

**JUNE 15, 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, Ezzell, Corn and Cavin. Commissioner Duffey was absent. 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.

#### **MINUTES**

Commissioner Bilberry moved to approve the Regular Commission Meeting Minutes from May 18, 2017 and the May 11, 2017 Special Commission Meeting. Commissioner Cavin seconded the motion. A voice vote was unanimous and the motion carried.

#### **AGENDA**

Chairman Corn stated he would like to pull item 4, appointment of members to the DWI Planning Council and postpone it until the next month. Commissioner Ezzell moved to approve the agenda as amended. Commissioner Cavin seconded the motion. A voice vote was unanimous and the motion carried.

#### **PUBLIC HEARINGS**

##### **AMENDMENTS TO ORDINANCE O-098**

Stan Riggs explained that Ordinance O-098 if approved would raise the County GRT rate by (1/12<sup>th</sup>) percent or (.083335%). The current rate is 6.4735% and the new rate would be 6.5208%. The tax would generate approximately \$850,000 per year and would not go into effect until January 1, 2018. He also stated if the tax is not necessary it can be canceled prior to January 1<sup>st</sup>. We are hopeful that the Feds will make the PILT payment, but we will not be sure until it happens. Chairman Corn opened the public hearing for public comment.

**IN FAVOR:** Larry Connelly spoke in favor of the tax. If the County does not need it they can kill it at any time. Mr. Riggs stated that once the tax is canceled it cannot be brought back.

**AGAINST:** None

Commissioner Cavin stated it would be good to pass this now and if it is not needed maybe we could give back property tax. Commissioner Ezzell stated the Statutes allow this move because the State withheld 1/12 from the Counties for Medicaid matching funds. Mr. Riggs stated this just replaces funds taken by the State 3 years ago. Chairman Corn stated he just recently signed documents to allow NMFA to re-do our bonds for Fire Funds. This year the legislature severed the flow of money the home owners pay in taxes on their home owners insurance. We had bonded against this funding for firefighting equipment. They gather those funds throughout the year and the first thing taken off is the bond payment. All the bonds for all the fire districts came due about the same time. Other expenses are paid out of that fund at the same time. The legislature decided we could not do that any more and they severed one year of those funds and put us on an accrual basis from now on. Because of this NMFA had to re-do all the bonds because the money is not there when the bond payment is due. This has become a real complicated issue. Another thing we need to keep in mind is the legislature is taking credit for part of our IHC Funds. The funding for SRS is supposed to come from logging and lumber and the United States is not doing much of that anymore. This creates another hurdle. Commissioner Ezzell moved to adopt Ordinance O-098, adopting a gross receipts tax. Commissioner Cavin seconded the motion. A voice vote was unanimous and the motion carried.

##### **TRANSFER OF LIQUOR LICENSE #1014 FOR CASAREZ LEASING, LLC**

Stan Riggs stated that pursuant to the Liquor Control Act the local government body is required to consider a Liquor License Transfer of location application for approval or disapproval following a public hearing on the matter. The application has received preliminary approval from the Director of

the Alcohol and Gaming Division. The proposed location is not within 300' of a church or school. Chairman Corn opened the public hearing for public comment.

IN FAVOR: The Applicant, Guadalupe Leyva spoke in favor of the application.

AGAINST: None

Commissioner Ezzell moved to approve the transfer of location of liquor license #1014. Commissioner Cavin seconded the motion. A voice vote was unanimous and the motion carried.

## **AGREEMENTS AND RESOLUTIONS**

### **RESOLUTION R-17-020 APPROVAL OF BUDGET ADJUSTMENT**

Anabel Barraza stated this request is for a budget adjustment for various departments to ensure positive budget balances. The adjustments are based on available funding. Commissioner Cavin moved to approve Resolution R-17-020. Commissioner Bilberry seconded the motion. A voice vote was unanimous and the motion carried.

## **OTHER BUSINESS**

### **APPOINTMENT TO THE ARIZONA-NEW MEXICO COALITION OF COUNTIES**

Mr. Riggs stated Chaves County has been a member of this Coalition for several years. Commissioner Ezzell is the current Chaves County representative. Staff recommends adding former Commissioner Kim Chesser as an additional Chaves County representative. Commissioner Ezzell moved to appoint Kim Chesser as a Chaves County representative to the Arizona-New Mexico Coalition of Counties. Commissioner Bilberry seconded the motion. A voice vote was unanimous and the motion carried.

