



JUNE 25, 2018

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. Commissioner Ezzell led the pledge and Commissioner Duffey led in prayer. Those present were Commissioners Bilberry, Duffey, Ezzell, Cavin and Corn. Also present were County Manager Stan Riggs, Public Services Director Bill Williams, Sheriff Britt Snyder, Treasurer Charlotte Andrade, Finance Director Joe Sedillo, County Clerk Dave Kunko, news media, staff and guests.

MINUTES

Commissioner Cavin moved to approve the Minutes from May 21, 2018 with an amendment to the date for approved minutes to be changed from February 15th to April 19th. Commissioner Ezzell seconded the motion. A voice vote was unanimous and the motion carried. Commissioner Duffey moved to approve the Minutes from the May 10th Budget Workshop and the June 8th Special Primary Canvas meeting. Commissioner Cavin seconded the motion. A voice vote was unanimous and the motion carried.

PROCLAMATION

DEXTER LADY DEMONS SOFTBALL TEAM – STATE CHAMPIONS

Commissioner Ezzell read a proclamation proclaiming June 25, 2018 as Dexter Lady Demons Softball Team Day in Chaves County. The coach and players accepted the proclamation and posed for a picture with the Commissioners.

PRESENTATIONS

NMAC/NMML SCOTT CHAMBERS PRESENTING TO CCDC

Scott Chambers stated he represented NMAC and NMML and he and his team conducted the re-accreditation of the Chaves County Detention Center (CCDC). He stated there were 208 standards that must be met. He said he could pretty much tell how the visit was going to go by the moment they walked into the facility. He said it was clean and the staff cared about what they do and were extremely helpful in supplying the information necessary for the inspection. The CCDC is the first facility in the State of New Mexico to receive their 3rd accreditation. Clay Corn introduced his staff and had them come up and take a picture with the Commissioners.

CHAVES COUNTY DWI PROGRAM

Lucia Serrano gave a Power Point Presentation about the DWI Program and all the individuals and entities involved. She introduced Alice Eppers who spoke about being involved with the DWI Program for 17 years. Her idea is to get back to the basics. She would like to see Lucia and Natalia more involved with grant writing. She spoke about the 'Every 15 Minutes' Program, Prevention before Detention and the 'ASPEN' Program. Commissioner Cavin recognized Diane Taylor as having been involved for many years. Chairman Corn stated as a Judge he was assigned to the program in 1993 and he feels the program is headed in the right direction.

PUBLIC HEARINGS

CASE Z 2018-3 SPECIAL USE PERMIT IN AREA II, ZONE A, RESIDENTIAL – AGRICULTURAL

Marlin Johnson stated the applicant is requesting a special use permit for an agriculturally related trucking business in a Residential – Agricultural District. The Planning and Zoning Commission recommends approval with the findings of fact and an additional condition that there be no use of Jake brakes along this stretch of E. Calusa Road. Chairman Corn opened the public hearing to public comment.

IN FAVOR: Victor Regalado stated he needs a place to park his trucks.

OPPOSED: NONE

Commissioner Duffey stated he was concerned about the number of trucks because the conditions allow for 8 trucks plus 2 inoperable trucks. It appears he is already out of compliance with 10 trucks and 2 inoperable trucks. Mr. Regalado stated he would like to request 10 trucks with 2 inoperable. Commissioner Cavin had concerns about the trailer and how many people were living here. Mr. Regalado stated that it is rarely used and it could be moved to the back of the property. Commissioner Duffey appreciated all the work that had been done to clean up the property and told Mr. Regalado that he needs to understand the Stipulations and Findings of fact. Commissioner Duffey moved to approve Case Z 2018-3 with the stipulations and findings of fact to include 10 trucks plus 2 inoperable. Commissioner Ezzell seconded the motion. A voice vote was unanimous and the motion carried.

CASE Z 2018-6 CHANGE OF USE IN AN INDUSTRIAL DISTRICT

Marlin Johnson explained the applicant is requesting a change of use in an Industrial District. The request is to change from a construction yard and oil and gas well servicing to a Dairy Supply Activities and Services, trucking and trucking related services. The Planning and Zoning Commission recommends approval with the conditions and findings of fact. Chairman Corn opened the public hearing to public comment.

IN FAVOR: Ms. Richardson stated they are in the process of purchasing 15 acres and wish to move their long-distance milk transport operation.

OPPOSED: None

Commissioner Bilberry moved to approve Case Z 2018-6 with the stipulations and findings of fact. Commissioner Duffey seconded the motion. A voice vote was unanimous and the motion carried.

CASE Z 2018-7 REQUEST FOR A SPECIAL USE PERMIT IN AREA II, RESIDENTIAL-AGRICULTURAL

Marlin Johnson stated the applicant is requesting a special use permit to allow a second residence for family caregiver purposes. The Planning and Zoning Commission recommend approval with the stipulations and findings of fact. Chairman Corn opened the public hearing to public comment.

IN FAVOR: Kay Myers spoke in favor of the permit so that she could care for her father.

