

**OCTOBER 18, 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 Cavin led the pledge and Commissioner Bilberry led in prayer. 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, County Treasurer Charlotte Andrade, County Assessor Mark Willard, Finance Director Joe Sedillo, Custodian David Flores, County Clerk Dave Kunko, news media, staff and guests.

**MINUTES**

Commissioner Bilberry moved to approve the Minutes from September 4, 2018. Commissioner Cavin seconded the motion. A voice vote was unanimous and the motion carried.

**PRESENTATION**

Commissioner Cavin read and presented a plaque to long time Chaves County Custodian David Flores.

**PROCLAMATION – CHARACTER COUNTS WEEK**

Commissioner Bilberry read the proclamation which proclaims the 3<sup>rd</sup> week in October to be Character Counts Week. The signed proclamation was presented to Tim Fuller.

**AGENDA**

Chairman Corn stated that Item #8 Resolution R-18-36 Supporting the Formation of a Regional Airport Authority would be moved in front of Item #1. Item #2 Case SD 2018-2 would be removed from the agenda.

**AGREEMENTS AND RESOLUTIONS**

**RESOLUTION R-18-036 SUPPORTING THE FORMATION OF A REGIONAL AIRPORT AUTHORITY**

Chairman Corn read the resolution supporting a Regional Airport Authority. Commissioner Cavin moved to approve Resolution R-18-036. Commissioner Ezzell seconded the motion. A voice vote was unanimous and the motion carried. Jon Hitchcock and John Mulcahy gave a presentation on behalf of the Chaves County Economic Development Corporation. Mr. Mulcahy described a new type of lease on Building #60 with a munitions company. He also mentioned that companies are looking for sites that are ready to be occupied. Commissioner Ezzell asked if the same bill will be introduced this legislative session. Mr. Mulcahy stated it will also include some bonding language. There was additional discussion about the workforce, lack of skilled labor and the need for technical and vocational training.

**PUBLIC HEARINGS**

**ORDINANCE O-008 REVISION #22 TO THE CHAVES COUNTY PERSONNEL POLICY ORDINANCE**

Stan Riggs explained the proposed changes to the Personnel Policy and stated staff recommends approval. Chairman Corn opened the public hearing to public comment.

IN FAVOR: None

OPPOSED: None

Commissioner Cavin moved to approve Revision #22 to Ordinance O-008. Commissioner Bilberry seconded the motion. A voice vote was unanimous and the motion carried.

**CASE Z 2018-05 REQUEST FOR A SPECIAL USE PERMIT IN AGRICULTURAL DISTRICT**

Marlin Johnson explained this special use permit is for a trucking and or oil field services business in an Agricultural District. He stated the P & Z Commission forwarded this with no recommendation as there was no quorum with one Commissioner choosing to recuse herself. Chairman Corn opened the public hearing to public comment.

IN FAVOR: Carlos Siaz, applicant

OPPOSED: None

Commissioner Bilberry moved to approve Case Z 2018-05 with the stipulations and findings of fact. Commissioner Cavin seconded the motion. A voice vote was unanimous and the motion carried.

**CASE Z 2018-13 REQUEST TO REZONE TO INDUSTRIAL DISTRICT FROM AGRICULTURAL DISTRICT**

Marlin Johnson stated this request is to rezone to industrial for a trucking operation which includes parking trucks, truck repair, service and maintenance as well as a residence. The P & Z Commission recommends approval with the conditions and findings of fact including an additional condition that no miscellaneous junk be stored on the property. Chairman Corn opened the public hearing to public comment.

IN FAVOR: Jose Garay, applicant

OPPOSED: None

Commissioner Ezzell moved to approve Case Z 2018-13 with the conditions and findings of fact. Commissioner Bilberry seconded the motion. A voice vote was unanimous and the motion carried.

**CASE Z 2018-15 REQUEST TO REZONE TO INDUSTRIAL DISTRICT FROM AGRICULTURAL DISTRICT**

Marlin Johnson stated this request is to rezone to industrial for trucking, oil field services, outside storage and a residence. The P & Z Commission recommends approval with the conditions and findings of fact including a condition that no miscellaneous junk be stored outside on the property. Chairman Corn opened the public hearing to public comment.

IN FAVOR: David Garcia, applicant

OPPOSED: None

Commissioner Bilberry moved to approve Case Z 2018-15 with the stipulations and findings of fact. Commissioner Cavin seconded the motion. A voice vote was unanimous and the motion carried.

**CASE Z 2018-16 REQUEST FOR A SPECIAL USE PERMIT IN AREA II, RESIDENTIAL AGRICULTURAL**

Marlin Johnson stated this case is for a special use permit to allow a second residence for family caregiver services. The P & Z Commissioner recommended approval with the conditions and findings of fact. Chairman Corn opened the public hearing to public comment.

