

**FEBRUARY 21, 2019**

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 Cavin called the meeting to order at 9:00a.m. Commissioner Corn led the pledge and Commissioner Bilberry led in prayer. Those present were Commissioners Bilberry, Dana, Ezzell, Corn and Cavin. Also present were County Manager Stan Riggs, Public Services Director Bill Williams, Sheriff Mike Herrington, Finance Director Joe Sedillo, County Clerk Dave Kunko, news media, staff and guests that filled the Chamber and the Rotunda.

#### **MINUTES**

Commissioner Corn moved to approve the Minutes from January 10, 2019 and February 8, 2019. Commissioner Dana seconded the motion. A voice vote was unanimous, and the motion carried.

#### **PRESENTATION**

##### **CARING CITIZEN: CHARLES SHANNON**

Commissioner Corn read a proclamation Proclaiming Charles Shannon as the Caring Citizen of Chaves County. The proclamation spoke of his accomplishments and his service to the people of Chaves County. Pictures of Charles and his wife were taken with the Commissioners.

#### **AGENDA**

Chairman Cavin moved item #8 to occur next on the agenda, item #2 was removed from the agenda and item #11 was placed after the Audit Presentation.

##### **RESOLUTION R-19-006 SUPPORTING THE SECOND AMENDMENT OF THE US CONSTITUTION AND DECLARING CHAVES COUNTY TO BE A SECOND AMENDMENT SANCTUARY COUNTY**

Stan Riggs explained that several New Mexico Counties have already passed a similar resolution in support of the Second Amendment of the U. S. Constitution. This resolution also supports Article II Section 6 of the New Mexico Constitution providing citizens the right to keep and bear arms. The resolution was read by all 5 Commissioners. Sheriff Herrington thanked the Commission for their support on this issue and thanked all those that came to the meeting. A show of hands was requested in support and against the resolution and all but one person voted in support. Commissioner Corn moved to approve Resolution R-19-006. Commissioner Ezzell seconded the motion. A voice vote was unanimous, and the motion carried.

#### **PRESENTATIONS**

##### **CHAVES COUNTY EXTENSION OFFICE**

Shannon Wooton gave a report on behalf of the Chaves County Extension Office. They are a branch of New Mexico State University. They provide research-based knowledge to improve the lives of the Citizens of Chaves County. She touched on all the different programs they provide. Andrea introduced herself as the 4-H agent for the County. Their main goal is to teach life skills. Last year there were 296 kids in their program. Agricultural safety is also one of their main topics. Commissioner Dana commended the Extension Office for all their work with children and she also mention the trap club and its revival.

##### **FISCAL YEAR 2017/2018 AUDIT – AUDREY JARAMILLO**

Audrey Jaramillo gave a presentation on the 2017/2018 Chaves County Audit. She mentioned that Chaves County does a Comprehensive Annual Financial Report (CAFR) which is an extra transparent process. Not all public entities do CAFRs. There were no findings this year and the one finding from the previous year has been resolved. She went over the Auditors Report which covers the financial statements, management responsibilities, auditor responsibilities and the audit opinion. She mentioned the statement of net position comparing last year to this year.

## **RESOLUTION R-19-010 – ACCEPTANCE AND APPROVAL OF THE FY 2018 AUDIT**

Anabel Barraza the Assistant Finance Director thanked Audrey Jaramillo, the Finance Committee and the Department Heads for all their work on this audit. Commissioner Corn moved to approve Resolution R-19-010. Commissioner Ezzell seconded the motion. A voice vote was unanimous, and the motion carried.

## **PUBLIC HEARINGS**

### **ORDINANCE O-103 REPEALING ORDINANCE O-089 COUNTY HOLD HARMLESS GROSS RECEIPTS TAX**

Mr. Riggs stated Ordinance O-103 if approved would repeal Ordinance O-089. In December of 2018 the Commission adopted Ordinance O-102 a County Hold Harmless Gross Receipts Tax. This action makes Ordinance O-089 no longer needed. Chairman Cavin opened the public hearing for public comment.

IN FAVOR: None

OPPOSED: None

Commissioner Ezzell moved to approve Ordinance O-103. Commissioner Corn seconded the motion. A voice vote was unanimous, and the motion carried.

### **SUBDIVISION CASE SD 2018-6 VACATION OF R-O-W BERRENDO IRRIGATED FARMS**

Mary Rogers stated this case is for a vacation of 120 feet of platted alleyway west of Avenue D and on the north side of Lot 5 Block 4 of Las Lomas Subdivision. There appears to be no need for the County to have this right-of-way, though it will remain as a utility easement. The ETZ Commission voted to approve this vacation request. Chairman Cavin opened the public hearing for public comment.

IN FAVOR: None

OPPOSED: None

Commissioner Corn moved to approve Subdivision Case SD 2018-6, a vacation of right-of-way in Berrendo Irrigated Farms Subdivision with the conditions of approval and findings of fact. Commissioner Bilberry seconded the motion. A voice vote was unanimous, and the motion carried.

