



**DECEMBER 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 Duffey led the pledge and led in prayer. Those present were Commissioners Duffey, Ezzell, Corn and Cavin. Commissioner Bilberry joined the meeting by phone. Also present were County Manager Stan Riggs, Public Services Director Bill Williams, Sheriff Britt Snyder, County Treasurer Charlotte Andrade, County Assessor Mark Willard, Former State Representative Bob Wooley, Finance Director Joe Sedillo, County Clerk Dave Kunko, news media, staff and guests.

**MINUTES**

Commissioner Cavin moved to approve the Minutes from November 2018. Commissioner Duffey seconded the motion. A voice vote was unanimous and the motion carried.

**PRESENTATIONS**

**LONGEVITY AWARDS**

The Commissioners handed out Longevity Awards for employees with 5 years, 10 years, 15 years, 20 years and 25 years of service to Chaves County.

**RETIREMENT PLAQUES**

Retirement Plaques were presented to Sheriff Britt Snyder and James Duffey. Their terms of office end December 31, 2018.

**CARING CITIZEN**

The Caring Citizen Award was presented to Bob Wooley for his 8 years of service as a State Representative for Chaves County.

**PROCLAMATION – BRITT SNYDER DAY**

A Proclamation was read and presented to Britt Snyder. It proclaimed December 18, 2018 as Britt Snyder Day in Chaves County.

**PROCLAMATION – JAMES DUFFEY DAY**

A Proclamation was read and presented to James Duffey. It proclaimed December 31, 2018 as James Duffey Day in Chaves County.

**PUBLIC HEARINGS**

**CASE SD 2018-02 VACATION OF RIGHT-OF-WAY IN LAS LOMAS SUBDIVISION**

Marlin Johnson stated the request is to vacate the 120 feet alley right-of-way on the north side of Lot 5 Block 3 of the Las Lomas Subdivision. It will continue to be a utility easement. The ETZ Commission recommended approval with the stipulations and findings of fact. Chairman Corn opened the public hearing to public comment.

IN FAVOR: Jolly Shackelford

OPPOSED: None

Commissioner Ezzell moved to approve Case SD 2018-02 with the Conditions and Findings of Fact. Commissioner Duffey seconded the motion. A voice vote was unanimous, and the motion carried.

## **CASE SD 2018-04 VACATION OF OVERHEAD UTILITY EASEMENT IN SUN VALLEY SUBDIVISION**

Marlin Johnson stated the request is to vacate the platted overhead utility along the North 10 feet of Lot 12 Block 6 of Sun Valley Subdivision. There appears to be no need for the easement and the affected utilities have given approval. The ETZ Commission recommends approval with the stipulations and findings of fact with the added stipulation that no building may be constructed within the 10 feet on the northern property line. Chairman Corn opened the public hearing to public comment.

IN FAVOR: Tanner Crawford

OPPOSED: None

Commissioner Cavin moved to approve Case SD 2018-04 with the stipulations and findings of fact. Commissioner Duffey seconded the motion. A voice vote was unanimous, and the motion carried.

## **ORDINANCE NO. O-102 ORDINANCE ADOPTING A COUNTY HOLD HARMLESS GROSS RECEIPTS TAX**

Stan Riggs explained that Ordinance No. O-102 is an ordinance of Chaves County adopting a Hold Harmless Gross Receipts Tax. This ordinance will take the place of Ordinance No. O-089. It will be effective July 1, 2019. This ordinance will not increase taxes and does not have a sunset. Chairman Corn opened the public hearing to public comment.

IN FAVOR: None

OPPOSED: None

Commissioner Cavin moved to approve Ordinance No. O-102. Commissioner Ezzell seconded the motion. Commissioner Duffey asked why there was no sunset? Mr. Riggs stated this will help us achieve our goal of being debt free. At this point it is easier to keep open ended. We can terminate the tax at any time. The existing tax cannot be amended. This gives us more flexibility. It was stated that unfunded mandates cost us 2.25 million dollars per year and a cut in IHC was 2.43 million dollars per year. A voice vote was unanimous, and the motion carried.

## **AGREEMENTS AND RESOLUTIONS**

### **RESOLUTION R-18-045 DELETION OF PROPERTY AND PROPOSED DISPOSITION**

Lucia Serrano stated the items on the attached list have been declared obsolete, deleted, missing or beyond repair. Once approved the items will be auctioned, deleted or donated. The guns on the list will be sold to a licensed firearms dealer. Commissioner Duffey moved to approve Resolution R-18-045. Commissioner Bilberry seconded the motion. A voice vote was unanimous, and the motion carried.

### **RESOLUTION R-18-046 APPROVAL OF BUDGET ADJUSTMENT**

Anabel Barraza stated the Finance Department is requesting a budget adjustment for the items listed in "Exhibit A" which will ensure positive budget balances. Commissioner Duffey moved to approve Resolution R-18-046. Commissioner Ezzell seconded the motion. A voice vote was unanimous, and the motion carried.

### **RESOLUTION R-18-047 REVISION NO. 8 TO THE CHAVES COUNTY ROAD POLICY R-70-37**

Bill Williams explained that this resolution will standardize terms, clarify procedures, update regulations and streamline the processes in the Chaves County Road Policy. There were some interruptions from the audience. Mr. Riggs stated there are no big changes in this resolution and the process will remain the same. Mr. Williams stated this cleans up wording in the policy. Commissioner Duffey moved to approve Resolution R-18-047. Commissioner Ezzell seconded the motion. A voice vote was unanimous and the motion carried.