IN FAVOR: None

OPPOSED: None

Commissioner Cavin moved to approve Case Z 2018-16 with the stipulations and findings of fact. Commissioner Bilberry seconded the motion. A voice vote was unanimous and the motion carried.

**CASE Z 2018-17 SPECIAL USE PERMIT IN AREA II, AGRICULTURAL**

Marlin Johnson stated this special use permit would allow aggregate crushing and an asphalt hot mix plant in an agricultural district. The P & Z 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 moved to approve Case Z 2018-17 with the conditions and findings of fact. Commissioner Bilberry seconded the motion. Commissioner Ezzell asked if this was a permanent facility. Marlin stated they would have to come back before the Commission after 3 years and he believed it was primarily in place for a local project. A voice vote was unanimous and the motion carried.

**RESOLUTION R-18-037 ADOPTING REQUIRED COMMUNITY DEVELOPMENT BLOCK GRANT ANNUAL CERTIFICATIONS AND COMMITMENTS**

Georgianna Hunt stated this resolution adopts the required CDBG annual certification and commitments. The items required are the Citizen Participation Certification, the Fair Housing Commitment, the Residential Anti-Displacement and Relocation Assistance Certification and the Procurement Compliance Certification. She stated this is an annual requirement of the CDBG process. Commissioner Ezzell moved to approve Resolution R-18-037. Commissioner Bilberry seconded the motion. A voice vote was unanimous and the motion carried.

**RESOLUTION R-18-038 SUPPORTING BEST PRACTICES AND PROTOCOLS FOR THE CONSERVATION OF THE DUNES SAGEBRUSH LIZARD**

Stan Riggs explained that this resolution states the County's position that the Dunes Sagebrush Lizard is not harmed by the agriculture, mining or energy industry. The County supports these industries using the best practices and protocols developed by SWCA Environmental Consultants and approved by Counties in Texas. Commissioner Cavin moved to approve Resolution R-18-038. Commissioner Ezzell seconded the motion. A voice vote was unanimous and the motion carried.

**RESOLUTION R-18-039 AMENDING THE CHAVES COUNTY RISK CONTROL PROGRAM**

Stan Riggs explained that if approved this resolution requires all accidents to be reviewed and classified by the County Risk Management Committee. The Sheriff's accidents are reviewed and classified in-house by a committee consisting of deputies. This change was negotiated as part of the Collective Bargaining Agreement. Commissioner Bilberry moved to approve Resolution R-18-039. Commissioner Ezzell seconded the motion. A voice vote was unanimous and the motion carried.

**RESOLUTION R-18-040 BUDGET ADJUSTMENT**

Anabel Barraza explained that budget adjustments are necessary due to the Omaha Road Project, the CDBG for the Chaves County Elevator Project, the Bullet Proof Vest Grant and the transfer of salaries between departments. Commissioner Ezzell moved to approve Resolution R-18-040. Commissioner Bilberry seconded the motion. A voice vote was unanimous and the motion carried.

**ITB'S AND RFP'S**

**RFP-18-3 JANITORIAL SERVICES**

Commissioner Ezzell moved to remove RFP-18-3 for Janitorial Services from the table. Commissioner Bilberry seconded the motion. A voice vote was unanimous and the motion carried. Sandra Rodriguez explained that after RFP-18-3 was tabled at the last Commission Meeting, formal interviews were conducted with the top 3 ranking offerors. Staff recommends award to the top ranking offeror, SMI Facility Services. Commissioner Ezzell moved to award RFP-18-3 for Janitorial Services to SMI Facility Services. Commissioner Cavin seconded the motion. A voice vote was unanimous and the motion carried.

**ITB-18-5 BITUMINOUS SURFACE TREATMENT AGGREGATE**

Sandra Rodriguez stated 4 bids were received for Bituminous Surface Treatment Aggregate. The 4 bids were responsive to specifications and staff recommends award to Waide Construction, Inc. of Roswell, NM. Commissioner Cavin moved to award ITB-18-5 to Waide Construction, Inc. Commissioner Bilberry seconded the motion. A voice vote was unanimous and the motion carried. There was some discussion with Joe West about Omaha Road and a new soil treatment procedure he observed in Quay County.

## **OTHER BUSINESS**

### **APPROVE JOB SPECIFICATIONS FOR COMMUNITY SERVICE TECH, FACILITY MAINTENANCE FOREMAN AND MAINTENANCE LEAD TECH - DETENTION**

Stan Riggs stated the Community Service Tech drives the Community Service Van and oversees clients while they perform their Community Service. Staff is requesting that the Facility Maintenance Foreman Position be upgraded from a Level J to Level K on Chart C and the Maintenance Lead Tech – Detention position be lowered from a Level J to Level I on Chart C. These changes will not add additional employees and won't cost additional funds. Commissioner Cavin moved to approve the job specifications. Commissioner Ezzell seconded the motion. A voice vote was unanimous and the motion carried.

