



AUGUST 15, 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, Corn and Commissioner Cavin joined the meeting by phone. Also present were County Manager Stan Riggs, Public Services Director Bill Williams, Sheriff Deputy Daniel Ornelas, County Treasurer Charlotte Andrade, Finance Director Joe Sedillo, County Clerk Dave Kunko, news media, staff and guests.

MINUTES

Commissioner Ezzell moved to approve the Minutes from July 19, 2018. Commissioner Duffey seconded the motion. A voice vote was unanimous and the motion carried.

PUBLIC HEARINGS

CASE Z 2018-10 REQUEST TO REZONE FROM SINGLE FAMILY TO MULTI-FAMILY RESIDENTIAL

Marlin Johnson stated this request is to rezone to allow for Multi-Family Residential for a four-unit apartment on each parcel. Marlin stated the Planning and Zoning Committee recommend approval with the conditions and findings of fact. Chairman Corn opened the public hearing to public comment.

IN FAVOR: NONE

OPPOSED: NONE

Commissioner Ezzell asked why the applicant wasn't present. Mr. Johnson stated the applicant is from Texas and there has been some confusion on water availability. The owner has been told there is an Artesian Well, but it may be costly to drill that deep. He was instructed to get an estimate. Commissioner Duffey asked if the applicant wished to move forward. Mr. Johnson stated he did advise the applicant to get more information from a driller. Commissioner Ezzell moved to table Case Z 2018-10. Commissioner Duffey seconded the motion. A voice vote was unanimous and the motion carried.

CASE Z 2018-11 REQUEST TO REZONE TO INDUSTRIAL FROM AGRICULTURAL DISTRICT

Marlin Johnson explained that this is a request to rezone from Agricultural to Industrial for a trucking business. They would be parking and maintaining trucks at this site. 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: NONE

OPPOSED: NONE

Commissioner Ezzell asked the size of the property. He was told it was 15 acres. Commissioner Bilberry asked if this is close to the location of the other requests for rezoning for the same reason. Marlin Johnson stated that this is in the same area and we may be receiving 1 or 2 more requests in that area. Commissioner Ezzell asked if additional truck traffic would make road maintenance a problem. He then asked if there were residences on this road. Mr. Johnson mentioned there is one residence in this area, however they did not respond and some of the property in the area was already zoned Commercial prior to them moving to the residence. Commissioner Ezzell moved to approve Case Z 2018-11 with the stipulations and findings of fact. Commissioner Duffey seconded the motion. A voice vote was unanimous and the motion carried.

CASE Z 2018-12 SPECIAL USE PERMIT IN AREA II AGRICULTURAL - RESIDENTIAL

Marlin Johnson stated this request is for a special use permit to allow a wireless telecommunication facility in an Agricultural/Residential District. The Applicant is the Town of Hagerman and the communication tower is for emergency 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: A Hagerman Police Officer and Sheriff Deputy Daniel Ornelas. They both stated this is desperately needed.

OPPOSED: NONE

Commissioner Duffey moved to approve Case Z 2018-12 with the stipulations and findings of fact. Commissioner Ezzell seconded the motion. A voice vote was unanimous and the motion carried.

AGREEMENTS AND RESOLUTIONS

AGREEMENT A-18-010 AND RESOLUTION R-18-030 WITH NMDOT FOR LEGISLATIVE APPROPRIATION 18-C2622 IN THE AMOUNT OF \$205,512.00

Georgianna Hunt explained that Agreement A-18-010 and Resolution R-18-030 are with NMDOT for Legislative Appropriation 18-C2622 in the amount of \$205,512.00. This is for the planning, designing, repairing and construction improvement to Hobson Road. Commissioner Duffey moved to approve Agreement A-18-010 and Resolution R-18-030. Commissioner Cavin seconded the motion. A voice vote was unanimous and the motion carried.

AGREEMENT A-18-038 WITH NMDOT TRAFFIC SAFETY DIVISION

Lucia Serrano stated the Chaves County DWI Program was awarded \$9,553.00 in CDWI funds under the Department of Transportation Traffic Safety Division. Commissioner Cavin moved to approve Agreement A-18-038. Commissioner Bilberry seconded the motion. A voice vote was unanimous and the motion carried.

AGREEMENT A-18-046 AND A-18-047 WITH SOUTHEASTERN NEW MEXICO ECONOMIC DEVELOPMENT DISTRICT AND ROSWELL REFUGE FOR BATTERED ADULTS FOR BUILDING LEASES.