## **RFP'S/ITB'S**

### **ITB-18-6 HOBSON ROAD PHASE 1 AND AGREEMENT A-18-051 WITH CONSTRUCTORS, INC. FOR HOBSON ROAD PHASE 1**

Sandra Rodriguez explained that 2 bids were received for Phase 1 of the Hobson Road Project. Staff found the low bid responsive to specifications and they recommend award to Constructors, Inc. of Carlsbad, NM in the amount of \$574,937.60. Ms. Rodriguez also explained that Agreement A-18-051 is the agreement between the two parties for the construction contract. Commissioner Duffey moved to approve award of bid ITB-18-6 for Phase 1 of the Hobson Road Project to Constructors, Inc. and approve Agreement A-18-051 with Constructors, Inc. Commissioner Bilberry seconded the motion. A voice vote was unanimous, and the motion carried.

### **ITB-18-7 VETERANS VANS**

Sandra Rodriguez stated one bid was received for 2 Equipped Handicapped Accessible Vans. Funding for these vans are from a grant for the Vietnam Veterans Association in the amount of \$100,000.00 for which Chaves County is the fiscal agent. Staff finds the bid responsive to specifications and recommends award to Roswell Toyota. Commissioner Duffey moved to approve award of Bid ITB-18-7 to Roswell Toyota. Commissioner Cavin seconded the motion. A voice vote was unanimous, and the motion carried.

## **OTHER BUSINESS**

### **2019 CHAVES COUNTY ANNUAL ROAD HEARING SCHEDULE**

Bill Williams submitted the proposed schedule for the 2019 Chaves County Annual Road Hearing. Commissioner Cavin moved to approve the 2019 Chaves County Annual Road Hearing Schedule. Commissioner Duffey seconded the motion. A voice vote was unanimous, and the motion carried.

### **PERMISSION TO PUBLISH FOR A PUBLIC HEARING REGARDING POTENTIAL LOW-INCOME TAX REBATE ORDINANCE**

Stan Riggs stated staff is requesting permission to publish for a public hearing regarding a potential Low-Income Tax Rebate Ordinance. He stated Chaves County has never adopted this ordinance. He believes it was originally developed for Santa Fe County. Commissioner Ezzell moved to approve permission to publish for a public hearing for a potential Low-Income Tax Rebate Ordinance to be held during the next Regular Commission Meeting January 10, 2019. 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 \$1,612,189.66. 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**

Randy Robertson stated the Road Policy Resolution does change the posting for road closures. He wanted to know why this was being removed.

Larry Connolly thanked Britt Snyder and James Duffey for their service to the County. He wished everyone a Merry Christmas and Happy New Year.

Rita Kane-Doerhoefer stated she was the Treasurer of Keep Chaves County Beautiful. On Saturday the 15<sup>th</sup> the final report was written for Cumberland Park. She stated there has been some

vandalism. The watershed had been tagged a few times and someone was trying to remove one of the grills. She also stated it was 99 days until the start of baseball season.

Chuck Smith from BLM stated he read the changes to the Road Policy last night and he may ask questions of Bill Williams. He thanked Sheriff Snyder and Commissioner Duffey.

**MANAGER'S COMMUNICATION**

Mr. Riggs stated there would be two swearing-in ceremonies on December 31, 2018, one at 10:00am and one at 3:00pm. The next Regular Commission Meeting will be on January 10, 2019 due to the NMC Legislative Conference the following week. He thanked Britt Snyder and James Duffey and said they would be missed. He told everyone to have a Merry Christmas.

**COMMISSIONER'S COMMUNICATIONS**

Commissioner Bilberry thanked James Duffey and Britt Snyder. He stated Merry Christmas and Happy New Year.

Commissioner Ezzell also thanked James Duffey and Britt Snyder. He thanked County staff for a great year and said Merry Christmas.

Commissioner Cavin thanked Britt Snyder and James Duffey. We are truly blessed in Chaves County. He said it was a long 2018. They will be going back to Washington D.C. He stated God Bless America and Merry Christmas.

Chairman Corn stated they would be making another trip to Washington, D.C. He thanked the Sheriff and stated he enjoyed the 6 years working with Commissioner Duffey. He wished everyone a safe and Merry Christmas.

James Duffey stated it was a pleasure to be a Chaves County Commissioner. We have been through good and bad times together. He thanked everyone for the kind words. Chaves County is the best. He said it was not how much money you make but how well you serve others that makes a difference. He said he always has fun in everything he does and always honors and respects others. He encouraged people to step up to Public Service. He thanked all volunteers. He said good-bye and Merry Christmas.

The meeting was adjourned at 10:20 a.m.

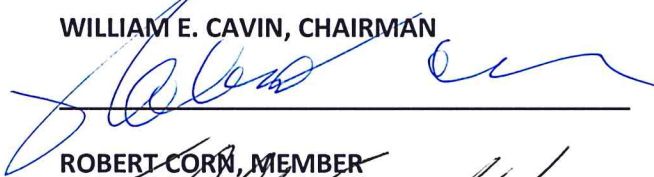
**CHAVES COUNTY BOARD OF COMMISSIONERS**



**WILLIAM E. CAVIN, CHAIRMAN**



**JEFF BILBERRY, VICE CHAIRMAN**



**ROBERT CORN, MEMBER**



**DARA DANA, MEMBER**



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

ATTEST: 

**DAVE KUNKO, COUNTY CLERK**

