



**MARCH 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 Cavin led the pledge and Commissioner Bilberry 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, Assessor Mark Willard, County Clerk Dave Kunko, news media, staff and guests.

## **MINUTES**

Commissioner Cavin moved to approve the Minutes from February 15, 2018. Commissioner Bilberry seconded the motion. A voice vote was unanimous and the motion carried.

## **PRESENTATIONS**

Adult Detention Center Director Clay Corn presented a plaque to Church on the Move for their work at the Detention Center. They provide clothes for inmates leaving, Bibles and Christmas cards and postage for the inmates to send out cards. The building has a kids connect room and the church has provided toys, games, books, puzzles and chairs. At times they cook for the Detention Personnel. Mr. Corn read the plaque and Church on the move representatives accepted the plaque and took a picture with the Commission. Pastor Savino Sanchez thanked the Detention Center and stated that together they have changed lives.

## **AGENDA**

Chairman Corn moved item #7 to the beginning since there were numerous people in attendance for the Road Hearing Freeholders Report.

## **2018 CHAVES COUNTY ANNUAL ROAD HEARING FREEHOLDERS REPORT AND APPLICATION SUMMARY**

Bill Williams reviewed the freeholders report. He explained that under Chaves County Policy a unanimous vote by the freeholders to not vacate would remove those roads from the list to be viewed by the Commission. These applications are #1 Felix Canyon Road, #3 Caddo Road, #5 Picacho Road and #7 Picacho/Felix Canyon Road. The freeholders unanimously recommended to vacate the following roads: Chicasaw Rd., E. Mescalero Rd., Raleigh, Pack, Joy, Gloria, Sharon, Tabitha and Ursula. Commissioner Duffey moved to approve the freeholders report. Commissioner Cavin seconded the motion. A voice vote was unanimous and the motion carried. Mr. Williams requested that the Commission pick a date between April 23<sup>rd</sup> and April 27<sup>th</sup> to view the roads. The public hearing for the road applications will be at the Regular Commission Meeting on April 19<sup>th</sup> and the Road Tour will be at 7:00am on April 23<sup>rd</sup>.

## **AGREEMENTS AND RESOLUTIONS**

### **AGREEMENT A-18-005 AUTHORIZING PREPAYMENT OF PROPERTY TAXES**

Commissioner Duffey moved to remove Agreement A-18-005 from the table. Commissioner Bilberry seconded the motion. A voice vote was unanimous and the motion carried. Charlotte Andrade, Chaves County Treasurer explained that Resolution R-18-005 would provide property owners with the option of making prepayment of property taxes in 10 monthly payments beginning on June 1<sup>st</sup> of the year in which the tax bill is prepared and ending March 1 of the following year. She corrected her previous statement about when Bernalillo implemented prepay and stated it was actually in 2008. She mentioned that the technology is already in place to accomplish this task and there will be no additional cost to the County. Commissioner Cavin stated he had no problem as long as there was no additional cost. The Finance Department and Assessor's Office are both on board with providing this option. Commissioner Duffey moved to approve Resolution R-18-005. Commissioner Bilberry seconded the motion. Commissioner Ezzell asked if payments were required every month. Charlotte Andrade stated the taxpayer had the option. Commissioner Duffey spoke with a businessman that likes this option. Chairman Corn felt there was an additional cost due to the extra number of transactions that would be

handled by the office. He explained there would be between 400 and 800 additional hours of work to be performed. A voice vote was 4 to 1 and the motion carried. Chairman Corn voted no.

#### **RESOLUTION R-18-006 APPOINTMENT TO THE COUNTY VALUATION PROTEST BOARD**

Stan Riggs stated that every 2 years New Mexico law requires the Board of County Commissioners to appoint 2 members to the County Valuation Protest Board and 2 alternates. Mark Daniels and Lee Ellison are willing to serve as members and Frank Sturges and Edward McClelland are willing to serve as alternates. Commissioner Duffey moved to approve Resolution R-18-006 appointing the members and alternates as mentioned. Commissioner Ezzell seconded the motion. A voice vote was unanimous and the motion carried.