### **APPOINT NEW MEMBERS TO THE CHAVES COUNTY LANDS COUNCIL**

Stan Riggs mentioned that Chaves County Lands Council is currently made up of nine members and they are having trouble getting a quorum. Staff recommends the appointment of former Commissioner Kim Chesser and Eric Austin to the Lands Council. Commissioner Bilberry moved to approve the 2 appointments as listed. Commissioner Ezzell seconded the motion. A voice vote was unanimous and the motion carried.

## **APPROVAL OF CHECKS**

Commissioner Bilberry moved to approve checks in the amount of \$1,507,434.54. Commissioner Cavin seconded the motion. A voice vote was unanimous and the motion carried.

## **APPROVAL OF REPORTS**

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

## **UNSCHEDULED COMMUNICATIONS**

Andy Robertson initiated the process of getting possible Commission approval of the use of UTV's and maybe ATV's on paved roads in the County. Mr. Robertson mentioned that in Red River they made a map of the approved roads.

Officer Bird from NMGF stated Otero County is the only County that has approved UTV use on paved roads and several Villages and Cities have done the same thing.

Rita Kane-Doerhofer stated she met with the City about the UTV's and they mentioned many items that would have to be included on the vehicles.

## **MANAGER'S COMMUNICATIONS**



Bill Williams wanted to remind everyone replacing their roof from hail damage would need to obtain a building permit.

Stan Riggs stated next week was the Annual NMAC Conference in Taos. The meeting with BLM is scheduled for June 27<sup>th</sup> along with a Grant Agreement and a Liquor License Transfer. The next Regular Commission Meeting is July 18<sup>th</sup>. This had to be move to Tuesday due to the NACO Conference at the same time. There will be a special meeting on July 27<sup>th</sup> at 8:00 to approve the budget. County Chip Sealing is underway, please be careful in construction zones.

**COMMISSIONER'S COMMUNICATIONS**

Commissioner Bilberry thanked everyone for all their hard work and asked everyone to pray for rain.

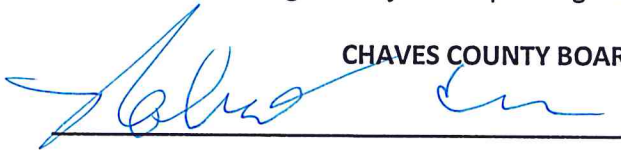
Commissioner Ezzell echoed what Commissioner Bilberry said.

Commissioner Cavin stated they had a good trip to the conference in Oregon. They had a good conversation with BLM. Hopefully a new Department Head will be appointed soon. He mentioned he will not be in Roswell for the special meeting on June 27<sup>th</sup>. Hopefully some information will be passed down from Washington D.C. prior to the special meeting. He thanked everyone for all their hard work and told everyone to stay out of the heat.

Chairman Corn agreed with Commissioner Cavin that the meeting in Oregon was very productive. He met with the gentleman in charge of planning at BLM. He asked for a report on BLM 2.0. He asked Commissioner Corn what he liked about BLM 2.0 and his response was that he didn't remember anything he liked about it. Commissioner Corn will be drafting a letter to him on BLM 2.0. The gentlemen stated they work on rules and get them enacted in about 8 years and they are already out of date. Commissioner Corn stated if it won't withstand an 8 year time frame it probably was not needed in the first place. BLM and the Department of the Interior would like to have additional friendly conversations about land use plans. He sent in a request to be an officer on the NACO Land Council.

The meeting was adjourned pending the signature of documents at 9:58 a.m.

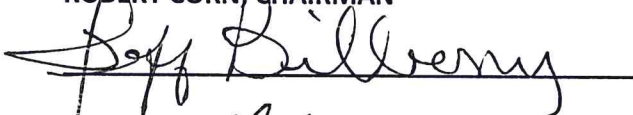
**CHAVES COUNTY BOARD OF COMMISSIONERS**



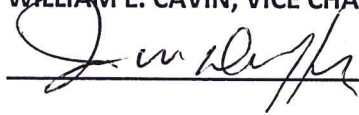
**ROBERT CORN, CHAIRMAN**



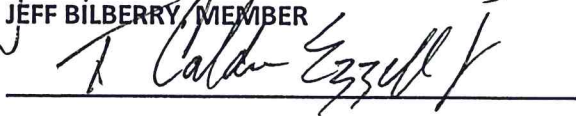
**WILLIAM E. CAVIN, VICE CHAIRMAN**



**JEFF BILBERRY, MEMBER**



**JAMES DUFFEY, MEMBER**



**T. CALDER EZZELL JR., MEMBER**

ATTEST: 

**DAVE KUNKO, COUNTY CLERK**