Stan Riggs stated staff is recommending approval of these leases. They are the standard leases that Chaves County uses for all governmental entities and nongovernmental agencies. Commissioner Bilberry moved to approve Agreements A-18-046 and A-18-047. Commissioner Ezzell seconded the motion. A voice vote was unanimous and the motion carried.

RESOLUTION R-18-027 AUTHORIZING SUSPENDING THE MINIMUM PENALTY REQUIREMENTS OF THE PROPERTY TAX CODE

Chaves County Treasurer Charlotte Andrade explained that due to our high rate of tax collection it is believed to be unnecessary to impose the \$5.00 minimum tax penalty and asked that the minimum penalty requirements of the property tax code be suspended. Commissioner Ezzell congratulated Charlotte on their high rate of collection. Commissioner Ezzell moved to approve Resolution R-18-027. Commissioner Duffey seconded the motion. A voice vote was unanimous and the motion carried.

RESOLUTION R-18-028 2020/2024 CHAVES COUNTY INFRASTRUCTURE CAPITAL IMPROVEMENTS PLAN (ICIP)

Georgianna Hunt explained the ICIP Project Summary is updated each year for DFA. Chairman Corn stated it is very important that everything we are thinking about is included in the list and the order of the list is just as important. Commissioner Ezzell asked why the Courthouse Elevator was still on the list. Georgianna Hunt and Stan Riggs stated they must stay on the list until the project is completed. Commissioner Duffey asked about Red Bridge Road and the crumbling edges. Joe West stated the City of Roswell rerouted traffic onto a portion of Red Bridge. Mr. West stated once rerouted it will continue to see a lot of use. The County can do it cheaper than what we would have to pay a contractor. He mentioned a new process being used in Quay County that may increase the life of the road. Commissioner Ezzell asked about the Public Communication Issue. Mr. Riggs stated he is waiting on a report from the City of Roswell to see how much has already been spent. This issue is currently on hold. Commissioner Duffey asked about the repetition in the report and Georgianna Hunt stated that multiple agencies are included in the report and their needs will sometimes show up as duplications.

Chairman Corn stated a problem with this issue is technology continues to change and the question is will the new equipment work with older equipment. Commissioner Ezzell moved to approve Resolution R-18-028. Commissioner Bilberry seconded the motion. A voice vote was unanimous and the motion carried.

RESOLUTION R-18-029 DELETION OF PROPERTY AND PROPOSED DISPOSITION

Lucia Serrano stated this resolution would allow staff to send the attached list of obsolete items to auction. Commissioner Duffey moved to approve Resolution R-18-029. Commissioner Bilberry seconded the motion. A voice vote was unanimous and the motion carried.

ITB'S AND RFP'S

ITB 18-4 VECTOR CHEMICALS

Sandra Rodriguez stated Chaves County received bids from ADAPCO and Target Specialty Products for Vector Chemicals. Staff has reviewed the bids and recommends award to both vendors. Orders are placed as needed. Commissioner Duffey moved approval of bid award to ADAPCO and Target Specialty Products for Vector Chemicals. Commissioner Ezzell seconded the motion. A voice vote was unanimous and the motion carried.

OTHER BUSINESS

APPOINTMENT OF MEMBER TO JOY CENTER BOARD OF DIRECTORS

Stan Riggs stated the Chaves County Commission appoints 3 members to the JOY Center Board of Directors. The term of Robert McCrea has expired. Monica Duran, Executive Director of Chaves County JOY Centers, Inc. has requested that Mr. McCrea be re-appointed for a 2 year term. Commissioner Ezzell moved to approve the re-appointment of Mr. McCrea for a 2 year term. Commissioner Duffey seconded the motion. A voice vote was unanimous and the motion carried.

APPROVE JOB SPECIFICATION FOR DWI/COURT SERVICES TECH

Stan Riggs stated staff is recommending restructuring of the DWI Tech position and add additional duties to include supervising the Community Services Program. Staff recommends approval of the job specification and position upgrade from a grade G to a grade I. Commissioner Cavin made a motion to table until after the meeting with DWI. Mr. Riggs stated that the DWI representative from the State would not be at the meeting and it really has no bearing on this issue. Chairman Corn stated DWI controls reporting and funds. They do not have anything to do with our positions. Mr. Riggs stated with or without DWI we really need to fill this position. Commissioner Cavin withdrew his motion to table. Commissioner Duffey moved to approve the job specification and position upgrade. 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 \$1,678,166.50. 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 Bilberry seconded the motion. A voice vote was unanimous and the motion carried.