#### **RESOLUTION R-18-007 DELETION OF PROPERTY AND PROPOSED DISPOSITION**

Lucia Serrano stated that approval of this resolution would allow staff to remove the attached inventory and send it to a public online auction. Commissioner Cavin moved to approve Resolution R-18-007. Commissioner Bilberry seconded the motion. A voice vote was unanimous and the motion carried.

#### **RESOLUTION R-18-008 BUDGET ADJUSTMENT REQUEST**

Anabel Barraza stated the Finance Department is requesting a budget adjustment for the line items in Exhibit "A". This list of line items shows various increases and decreases as needed to insure positive budget balances. Commissioner Ezzell asked about the \$265,000 construction. Anabel Barraza stated it is for a Flood Control building on Brown road. Joe Sedillo added that they were leasing a building from the City of Roswell and were asked to vacate. Commissioner Cavin moved to approve Resolution R-18-008. Commissioner Duffey seconded the motion. A voice vote was unanimous and the motion carried.

#### **RESOLUTION R-18-009 CHAVES COUNTY CERTIFIED ROAD MILEAGE**

Bill Williams explained this request is for approval of the 2018 Chaves County Certified Road Mileage Report required annually. This report is for funding to Counties for road maintenance purposes. The reported mileage for 2018 is 1,402.646 miles. Commissioner Duffey moved to approve Resolution R-18-009. Commissioner Bilberry seconded the motion. A voice vote was unanimous and the motion carried.

#### **ITB'S AND RFP'S**

##### **ITB-18-1 CHAVES COUNTY GARBAGE COMPACTOR SITE**

Sandra Rodriguez stated that staff finds the low bidder Waide Construction Inc. of Roswell responsive to specifications and recommends award. Commissioner Bilberry asked how many sites were in use. He was told currently there were two. This bid is for 3 pads and the electrical needs for each. Commissioner Duffey asked if this was a good price. Bill Williams stated for all the hoops the State Environment Department made them jump through, it was a good price. He added that it has taken 2 years to get to this point. Commissioner Ezzell moved to award ITB-18-1 to Waide Construction Inc. Commissioner Bilberry seconded the motion. A voice vote was unanimous and the motion carried.

#### **OTHER BUSINESS**

##### **2018 PERA ANNUAL REPORTS FOR THE CHAVES COUNTY VOLUNTEER FIRE DEPARTMENTS**

Bill Williams stated the Chaves County Volunteer Fire Departments are requesting approval of their Annual Public Employee Retirement Association (PERA) Reports. The reports are submitted annually to allow the Volunteer Firefighters retirement credit for their service year. Commissioner Duffey moved to approve the 2018 PERA Annual Reports. Commissioner Ezzell seconded the motion. A voice vote was unanimous and the motion carried.

## **FY 2018/2019 LAW ENFORCEMENT PROTECTION FUND APPLICATION**

Sheriff Snyder stated the Chaves County Sheriff's Office is eligible for \$41,600.00 for FY 2018/2019 from the Law Enforcement Protection Fund. He stated they can no longer roll-over unspent money from this fund. Commissioner Cavin moved to approve the FY 2018/2019 Law Enforcement Protection Fund Application. Commissioner Ezzell 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 \$2,034,269.79. Commissioner Cavin seconded the motion. A voice vote was unanimous and the motion carried.

## **APPROVAL OF REPORTS**

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

## **UNSCHEDULED COMMUNICATIONS**

Lane Martin stated he was an Attorney attending the meeting with Steve Ellison in reference to Felix Canyon Road. They would like the vote by the freeholders to be reconsidered. There has been no public comment and the freeholder report was just a summary. A full report would need to include the condition of the road and the cost to maintain. He asked the Commission to reconsider.