OPPOSED: None

Commissioner Ezzell moved to approve Case Z 2018-7. Commissioner Cavin seconded the motion. A voice vote was unanimous and the motion carried.

AGREEMENTS AND RESOLUTIONS

AGREEMENT A-18-014 NM DEPARTMENT OF FINANCE AND ADMINISTRATION LOCAL GOVERNMENT DIVISION

Lucia Serrano stated that Chaves County was awarded \$28,000.00 in Local DWI grant funds from NMDFA. Commissioner Duffey moved to approve Agreement A-18-014. Commissioner Bilberry seconded the motion. A voice vote was unanimous and the motion carried.

AGREEMENT A-18-015 RATIFICATION OF AGREEMENT BETWEEN STATE OF NM AND KEEP CHAVES COUNTY BEAUTIFUL

Georgianna Hunt stated this action would ratify a Keep Chaves County Beautiful Grant from the State of NM in the amount of \$20,893.00. Commissioner Cavin moved to Ratify Agreement A-18-015. Commissioner Duffey seconded the motion. A voice vote was unanimous and the motion carried.

AGREEMENT A-18-019 AGREEMENT WITH BNSF TO CLOSE RAILROAD ON CHICKASAW ROAD

Bill Williams stated this agreement is with Burlington Northern Santa Fe Railroad for the removal of the railway crossing on Chickasaw Road. Commissioner Ezzell moved to approve Agreement A-18-019. Commissioner Bilberry seconded the motion. A voice vote was unanimous and the motion carried.

AGREEMENTS A-18-020 WITH ASPEN OF NM, A-18-021 WITH CHAVES COUNTY CASA, A-18-022 WITH DEXTER MUNICIPAL SCHOOL DISTRICT, A-18-023 WITH DIANE TAYLOR, A-18-024 WITH DIANNA S. MEDA, A-18-025 WITH EVERY 15 MINUTES PROGRAM, A-18-026 WITH HAGERMAN MUNICIPAL SCHOOLS, A-18-027 WITH LAKE ARTHUR MUNICIPAL SCHOOLS, A-18-028 WITH FRANK G. MAGOURILOS, A-18-029 WITH CHARACTER COUNTS-PROJECT GRADUATION, A-18-030 WITH ROSWELL REFUGE OF CHAVES COUNTY, A-18-031 WITH SERENITY COUNSELING AND A-18-032 WITH WINGS FOR L.I.F.E.

Lucia Serrano stated the Chaves County DWI Program received funding under the LDWI distribution of \$367,435.00 and the Competitive Grant of \$28,000.00 for FY 2019. The subcontracts listed will be allocated the estimated distribution amount to provide various DWI related programs to Chaves County. Commissioner Duffey moved to approve Agreements A-18-20 through A-18-32. Commissioner Cavin seconded the motion. Commissioner Ezzell asked Alice Eppers if any of these programs were duplicative. Alice Eppers stated she believes there is some duplication but she needs time to prove it. A voice vote was unanimous and the motion carried.

RESOLUTION R-18-015 LOCAL GOVERNMENT ROAD FUND – (CAP), RESOLUTION R-18-016 LOCAL GOVERNMENT ROAD FUND – (CO-OP), RESOLUTION R-18-017 LOCAL GOVERNMENT ROAD FUND – (SCHOOL BUS ROUTE)

Bill Williams stated the Local Government Road Fund (LGRF) offer from the NMDOT is for a single penetration chip seal on approximately 49.57 miles of Chaves County roads that have not been resurfaced for 6 to 8 years. Resolution R-18-15 has NMDOT paying \$452,653 and Chaves County paying \$150,844.33 for a total of \$603,537.33. Resolution R-18-016 is the Co-op Program for single penetration chip seal on 12.05 miles with NMDOT paying \$140,000.00 and Chaves County paying 46,666.66 for a total of \$186,666.66. Resolution R-18-017 is the School Bus Route Program for single penetration chip seal on 12.54 miles with NMDOT paying \$100,000.00 and Chaves County paying \$33,333.33 for a total of \$133,333.33. Commissioner Ezzell moved to approve Resolutions R-18-015, R-18-016 and R-18-017. Commissioner Duffey seconded the motion. Commissioner Duffey commented on the increase of the chip seal program from the State. Mr. Riggs stated the State is very happy with our accountability. A voice vote was unanimous and the motion carried.

RESOLUTION R-18-018 DELETION OF PROPERTY

Lucia Serrano stated that approval of this resolution would allow staff to remove the attached inventory for auction and donate 2 repeaters to Quay County. Commissioner Cavin moved to approve Resolution R-18-018. Commissioner Bilberry seconded the motion. A voice vote was unanimous and the motion carried.

RESOLUTION R-18-019 BUDGET ADJUSTMENT RESOLUTION

Anabel Barraza stated the Finance Department is requesting a budget adjustment for the items in Exhibit A to ensure positive fund balances. Commissioner Duffey moved to approve Resolution R-18-019. Commissioner Cavin seconded the motion. A voice vote was unanimous and the motion carried.