### **CASE Z 2019-02 SPECIAL USE PERMIT IN AREA II, AGRICULTURAL-RESIDENTIAL**

Mary Rogers stated approval of this special use permit would allow a wireless telecommunications facility in an Agricultural District. The Planning and Zoning Commission recommended approval with the stipulations and findings of fact. Chairman Cavin opened the public hearing for public comment.

IN FAVOR: Alan Potter

OPPOSED: None

Commissioner Bilberry moved to approve Case Z 2019-02 with the stipulations and findings of fact. Commissioner Ezzell seconded the motion. A voice vote was unanimous, and the motion carried.

## **AGREEMENTS AND RESOLUTIONS**

### **RESOLUTION R-19-003 APPOINTMENT TO THE COUNTY BOARD OF REGISTRATION**

Dave Kunko stated in accordance with State Statute the Board of Chaves County Commissioners at their first meeting in February in every odd numbered year shall appoint the County Board of Registration. The Board consists of three members of which no more than two can be of the same party. They must also appoint two alternates of different parties. Commissioner Dana moved to appoint Robert Corn, Carolyn Hollifield and Daniel Johnson to the Board with Dennis Kintigh and Krik Myers as alternates. Commissioner Bilberry seconded the motion. A voice vote was unanimous, and the motion carried.



## **RESOLUTION R-19-004 APPROVAL TO SUBMIT DWI GRANT AND DISTRIBUTION FOR FY 20**

Lucia Serrano requested approval to submit the FY 20 Local DWI Grant and Distribution Application. The Chaves County DWI Program is requesting \$52,500 under the competitive grant. This amount would fund our full-time Treatment Provider. Mr. Riggs stated they are required to submit a draft budget. He stated they were not hiring anyone, and the employees are already in place. Commissioner Corn moved to approve Resolution R-19-004. Commissioner Ezzell seconded the motion. A voice vote was unanimous, and the motion carried.

## **RESOLUTION R-19-005 BUDGET ADJUSTMENT RESOLUTION**

Anabel Barraza stated the Finance Department is requesting budget adjustments for the line items included in Exhibit A. These are for grants and other various items and will ensure positive budget balances. Commissioner Bilberry moved to approve Resolution R-19-005. Commissioner Corn seconded the motion. A voice vote was unanimous, and the motion carried.

## **RESOLUTION R-19-007 OPPOSING CHANGES IN THE LEGISLATIVE CAPITAL OUTLAY DISTRIBUTION PROCESS**

Mr. Riggs stated this resolution is in opposition to the new capital outlay method used by the Speaker of the New Mexico House of Representatives. The Speaker's idea is to appoint a committee to decide a large portion of capital outlay. Commissioner Corn stated this process is not fair and we need to keep a close eye on this situation. Commissioner Dana stated legislators fight hard for their share and should not have to beg for it. Commissioner Ezzell moved to approve Resolution R-19-007. Commissioner Dana seconded the motion. A voice vote was unanimous, and the motion carried.

## **RESOLUTION R-19-008 PERMANENT MEMBERS OF THE DWI PLANNING COUNCIL**

Mr. Riggs stated this resolution formally sets forth the permanent voting members of the DWI Planning Council. The permanent voting members are from the Sheriff's Office, State Police, City Police, Magistrate Court, District Attorney's Office and the Adult Detention Center. Commissioner Corn moved to approve Resolution R-19-008. Commissioner Bilberry seconded the motion. A voice vote was unanimous, and the motion carried.

## **OTHER BUSINESS**

### **2019 COMMISSION COMMITTEE APPOINTMENTS**

Mr. Riggs stated each year the Commissioners are appointed to serve on standing committees, which run from January 1<sup>st</sup> to December 31<sup>st</sup> each year. He mentioned a list of the committees and assignments. Commissioner Corn moved to adopt the appointments. Commissioner Dana seconded the motion. A voice vote was unanimous, and the motion carried.

### **APPROVE JOB SPECIFICATION FOR HEALTH CARE DIRECTOR**

Stan Riggs stated staff is recommending approval of the updated position specification for Health Care Director. The major change was to update the title to reflect what is on the current personnel chart. Commissioner Corn moved to approve the updated job specification. Commissioner Bilberry seconded the motion. A voice vote was unanimous, and the motion carried.

### **2019 CHAVES COUNTY ROAD HEARING APPLICATIONS AND APPOINTMENT OF FREEHOLDERS**

Bill Williams stated we have passed the application deadline and no additional applications will be accepted. The Commission must appoint 3 freeholders to view the requests. They will then make a report for the Commission. The freeholders will view roads in March. The public hearing and road viewing by the Commissioners will occur in April. The final decision will be made in May. Staff recommends Mark Pantuso, Julianna Halverson and Francisco Salvarrey as freeholders with Cody Rattan as the alternate. Commissioner Bilberry moved to approve the appointments as recommended. Commissioner Dana seconded the motion. A voice vote was unanimous, and the motion carried.