UNSCHEDULED COMMUNICATIONS

Larry Connolly stated he missed the last meeting because his wife received a hip replacement and was doing well.

Alys Klein stated the funeral for Chris Mann was scheduled for today at 11:00. He was a member of the Sierra Volunteer Fire Department.

Lucia Serrano stated the DWI Program would like to invite everyone to a meeting with La Casa Community Health Behavior. It is called "A Call for Community Input on Alcohol and Chaves County Youth". A survey shows New Mexico has the second highest percentage of children drinking alcohol before the age of 13. The meeting is August 23rd from 6:00pm to 7:30pm at La Casa.

Rita Kane Doerhoefer mentioned Keep Chaves County Beautiful and a meeting tomorrow at 6:30pm on Cumberland Park at the Fire Department in Midway. There is a lot of community interest in this project. The plan includes new garbage cans, benches, tables, grills and they will be repairing the basketball court. Commissioner Ezzell will be there for the dedication.

Chairman Corn introduced Tim Williams representing the Department of the Interior and thanked him for coming to Chaves County.

MANAGER'S COMMUNICATIONS

Mr. Riggs stated the County would be closed in observance of Labor Day. County Employees have donated a lot of school supplies for Pecos Elementary. The BLM, RMP is out and he has been looking at it and will be having a meeting with Dan Girand tomorrow. The concerns about this plan continue. We hope to set up a meeting with BLM in September or October. Comments on the plan are due by November.

COMMISSIONER'S COMMUNICATIONS

Commissioner Bilberry thanked the Elected Officials and staff. He also thanked Commissioner Duffey for his representation on the Fair.

Commissioner Duffey appreciated Tim Williams coming here from Washington, D.C. and he appreciates Tim's bosses balanced approach. He thanked those that participated in the Fair. School has started this year and asked everyone to be safe.

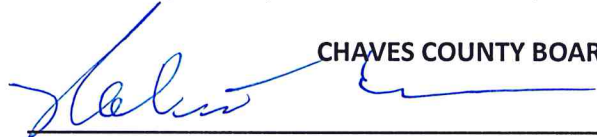
Commissioner Ezzell thanked everyone for their hard work.

Commissioner Cavin welcomed Tim Williams, Deputy Secretary of the Interior to Chaves County for a tour. He thanked all those wishing his son well during his surgery rehabilitation. This is a great Country, great County and he appreciates everyone. God Bless America.

Chairman Corn stated he was glad Commissioner Cavin's son was doing well. He mentioned work on the NACO Resolution and a meeting at the Whitehouse with staff and House and Senate Committee members. The Senate Committee Chairman is very supportive of the Resolution and agrees that the law says "coordinate". The discussion with BLM will continue. They had a good meeting with the American Farm Bureau and they are a great organization.

The meeting was adjourned at 10:20 a.m. pending the signature of documents.

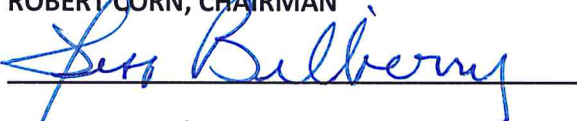
CHAVES COUNTY BOARD OF COMMISSIONERS



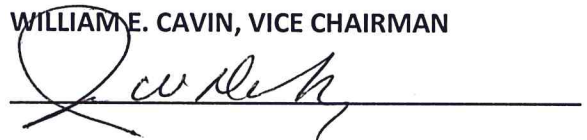
ROBERT CORN, CHAIRMAN



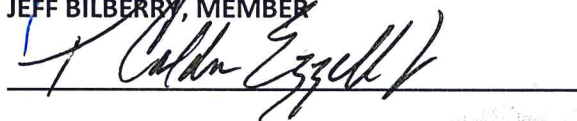
WILLIAM E. CAVIN, VICE CHAIRMAN



JEFF BILBERRY, MEMBER



JAMES DUFFEY, MEMBER



T. CALDER EZZELL JR., MEMBER

ATTEST: 

DAVE KUNKO, COUNTY CLERK

