



STATE OF NEW MEXICO, COUNTY OF CHAVES  
FILE FOR RECORD - APR 20, 2017 AT 01:43 O'CLOCK PM  
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Dave Kunko, County Clerk

**MARCH 16, 2017**

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 Bilberry, Duffey, Ezzell, Corn and Cavin. Also present were County Manager Stan Riggs, Public Services Director Bill Williams, Sheriff Britt Snyder, Finance Director Joe Sedillo, County Clerk Dave Kunko, news media, staff and guests.

#### **PRESENTATIONS**

#### **2017 DISTRICT 5A STATE CHAMPIONS – GHS GIRLS & RHS BOYS**

Chairman Corn presented proclamations to the Goddard High School Girls, 2017 5A State Champions and the Roswell High School Boys, 2017 5A State Champions.

#### **MINUTES**

Commissioner Ezzell moved to approve the Regular Commission Minutes from the February 16, 2017 meeting. Commissioner Bilberry seconded the motion. A voice vote was unanimous and the motion carried. There was a discussion about the Special Meeting Minutes and it was decided they would be considered for approval at the next Commission Meeting.

#### **PROCLAMATION – RISE WITH ROSWELL AG APPRECIATION DAY**

Chairman Corn read a proclamation for Rise with Roswell Ag Appreciation Day.

#### **PUBLIC HEARINGS**

#### **ORDINANCE O-097**

Chairman Corn explained that this Ordinance is a Project Participation Agreement with USA Beef Packing, LLC for economic development. The Ordinance would also authorize an Intergovernmental Agreement with the State of New Mexico Economic Development Department. Chairman Corn opened the public hearing for public comment.

IN FAVOR: John Mulcahy stressed that this is a Beef Meat Packing facility and that it was desperately needed in our area.

AGAINST: None

Commissioner Duffey moved to approve Ordinance O-097. Commissioner Cavin seconded the motion. A voice vote was unanimous and the motion carried.

#### **SUBDIVISION CASE SD 2017-01 VACATION OF RIGHT-OF-WAY IN APACHE HILLS**

Marlin Johnson explained that this is a request to vacate a portion of Arapahoe Drive. There is no need for the County to have this right-of-way and it does not contain any utilities. Chairman Corn opened the public hearing for public comment.

IN FAVOR: Benny Smith submitted the application.

AGAINST: None

Commissioner Duffey moved to approve Case SD 2017-01, a Vacation of Right-of-Way in Apache Hills 2 Subdivision with the stipulations and findings of fact. Commissioner Bilberry seconded the motion. A voice vote was unanimous and the motion carried.

**CASE Z 2017-04 REQUEST FOR A VARIANCE**

Marlin Johnson stated this was a request for a Variance but Staff and the P & Z Commission recommend a Special Use Permit to allow a third residence on the property for immediate family members. The permit would be for 3 years. Chairman Corn opened the public hearing for public comment.

IN FAVOR: Glen Link stated this is to help out his children. Jeanette Link spoke in favor.

AGAINST: None

Commissioner Duffey moved to approve Case Z 2017-04, a Special Use Permit with the stipulations and findings of fact. Commissioner Ezzell seconded the motion. A voice vote was unanimous and the motion carried.

**AGREEMENTS AND RESOLUTIONS****RESOLUTION R-17-012 CHANGE IN MANPOWER ALLOCATION – CLOSED SESSION**

Stan Riggs stated that if approved this resolution would upgrade the Engineering Tech position to Road Tech Supervisor. This individual would monitor and inspect the quality of the road projects. This is not a new position and does not add any new employees. This move has a minimal financial impact. He stated he hoped to eliminate the Safety and Fire position later this year. Joe West stated the staff was told about the position this morning and they do have concerns that this eliminates the opportunity for advancement for other employees. Mr. Rapp from the Road Department stated he has been there for 24 years, he loves what he does and he looks forward to advancement opportunities. Mr. Riggs mentioned this was topic that could be discussed in closed session. Commissioner Duffey moved to go into closed session pursuant to 10-15-1(H)(2) for limited personnel matters at 9:37a.m. Commissioner Ezzell seconded the motion. All 5 Commissioners voted yes in a roll call vote. Commissioner Duffey moved to come out of closed session at 9:47a.m and stated the items discussed were limited to those mentioned in the motion for closure and no action was taken. Commissioner Cavin seconded the motion. All 5 Commissioners voted yes in a roll call vote. Commissioner Ezzell moved to approve Resolution R-17-012. Commissioner Cavin seconded the motion. A voice vote was unanimous and the motion carried.

