

**APRIL 18, 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.

#### **MINUTES**

Commissioner Corn moved to approve the Minutes from March 21, 2019. Commissioner Ezzell seconded the motion. A voice vote was unanimous, and the motion carried.

#### **PROCLAMATION**

#### **NATIONAL DAY OF PRAYER**

Commissioner Bilberry read a proclamation for the National Day of Prayer in Chaves County.

#### **PRESENTATION**

Brian Sarantos from EDF Renewables gave a presentation on a proposed wind farm that would be in Lea, Eddy and Chaves counties. All the turbines will be on private land. They obtained a special use permit on April 1, 2019 and are in the process of obtaining Right-of-Ways. They hope to begin construction in September of this year. The project will consist of 61 total turbines of which 31 will be in Chaves County. Between 100 and 200 employees will be hired during the construction phase. Four to six employees will be needed once the project is completed. The project is with Tucson Electric.

#### **PUBLIC HEARINGS**

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

Bill Williams stated that during the road application process Chaves County received 6 applications that were rejected, 4 applications for road maintenance status changes, 3 for new road requests and 13 for road vacations.

#### **ROAD MAINTENANCE STATUS CHANGE**

Mr. Williams started with application #1 for Sydney Street. The applicant is requesting Chaves County assume maintenance of 1,920 ft. of Sydney Street. The freeholders recommend approval of this application. Chairman Cavin opened the public comment period for Sydney Street.

IN FAVOR: Britney Amador

OPPOSED: None

Bill Williams stated application #5 was for Beverly Street. The applicant is requesting Chaves County assume maintenance of 1150 ft. of Beverly Street. The freeholders recommend approval of this application. Chairman Cavin opened the public comment period for Beverly Street.

IN FAVOR: Joshua Amador

OPPOSED: None

Bill Williams stated application #7 was for Devonian Road. The applicant is requesting Chaves County assume maintenance of 2260 ft. of Devonian Road. The freeholders recommend approval of this application. Chairman Cavin opened the public comment period for Devonian Road.

IN FAVOR: Billy Hellums

OPPOSED: None

Bill Williams stated application #25 was for Chicory Road. The applicant is asking the County to assume maintenance of 2220 ft. of Chicory Road. The freeholders recommend denial of this application because there is no public benefit from the maintenance of this road. Chairman Cavin opened the public comment period for Chicory Road.

IN FAVOR: Dick Aber stated this road has been regularly maintained by Chaves County until recently.

OPPOSED: None

Stan Riggs stated there is no record of this being claimed by Chaves County. Bill Williams clarified that the road was non-county maintained. Joe West stated that once they found out it was non-county maintained he discontinued maintenance.

#### **ROAD VACATION REQUESTS**

Bill Williams stated application #12 was for Miller Road. The applicant is requesting vacation of 1 mile of Miller Road between Ojibwa and Caddo Roads. The freeholders recommend approval of the vacation. Chairman Cavin opened the public comment period for Miller Road.

IN FAVOR: None

OPPOSED: None

The Chaves County Road Department has requested application #13 Kalmath Road, #14 Ute Road, #15 Alsea Road, #16 Chickasaw Road, #17 Caddo Road, #18 Wiggins Road, #19 Shoshoni Road, #20 Molala Road, #21 Ottawa Road, #22 Mono Road, #23 Modoc Road and #24 Coronado Road for vacation. The freeholders recommended approval of vacation of applications 13 through 24. Chairman Cavin opened the public comment period for applications 13 through 24.

IN FAVOR: None

OPPOSED: None

#### **NEW ROAD REQUESTS**

Bill Williams stated application #8 is requesting Chaves County accept 2,490 feet of Old Chisum Lane as a new road. The freeholders recommend approval of this application.

Bill Williams stated application #9 is requesting Chaves County accept 2,604 feet of Shadow Road as a new road. The freeholders recommend approval of this application.

Bill Williams stated application #11 is requesting Chaves County accept 500 feet of Cindy Road as a new road. The freeholders recommend approval of this application.

Mr. Williams added that if we accept new roads the applicants are given until December to bring them up to Chaves County specifications and issue the County a Quit Claim Deed and a Survey for the road.

#### **CASE Z 2019-04 REQUEST TO REZONE FROM AGRICULTURAL TO INDUSTRIAL**

Mary Rogers stated this request for rezoning would allow for a trucking and/or oilfield service business to include parking and maintenance of trucks and to have a shop. The Planning and Zoning Commission recommended approval with the conditions and findings of fact. Chairman Cavin opened the public hearing for public comment.

IN FAVOR: Donna Lopez

OPPOSED: None

Commissioner Corn moved to approve Case Z 2019-04 with the conditions and findings of fact. Commissioner Ezzell seconded the motion. A voice vote was unanimous, and the motion carried.