### **DFA APPROVAL OF FY 2018/2019 FINAL BUDGET**

Joe Sedillo stated the attached letter from DFA indicates its official approval of the Chaves County Final Budget for FY 2018/2019. Budgets approved by the Division are required to be made a part of the minutes and no action is required by the Commission.

### **APPROVAL OF CHECKS**

Commissioner Ezzell moved to approve checks in the amount of \$1,826,222.27. Commissioner Bilberry 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 Cavin seconded the motion. A voice vote was unanimous and the motion carried.

### **UNSCHEDULED COMMUNICATIONS**

Rita Kane Doerhoefer thanked Chaves County Staff and the Road Department for their help with the Keep Chaves County Beautiful Program. Western Field Subdivision wants to work with Keep Chaves County Beautiful to pick up trash and coordinate some recycling. Cumberland Park is still in need of a toilet. The JOY Center has been very cooperative with the use of their facilities when they are open.

Marlin Johnson stated the P & Z Department has initiated a neighborhood clean-up for Western Fields Subdivision on November 3<sup>rd</sup>. Keep Chaves County Beautiful, the Road Department, the Detention Center and others are on board to assist. There have been clean-ups in the past but it has been a long time.

Dave Kunko gave a quick update on Absentee and Early Voting.

Dave Sand thanked the Commission for their consideration and hope to work with Chaves County in the future.

### **MANAGER'S COMMUNICATION**

Mr. Riggs stated the Jazz Fest will be on the Courthouse lawn tomorrow kicking off the festival at noon. Marlin decided not to leave and he thanked Commissioner Cavin for his assistance in this effort. We have decorated the rotunda for Halloween and are continuing the tradition with Pecos Elementary School. They will be coming through the morning of Halloween. The detention center is the only one in the State that has been accredited 3 times. He thanked George and his staff because they continue to work out there to limit liability where ever possible.

### **COMMISSIONER'S COMMUNICATIONS**

Commissioner Bilberry thanked Marlin for staying. He thanked Joe West and his staff for addressing a few issues. It was a honor to be part of the ceremony honoring David Flores for his service to Chaves County. It was a privilege to read the Character Counts Proclamation. He thanked John Mulcahy for all his efforts. He has known Dave and Debbie Sand a long time and appreciate all they have done in Chaves County.

Commissioner Ezzell echoed the thoughts of Commissioner Bilberry and thanked Joe Sedillo, Anabel Barraza and all Department Heads for their work on the budget. He pointed out for Rita that the Cardinals won more games than the Cubs in their season long match ups.

Commissioner Cavin agreed with the other Commissioners and said Chaves County has a great staff. He had a good trip to Phoenix for a WIR Board Meeting. We must continue to fight and keep working hard to take care of business for our County, our State, and the western part of the United States. We have the greatest County in the Country and God Bless America.

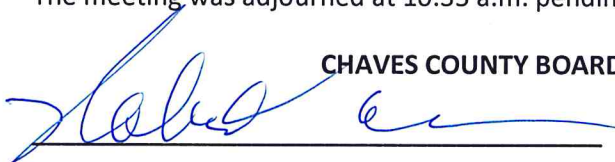
Chairman Corn agreed that the election turnout was good, but he does not believe the total voter turnout will increase. Mr. Kunko stated when it comes to voting numbers on elections the chairman was usually right. He heard someone on the news bringing up automatic registration. Some things should require some effort to get involved. It is very easy to register to vote. It is very important because it affects the future. We have had very close elections in this County. Commissioner Duffey won his election by one vote. On August 24<sup>th</sup> he sent a letter to Secretary Zenke to encourage moving the Department of the Interior out here to the West. He received a letter thanking Chaves County for supporting the Secretary with his endeavor to get them off the East Coast where there is very little Federal responsibility and out West where there is a lot of Federal responsibility. He thanked Joe and Anabel and the rest of the staff. He appreciated those that came to the meeting.

**CLOSED SESSION PURSUANT TO SECTION 10-15-1 (H) (2) FOR PERSONNEL MATTERS**

Commissioner Cavin moved to go into closed session at 10:52am pursuant to Section 10-15-1 (H) (2) for Personnel Matters. Commissioner Bilberry seconded the motion. All 4 Commissioners voted yes to closing in a roll call vote. At 11:30am Commissioner Ezzell moved to come out of closed session and stated the items discussed during the closed session were limited to those mentioned in the motion for closure and no action was taken. Commissioner Cavin seconded the motion. All 4 Commissioners voted yes in a roll call vote.

The meeting was adjourned at 10:35 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**