RESOLUTION R-18-020 HOBSON ROAD AND U.S. 285 INTERSECTION UPGRADE

Stan Riggs stated this resolution outlines Chaves County's support of the State of NMDOT upgrade of the intersection of Hobson Road and U.S. 285. The City Council had approved a similar resolution earlier this month. He mentioned that the County owns 600 ft. of Hobson Road. Commissioner Duffey asked if there was a discussion of having the City take it over. Mr. Riggs stated it

has been discussed. Commissioner Duffey moved to approve Resolution R-18-020. Commissioner Ezzell seconded the motion. A voice vote was unanimous and the motion carried.

ITB'S AND RFP'S

ITB 18-2 UNIFORMS FOR CHAVES COUNTY DETENTION CENTER

Sandra Rodriguez stated Chaves County sent out a bid for uniforms for the Detention Center. Staff reviewed the bid and recommends award to Gall's LLC for all the uniform items listed. Commissioner Duffey asked if most of the items were in stock. Sandra Rodriguez stated that Gall's said even those items not in stock would be delivered in less than 16 days. Commissioner Duffey moved approval of bid award to Gall's LLC. for ITB-18-2 for Detention Center Uniforms. Commissioner Bilberry seconded the motion. A voice vote was unanimous and the motion carried.

OTHER BUSINESS

PERMISSION TO PUBLISH FOR PUBLIC HEARING AMENDING ORDINANCE NO. 7 CHAVES COUNTY ZONING ORDINANCE

Stan Riggs stated staff is requesting permission to publish for a public hearing regarding Ordinance No.7 to be held on Thursday, July 19, 2018 during their regular Commission Meeting at 9:00 am. The proposed amendment would allow the Planning and Zoning Director to approve a change of use in an industrial zone upon determination the proposed change of use is of equal or lesser impact. Commissioner Bilberry moved to approve permission to publish for public hearing an amendment to Ordinance No. 7. 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 \$1,367,797.50. Commissioner Ezzell 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 Ezzell seconded the motion. A voice vote was unanimous and the motion carried.

UNSCHEDULED COMMUNICATIONS

Chaves County Treasurer Charlotte Andrade stated they are in the process of changing banks. They have tested everything and are ready to go for the new fiscal year.

Randy Robertson spoke about issues with BLM Oil and Gas Lease sales and issues with a group calling themselves the "earth guardians". Commissioner Cavin added this is an ongoing battle.

Larry Connolly mentioned the broken clock and deleting it from inventory.

Chaves County Clerk Dave Kunko mentioned work by Cindy Fuller and Alfredo Garcia in conjunction with the Department of Homeland Security (DHS). DHS has tested our cyber security and given a very positive report.

MANAGER'S COMMUNICATIONS

Mr. Riggs stated NMDFA has approved our interim budget and our new budget will begin July 1st. Our Safety Person will begin July 2nd. We will be closed on July 4th in observance of Independence Day. He stated the endangered species issue for the lizard is back on the radar. He will be on vacation until after July 4th attending an Eagles concert in Colorado. He told everyone Happy New Year.

COMMISSIONER'S COMMUNICATIONS

Commissioner Bilberry stated let it rain, and thank you for the hard work. Don't forget to remember our first responders in your prayers.

Commissioner Duffey congratulated the Dexter girls on their State Championship. He stated we have CCDC which are champions as well. He thanked the DWI Program for a wonderful job. He congratulated Commissioner Cavin on his election to the WIR Board. He thanked Randy Robertson for paying attention to what is going on and stated our voices need to be heard.

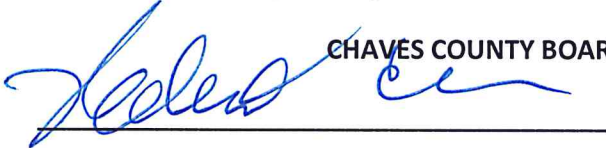
Commissioner Ezzell had nothing to add.

Commissioner Cavin thanked Chaves County. He said it is an honor to be on the WIR Board. We must stay on top of land issues. July is a busy month and he and Chairman Corn would be going to the NACO meeting in Nashville. God Bless America.

Chairman Corn thanked CCDC for an excellent job. It is amazing to be accredited 3 times. Congratulations to the Dexter Girls.

The meeting was adjourned at 10:48 a.m. pending the signature of documents.

CHAVES COUNTY BOARD OF COMMISSIONERS



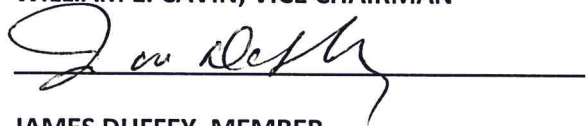
ROBERT CORN, CHAIRMAN



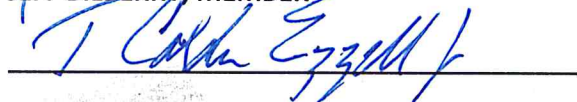
WILLIAM E. CAVIN, VICE CHAIRMAN



JEFF BILBERRY, MEMBER



JAMES DUFFEY, MEMBER



T. CALDER EZZELL JR., MEMBER

ATTEST: 

DAVE KUNKO, COUNTY CLERK