## **APPROVAL OF CHECKS**

Commissioner Ezzell moved to approve checks in the amount of \$2,109,201.89. Commissioner Bilberry seconded the motion. A voice vote was unanimous, and the motion carried.

## **APPROVAL OF REPORTS**

Commissioner Corn moved to approve the reports for the period. Commissioner Dana seconded the motion. A voice vote was unanimous, and the motion carried.

## **UNSCHEDULED COMMUNICATIONS**

Rita Kane-Doerhoefer stated she is on the DWI Committee and she disagrees with the allocations and how it was presented. She does not agree with the designees or with the voting member list. There should be money for Spanish speakers in the valley. The mission statement is not the same as DFA. She thanked Lucia, Stan Riggs and Chairman Cavin. The Great America Clean-up is coming up.

## **MANAGER'S COMMUNICATION**

Mr. Riggs stated the Hobson Road Project is underway. The rotunda is being repaired from hail damage. We had the final inspection for the compactors and they should be open soon. The courthouse elevator project should be started soon. He thanked Finance and Purchasing for the Audit. He is glad to see we have a clean audit. The cameras in the administration building are being replaced. The meeting date in May is the 16<sup>th</sup> and he would like to move it to the 23<sup>rd</sup>. The interim budget done in May will be 99% complete. Very few changes are made for the final budget. May the 9<sup>th</sup> will be the budget workshop. We just completed some HR training and are looking to do some more. We are keeping an eye on legislation. The Road Tour will be late April or early May.

## **COMMISSIONERS' COMMUNICATIONS**

Commissioner Corn stated it was his privilege to travel to Hobbs with the Chairman to meet the Secretary of Interior Designee. He gave a very promising speech on his support for oil and gas. He and the Chairman will be going to Washington, D.C. next week. Meetings are lined up to discuss SRS and PILT. The NACO Conference is right after that so they will be gone 10 days. We need some rain. The snow pack appears to be very promising.

Commissioner Dana it was a good meeting with a good crowd. She would like to see all those people stay engaged. She thanked the Commissioners for representing us in Washington, DC.

Commissioner Ezzell said the Hondo was running. He thanked Joe Sedillo and staff for a great audit. He said he received a call from someone thinking the resolution was to become a sanctuary city. He told her it was to become a Second Amendment Sanctuary County. We had an awesome turnout today and he appreciated all those who participated.

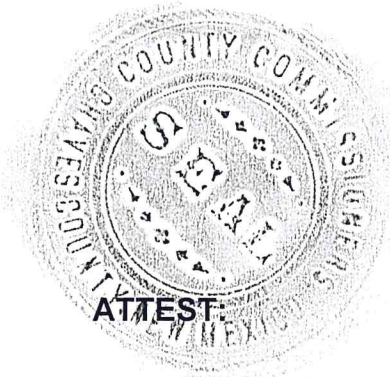
Commissioner Bilberry thanked everyone for their hard work. It was nice to see a good crowd today and we need more support in Santa Fe. He is proud to be part of Chaves County and it takes all of us to make it work.

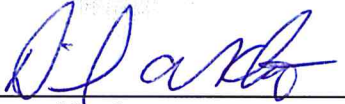
Chairman Cavin agreed with the other Commissioners. He was looking forward to the Washington, D.C. trip. Santa Fe is a real mess and is disappointing. It was nice to see such a crowd. He thanked Joe, his staff and the audit company. All of us make Chaves County great. He stated God Bless America.

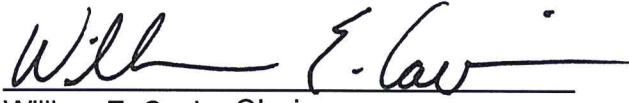


The meeting was adjourned at 11:05 a.m.

**BOARD OF CHAVES COUNTY COMMISSIONERS**



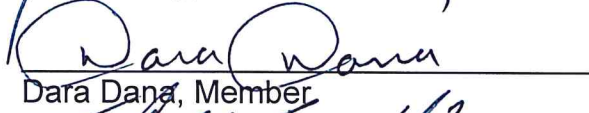
  
\_\_\_\_\_  
Dave Kunko  
County Clerk

  
\_\_\_\_\_

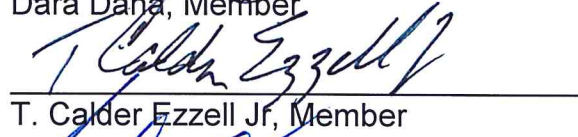
William E. Cavin, Chairman

  
\_\_\_\_\_

Jeff Bilberry, Vice-Chairman

  
\_\_\_\_\_

Dara Dana, Member

  
\_\_\_\_\_

T. Calder Ezzell Jr, Member

  
\_\_\_\_\_

Robert Corn, Member