Steven Ellison stated it was a non-maintained County Road. He owns a construction company. He has owned this ranch for 7 months. He stated he got a vehicle stuck on this road and it took 5 days to get it out, even with access to all his equipment. He also stated ¼ mile of this road is creek bed which needs attention every time it rains.

Randy Robertson stated he had been hoping the UTV Ordinance would be on this agenda. He stated he would keep coming back and keep asking for the Commission to consider this issue.

David Romine stated he lived in the Flying H area. He said research needs to be done because prior to 1979 this portion of Felix Canyon Road had been closed. The records you are presenting are wrong. You need to do what is right.

John Diamond stated the State Land Office is willing to work on better access. Under State Statute the Commission does not have to go by the recommendation of the freeholders.

Rita Kane-Doerhoefer stated there had been an incident on Mark Road and there was a vagrant knocking on doors. She thanked the Sheriff's Office for prompt service.

## **MANAGER'S COMMUNICATIONS**

Mr. Riggs stated we follow our Road Policy and the State Statute every year and these are not new issues. We have been to court before. The Road Atlas is the official County map. They have been in Union negotiations and the Union Representative is out of Florida. He said they have been working on the Off-Road Vehicle Ordinance and there should be a public hearing in April. There is a Land Council meeting tonight at 6:00pm. The next Commission meeting will include the Public Hearing on road applications. The Capital Outlay from the State is awesome and he thanked Georgianna Hunt and the local legislators. BLM has come out with their updated RMP and staff is reviewing it right now.

## **COMMISSIONER'S COMMUNICATIONS**

Commissioner Ezzell asked if the unanimous do not vacate by the freeholders issue was policy or statute. Mr. Riggs stated it was definitely policy and maybe statute as well. He would like to propose a Right to Work Ordinance and wanted it to be assigned to a committee to begin the process.

Commissioner Duffey stated it was "Ag Appreciation Week" and this morning was Rise with Roswell. He appreciates Ag producers everywhere because we would not survive without them. He

appreciates everyone's opinion and he encouraged people to step up to the plate and run for office. There are a lot of tough decisions to be made. He thanked the County for all their hard work.

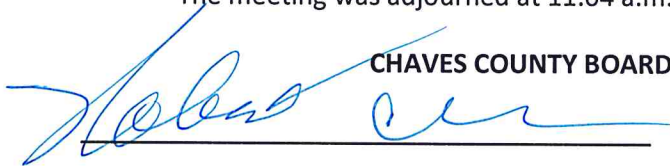
Commissioner Bilberry mentioned the guest speaker at Rise with Roswell was a young lady that had been paralyzed from a car wreck. She spoke very well and was very inspirational. He thanked Church on the Move for all they do out at the Detention Center. He thanked the County Employees and Elected Officials.

Commissioner Cavin stated the guest speaker this morning was an amazing young lady. He said it has been a busy 3 months and he appreciates all the hard work. He said it was a pleasure to serve on this Commission. They had a great trip to Washington D.C. He sits on the Human Services and Education Steering Committee representing the State of New Mexico at NACO. An Airport Authority would be great for our economic future. There will be a lot of work going forward. He mentioned discussions with the Dept. of the Interior and the proposed land swap with New Mexico. This action will affect federal money received by New Mexico. Hopefully some of this has been worked out. God Bless America.

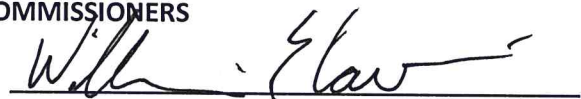
Chairman Corn stated he missed the breakfast this morning and the Washington D.C. trip due to other duties. He said our road procedure may not be perfect but it has been in place for years and it is our policy. Sometimes mistakes are made but we will continue to press on. Staff is researching the records to make sure we are not missing anything.

The meeting was adjourned at 11:04 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

