteer Fire Departments. Commissioner Duffey stated that some of the forms had numbers on them and some did not. He asked if some of the forms were incomplete. Mr. Gurule stated he could find out. He requested that the reports be approved pending completion. Commissioner Duffey move to approve the reports once corrected. Commissioner Wooton seconded the motion and it carried unanimously.

**LAW ENFORCEMENT PROTECTION FUND**

Sheriff Snyder stated that through the Law Enforcement Protection Fund, the Chaves County Sheriff's Office is eligible for \$41,600 for fiscal year 2016/2017. They have designated \$23,100 for supplies and \$18,500 for training. Commissioner Cavin moved to approve the Law Enforcement Protection Fund Application. Commissioner Duffey 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 \$2,243,121.87. Commissioner Wooton 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 Wooton seconded the motion. A voice vote was unanimous and the motion carried.

**UNSCHEDULED COMMUNICATIONS**

Rita Kane Doerhoefer stated the great America Clean up would be April 9<sup>th</sup> through May 31<sup>st</sup>. Fifty tons of trash was collected in the City last year. The opening day of baseball is April 4<sup>th</sup>, go Cubs.

**MANAGER'S COMMUNICATIONS**

Stan Riggs stated the funding from the State for the Hobson Road project has been received. The County is waiting on a report from the engineer on the project and then we can proceed. The County asked for \$500,000.00 and received \$167,000. The CDBG project for Tabosa will be going out to bid very soon. April 21<sup>st</sup> is the next Commission Meeting and April 22<sup>nd</sup> is the tour of the work done on the rotunda, the road tours, the adult detention center and the juvenile detention center. The windows on the south and west side of the courthouse take a beating from the sun, not to mention they are 104 years old. The windows need a lot of attention. The jail is almost done and might be done by the 22<sup>nd</sup>. You will be pleased with the way it has turned out. We are having issues with the BLM regarding the Carlsbad Resources Management Plan. We received an electronic copy of the plan that we could not get open. Marlin finally got the plan open and it crashed his computer. Local governments have a right to see the plan before it is released to the public. We have requested a 180 day extension for review instead of the 60 day comment period. The BLM is changing the way they do planning and they are trying to limit the local government role. Congressman Pearce, local governments and agencies are assisting in our efforts for a time extension. Our gross receipts are down and it appears as though we will have a flat budget. We have received an \$800,000 grant for dispatch. The full project is more like 4 million and the City and County are not in position to do that this year.

**COMMISSIONER'S COMMUNICATIONS**

Commissioner Cavin thanked all the County Departments. He congratulated the RHS girls basketball state champs, and Charlie's Angels national champs. He mentioned Ag. Day and welcomed Rita back. He stated he was amazed at the progress done on the solar project.

Commissioner Duffey thanked Rita and stated she was the ultimate volunteer. He mentioned the importance of Agriculture in Chaves County and New Mexico. NMAC is working hard on the federal land issue. Sportsman are very concerned about what may happen with federal land as well as the Oil and Gas Industry and Ranching.

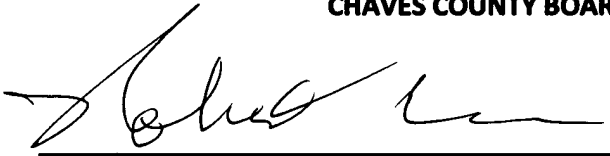
Commissioner Wooton said he agreed with everything said thus far about the importance of Agriculture. Hopefully this year the Road Department can catch up on maintenance. The show barn at the Fair Grounds was leveled by snow. We need to pitch in and help because of all they do for this community.

Chairman Corn stated he has been to Washington D.C. since the last meeting. He met with Pearce and Udall in reference to PILT. The Federal Budget is separated into a discretionary side and a non-discretionary side. PILT has always been in non- discretionary and was moved to discretionary. This

means we are in competition with the Defense Dept. and anyone else. Senator Udall stated he was aware of this and he would do his best to get that fixed. He also discussed with them the BLM and the 12,000 acres taken out of private land in Chaves County and off of the tax role. The Carlsbad Resource Management Plan was one of the topics as well as the White Farm situation. Congressman Pearce has been researching the White Farm. They are talking about farming 80 of the 300 acres and turning the rest in to wetland. He gave them a copy of the endangered species resolution passed this summer by NACO. In February resolutions were passed, one dealing with opposing continued wilderness characteristic inventory. Land adjacent to wilderness land is being grabbed and included in the wilderness. It is suggested County governments are contacted prior to land grabs. NACO is our friend in standing up to the Feds. He is looking forward to touring the roads and jail. He visited the rotunda and it looks good.

The meeting was adjourned pending the signature of documents at 10:19a.m.

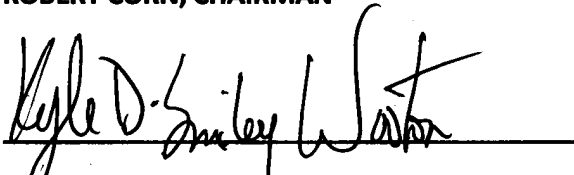
**CHAVES COUNTY BOARD OF COMMISSIONERS**



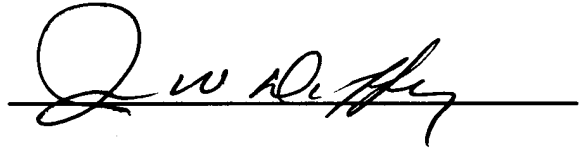
**ROBERT CORN, CHAIRMAN**



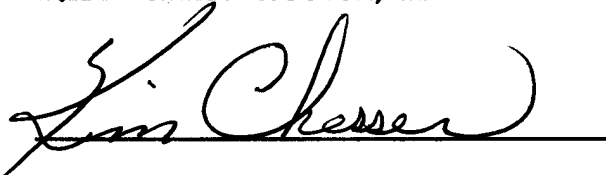
**WILLIAM E. CAVIN, VICE CHAIRMAN**



**KYLE D. "SMILEY" WOOTON, MEMBER**



**JAMES DUFFEY, MEMBER**



**KIM CHESSER, MEMBER**

ATTEST: 

**DAVE KUNKO, COUNTY CLERK**