## **CASE Z 2019-06 REQUEST TO REZONE FROM RESIDENTIAL-AGRICULTURAL TO INDUSTRIAL**

Mary Rogers stated this request for rezoning would allow for the parking of semi-trucks. The Planning and Zoning Commission recommends approval of this rezoning with the conditions and findings of fact. Chairman Cavin opened the public hearing for public comment.

IN FAVOR: Judy Landis

OPPOSED: None

Commissioner Corn moved to approve Case Z 2019-06 with the conditions and findings of fact. Commissioner Ezzell seconded the motion. A voice vote was unanimous, and the motion carried.

Mr. Riggs stated Mary Rogers would be leaving Chaves County to help with a family business. The Commissioners thanked her for all she had done for the County.

## **AGREEMENTS AND RESOLUTIONS**

### **AGREEMENT A-19-003 WITH THE NM CHILDREN, YOUTH AND FAMILIES DEPARTMENT (NMCYFD)**

Lucia Serrano stated Chaves County applied for and was awarded \$237,001.00 for programs addressing at-risk youth in Chaves County. The term of the agreement will extend through June 30, 2020. Commissioner Corn moved to approve Agreement A-19-003. Commissioner Ezzell seconded the motion. A voice vote was unanimous, and the motion carried.

### **AGREEMENT A-19-004 PROPOSAL SUBMISSION TO NMDOT FOR CDWI FUNDS**

Lucia Serrano stated Chaves County applied for and was awarded \$11,076.00 in CDWI funds under NMDOT. There was some discussion on the distribution by the committee. Commissioner Corn moved to approve Agreement A-19-004. Commissioner Ezzell seconded the motion. A voice vote was unanimous, and the motion carried.

### **RESOLUTION R-19-014 DELETION OF PROPERTY AND PROPOSED DISPOSITION**

Lucia Serrano stated approval of this resolution would allow staff to delete and properly dispose of the attached inventory. Commissioner Dana moved to approve Resolution R-19-014. Commissioner Bilberry seconded the motion. A voice vote was unanimous, and the motion carried.

### **RESOLUTION R-19-015 APPROVAL OF BUDGET ADJUSTMENT**

Anabel Barraza stated the Finance Department is requesting budget adjustments for multiline insurance variances, asbestos removal, legal expenses, sheriff's donations and expenses to insure positive budget balances. Commissioner Bilberry moved to approve Resolution R-19-015. Commissioner Dana seconded the motion. A voice vote was unanimous, and the motion carried.

## **ITB/RFP**

### **ITB-19-1 UNIFORMS FOR CHAVES COUNTY SHERIFF'S DEPARTMENT**

Sandra Rodriguez stated bids were received from three vendors for uniforms for the Chaves County Sheriff's Office. Staff has reviewed the bids and recommends award to Galls, LLC and IPS Tactical for all the items listed. Award will serve as a price agreement for all orders placed for a one-year period with an option to renew for up to three additional one-year terms. Commissioner Corn moved to approve award of ITB-19-1. Commissioner Dana seconded the motion. A voice vote was unanimous, and the motion carried.

### **RFP-19-1 INMATE MEDICAL SERVICES**

Sandra Rodriguez stated this Request for Proposal is for inmate medical services for the Adult and Juvenile Detention Centers. Staff recommends award to Wellpath, LLC. She stated that if awarded, negotiations for a contract would be the next step. If an agreement cannot be reached the second highest proposer would be awarded the RFP. Commissioner Corn asked who had the current contract.

Clay Corn stated Wellpath, LLC has been with the County for three years and done a very good job. Commissioner Ezzell moved to approve award of RFP-19-1 to Wellpath, LLC. Commissioner Corn seconded the motion. A voice vote was unanimous, and the motion carried.

#### **RFP-19-2 PLANNING AND DESIGN SERVICES FOR COURTHOUSE ELEVATOR PROJECT**

Sandra Rodriguez stated this Request for Proposal is for planning and design services for the courthouse elevator project. Staff recommends award to ASA Architects. Commissioner Ezzell moved to approve award of RFP-19-2 to ASA Architects of Roswell, New Mexico. Commissioner Bilberry seconded the motion. A voice vote was unanimous, and the motion carried.

#### **APPROVAL OF CHECKS**

Commissioner Corn moved to approve checks in the amount of \$2,138,988.36. Commissioner Dana 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 Dana seconded the motion. A voice vote was unanimous, and the motion carried.

#### **UNSCHEDULED COMMUNICATIONS**

Randy Robertson mentioned the City of Roswell allows for public comment on all agenda items. He feels that it allows for more transparency. He would like the Commission to consider this policy.