**OTHER BUSINESS****APPROVE JOB SPECIFICATION FOR ROAD OPERATIONS DIRECTOR**

Bill Williams stated the Chaves County Road Operations Director retired at the end of December. Human Resources has reviewed the job specifications and is recommending some minor modifications. Commissioner Cavin moved to approve the modifications to the job specifications for the Road Operations Director. Commissioner Bilberry seconded the motion. A voice vote was unanimous and the motion carried.

**2017 CHAVES COUNTY ROAD HEARING FREEHOLDERS REPORT AND APPLICATIONS SUMMARY**

Bill Williams stated this item is acceptance of the Freeholder report and the Public Hearing for these Road Applications will be held at the Regular Commission Meeting on April 20<sup>th</sup>. Commissioner Duffey moved to accept the report. Commissioner Cavin seconded the motion. A voice vote was unanimous and the motion carried. A special meeting was set for April 24, 2017 at 8:00a.m. to view the roads.

**APPROVE 2016 PERA ANNUAL REPORTS – CHAVES COUNTY VOLUNTEER FIRE DEPARTMENTS**

Angelo Gurule stated the Chaves County Volunteer Fire Departments are requesting approval of their Annual Public Employees Retirement Association Reports. Commissioner Duffey moved to

approve the 2016 PERA Annual Reports for the Chaves County Volunteer Fire Departments. Commissioner Bilberry 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 \$1,684,915.27. Commissioner Bilberry 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 Bilberry seconded the motion. A voice vote was unanimous and the motion carried.

#### **UNSCHEDULED COMMUNICATIONS**

Rita Kane-Doerhoefer stated Alys Klein would be sending out a memo to the County in reference to Walk for Hope. Arbor Day is April the 8<sup>th</sup> and they will be giving each person 2 free trees. March 25<sup>th</sup>, 26<sup>th</sup> and 27<sup>th</sup> is the Colt Classic Baseball Tournament.

#### **MANAGER'S COMMUNICATIONS**

Stan Riggs stated he has been keeping up with the legislative session. There is no doubt that the budget will be tight this year. He believes Chaves County will save some money by eliminating another position this year. The only positions added in the last 10 years have been at the Detention Center. The sale of property to Eye Associates was approved by DFA. The House and Senate have passed bills to eliminate BLM 2.0 but it has not been signed by the President. It will be a busy April with Road Hearings and the start of the budget process. The budget workshop will be May 11<sup>th</sup>. Chaves County's Budget is 99% complete in May. He mentioned that the Sherriff has put up new cameras in the Treasurer's Office. Commissioner Bilberry asked Stan if he thought the bills to stop BLM 2.0 would be signed. Stan stated he believed that it would but that we needed to prepare for the lawsuit just in case.

#### **COMMISSIONER'S COMMUNICATIONS**

Commissioner Ezzell stated it has been a weird session in Santa Fe. The Senate voted to override a veto, which has upset the Governor. The House may not pass it. He let Rita know he was a Cardinals fan.

Commissioner Duffey asked everyone to come out for Ag Appreciation Day on the 30<sup>th</sup>. The 30 day session has not been pretty and he hopes there will be no more cuts. He mentioned the selection process for the City Manager.

Commissioner Bilberry congratulated Joe West on his promotion. He thanked everyone for all their hard work including work at the legislature. He told Rita he was glad she was back.

Commissioner Cavin appreciates all the hard work which makes this County great. We need to hold on tight and hope the State quits picking our pockets. We do a great job here and we need to hold the State accountable for their actions. It was a good week in Washington and he appreciates the support of his constituents.

Chairman Corn stated it was a good week in Washington D.C. The President signed to get rid of Waters of the US and he is hopeful he will do the same with BLM 2.0. He stated the downfall of the State Financial situation began with Gary Johnson and Bill Richardson selling bonds which severed the cash flow. Bonds are good but there must be a separate flow of money to pay for them. The media mentioned a 10 cent gas tax to help fund schools. Usually gas tax goes to roads. All this re-dealing of funds just creates a big mess. The locals are being asked to pick up the slack. He is hopeful there will be no lay-offs. The State needs to stop taking our money and figure out how to take care of itself.

The meeting was adjourned pending the signature of documents at 10:17 a.m.

CHAVES COUNTY BOARD OF COMMISSIONERS

*Robert Corn*  
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ROBERT CORN, CHAIRMAN

*William E. Cavin*  
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WILLIAM E. CAVIN, VICE CHAIRMAN

*Jeff Bilberry*  
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JEFF BILBERRY, MEMBER

*James Duffey*  
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JAMES DUFFEY, MEMBER

*T. Calder Ezzell Jr.*  
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T. CALDER EZZELL JR., MEMBER

ATTEST: *Dave Kunko*  
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DAVE KUNKO, COUNTY CLERK