Bill Williams stated Keep Chaves County Beautiful is inviting everyone to Cumberland Park on Saturday from 11 to 2. The park has been refurbished and turned out very nice. The Sheriff will be cooking hamburgers and hotdogs. He is excited there is finally progress being made on the elevator project.

Road Department Superintendent Joe West stated the Road Departments annual rodeo will be May 25<sup>th</sup>. The winners go on to compete in Clovis, NM at the NMC Annual Conference. He is a Grandpa as of early this morning.

Alys Klein invited everyone to the May 10<sup>th</sup> Walk for Hope Fundraiser. The donations received will stay in Chaves County and benefit chemo patients.

#### **MANAGER'S COMMUNICATION**

Mr. Riggs stated the county would be closed this Friday in observance of Good Friday. The visit from OSHA was eventful. They were very impressed with the jail. The jail is pursuing designation under the Sharp Program. There are only 2 facilities in the State with this designation and CDC would be the first detention center. OSHA pointed out many issues at the courts. The auditors are here this week. He thanked our legislators for the Capital Outlay designated for Chaves County from this last session. We will need to be patient because DFA will be swamped with all the money appropriated throughout the State. The NMC Legislative roundup will be in the Sheriff's training room on April 25<sup>th</sup>. We are currently in the middle of the budget process and all department budgets need to be completed no later than May 1<sup>st</sup>. The Budget Committee will meet on May 2<sup>nd</sup>. The Commission will be holding the budget workshop on Thursday, May 9, 2019 at 8:30a.m. The public and agencies are welcome at the workshop. The goal is to approve the budget at the May 23, 2019 Regular Commission Meeting. The books will be closed out the end of June and the Final Budget is due in July. The Road Tour is 7:00a.m. next Tuesday.

#### **COMMISSIONERS' COMMUNICATIONS**

Commissioner Dana encouraged everyone to come out to Cumberland Park and that it is a great asset to the Midway area.

Commissioner Ezzell thanked everyone for their hard work during the budget process.



Commissioner Corn stated he had been out of the Country in South Africa. It was a very interesting trip. He mentioned everyone in South Africa has a wall and a gate on their property. He learned a lot and it was an exciting trip.

Commissioner Bilberry stated it has been his privilege to work with the elected officials and staff of Chaves County. He has faith in this County and said we must not forget why we are here.

Chairman Cavin congratulated Commissioner Bilberry on stepping up and taking some leadership on the Public Land Commissioner's Committee. David Bernhardt was confirmed as the Secretary of the Interior. He looks forward to seeing him and his staff in Spokane for the WIR meeting in May. SRS funding is supposed to come in May. We are supposed to receive full funding for PILT. We will have to stay on top of Washington D.C. to make sure we keep receiving these funds. It is an honor to work with everyone here, we have a great team. It is a busy time of year, be safe. He is glad Commissioner Corn is back in the U.S. He stated God Bless America.

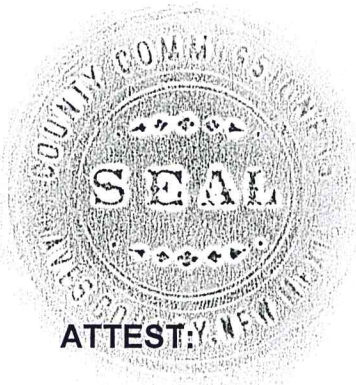
**CLOSED SESSION PURSUANT TO SECTION 10-15-1-H (7) NMSA, 1978 TO DISCUSS THREATENED OR PENDING LITIGATION**

Commissioner Bilberry moved to close the meeting pursuant to Section 10-15-1-H (7) NMSA 1978 to discuss threatened or pending litigation. Commissioner Ezzell seconded the motion. All 5 Commissioners voted yes in a roll call vote at 10:45 a.m.

Commissioner Corn moved to come out of Executive Session at 11:10a.m. 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 Bilberry seconded the motion. All 5 Commissioners voted yes in a roll call vote.

The meeting was adjourned at 11:12 a.m.

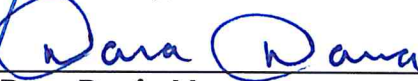
**BOARD OF CHAVES COUNTY COMMISSIONERS**

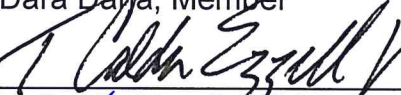



  
\_\_\_\_\_  
Dave Kunko  
County Clerk

  
\_\_\_\_\_  
William E. Cavin, Chairman

  
\_\_\_\_\_  
Jeff Bilberry, Vice-Chairman

  
\_\_\_\_\_  
Dara Dana, Member

  
\_\_\_\_\_  
T. Calder Ezzell Jr, Member

  
\_\_\_\_\_  
Robert Corn, Member