

**December 17, 2020**

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 9:02 am. Commissioner Corn led the pledge and Commissioner Bilberry led in prayer. Those present were Commissioners Cavin, Bilberry, Ezzell, Dana, and Corn. Also present were County Manager, Stan Riggs, Public Services Director, Bill Williams, Sheriff, Mike Herrington, Finance Director, Anabel Barraza, Chief Deputy Clerk, Cindy Fuller, news media, staff, and guests.

#### **MINUTES**

Commissioner Dana pointed out a typo on page 2 in the minutes from the November 10, 2020 special commission meeting. The minutes will be corrected before signing. Commissioner Corn moved to approve the minutes from the November 10, 2020 meeting submitted by Dave Kunko and the November 19, 2020 meeting submitted by Cindy Fuller. Commissioner Dana seconded the motion. A voice vote was unanimous. The motion carried.

#### **PROCLAMATIONS**

Commissioner Ezzell read the proclamation declaring December 30, 2020 as Ron Lethgo Day in Chaves County. A plaque was presented to Mr. Lethgo and a picture was taken with the Commissioners. Mr. Lethgo spoke about how things have changed since he started, and he thanked the Commission.

Commissioner Dana read the proclamation declaring December 29, 2020 as Dave Kunko Day in Chaves County. A plaque was presented to Mr. Kunko and a picture was taken with the Commissioners. Mr. Kunko also spoke about the changes that have taken place since he started. He is proud of getting voting convenience centers and that the Clerk's documents are online. He thanked Rhoda Goodloe Coakley for giving him an opportunity and all the people he's worked with over the years.

Commissioner Cavin read the proclamation declaring December 18, 2020 as Robert Corn Day in Chaves County. A plaque was presented to Commissioner Corn and a picture was taken with the Commissioners. Commissioner Corn thanked his fellow commissioners and their support for initiatives for Chaves County. He also thanked the other elected officials. He stated one of the highlights is the many awards Chaves County has received for their financial practices.

Commissioner Corn read the proclamation declaring December 31, 2020 as Stanton L. Riggs Day in Chaves County. A plaque was presented to Mr. Riggs and a picture was taken with the Commissioners. Mr. Riggs stated that over the last 40 years Chaves County has only had three County Managers and has been well managed. Mr. Riggs thanked God, his wife, Commissioners, his work wives, Tim Salazar, elected officials, and others. He stated that Chaves County has been a good steward of the peoples' money.

#### **EDC UPDATE**

Mike Espiritu stated they are working with CARES grant applications. They are looking forward to continuing to help our communities in the County. He had a site visit with a housing developer to help with affordable housing. The EDC is very involved with a lot of different programs and they finally have their first apprenticeship program with Krumland Auto Group, not a scholarship but a true apprenticeship program where they will continue to receive education and training, get paid, and actually have a career. One area they are particularly concerned with is culinary arts because there is nothing here in Chaves County that speaks to that. There is a strong need to encourage people to go into that industry. The EDC testified to the State Job Training Board for the NM Solar Group. This is a company out of Rio Rancho that has expanded to Chaves County. They are creating another ten jobs here and their average wage is \$17.00 per hour. The EDC has been active with site selectors telling the Chaves County story and encouraging them to select Chaves County in the future. They are working on producing

another video to use for marketing. An award from DFA is no small feat. We are truly blessed to have an organization like Chaves County and the Finance team to have the best County in the State. He appreciates being here and together we can do more as a team and group of people who care about each other and making a great place for the people who chose to live in Chaves County. Commissioner Dana asked on the CARES Act grants how many businesses applied and have received funding through EDC. Mr. Espiritu stated there were about 80 City and 10 County. Commissioner Dana asked about American Airlines. Mr. Espiritu stated that it's not a done deal for them to stay. It's unclear whether we will lose the service or not. The EDC will stay on top of it and work with the City and American to retain that. There are people that want to travel here by air to do business. We need to help and develop that. Commissioner Dana stated that with the partnership with Eastern, and school not being in person, we are going to have to be creative to try to get a workforce that is ready to go right now and partner with businesses. Mr. Espiritu stated they have a very strong relationship with Eastern. The EDC has pledged to help with marketing to get the word out to young people about the services and opportunities available in Chaves County. Commissioner Cavin stated how important the flight to Dallas is to the community. He encouraged the City to involve others in the talks so American Airlines knows how important they are to this community and Southeastern NM. He asked if there were any reports on ACCENT, Western, and the City lease. Mr. Espiritu stated he's met with XCEL Energy to determine what the energy requirements are as far as moving lines. The agreement between Western and ACCENT is close. The City Manager thinks we're on the right track. Commissioner Cavin thanked Mr. Espiritu.

#### **SHERIFF'S OFFICE UPDATE**

Sheriff Herrington thanked the Commission for all their help and support this past year. They have started a SWAT team and a Canine Unit will be in place in January. Seven Deputies will be going to the Academy on January 31<sup>st</sup>. All seven deputies are from Chaves County and were introduced. Deputy Cody Smothermon, Deputy Joshua Martinez, Deputy Benjamin Conklin, Deputy Ignacio Avila, Deputy Kimberly Sanchez, Deputy Joshua McKelvey, and Deputy Nathaniel De La Cerda. These Deputies beat out other law enforcement agencies all over the State to attend the Academy. The Sheriff stated he has two certified deputies starting on December 23<sup>rd</sup>. Commissioner Dana thanked Mike for recruiting within our County. She told the Deputies present that we care about them and appreciate them. The Deputies received a standing ovation.

#### **ROSWELL CHAMBER OF COMMERCE UPDATE**

Commission Corn stated he spoke with Andrea Moore and she would not be able to attend the meeting today. No update on the Chamber was given.

#### **PUBLIC HEARINGS**

#### **ORDINANCE O-107 – AN ORDINANCE OF CHAVES COUNTY RELATING TO COLLECTIVE BARGAINING FOR THE COUNTY OF CHAVES, NM, PROVIDING RIGHTS, RESPONSIBILITIES, AND CONDITIONS OF CONTINUED EXISTENCE AND TRANSFER OF AUTHORITY UPON TERMINATION OF LOCAL BOARD**

Stan Riggs stated that permission to publish for a public hearing was granted at the last commission meeting. We want to retain our local board. Once this is approved, we will send this to the State Board showing that we have decided to keep our local board. Staff recommends approval. Commissioner Cavin opened the meeting for public comment. Stan stated that the meeting had been properly advertised and was being live streamed on Facebook.

In Favor: None

Opposed: None

Commissioner Corn moved to adopt Ordinance O-107. Commissioner Ezzell seconded the motion. A voice vote was unanimous. The motion carried.

## **AGREEMENTS AND RESOLUTIONS**

### **RESOLUTION R-20-043 – APPROVAL OF TEMPORARY TRANSFER**

Anabel Barraza stated that this transfer would be from the general fund to the grant fund in the amount of \$250,000.00. This will be a temporary loan that will be reflected on both balance sheets for each fund. This is due to all the reimbursable grants that we have pending requests to be approved by DFA. Once these reimbursements are received the temporary loan will be paid back to the general fund. Since this temporary transfer isn't a budgetary item it does not have to be submitted to DFA as a budget adjustment, but we do require disclosure and approval from the Commission. Staff recommends approval. Commissioner Ezzell moved to approve Resolution R-20-043. Commissioner Bilberry seconded the motion. Ms. Barraza stated they have submitted submission #3 and #4 to DFA for the CARES Local Government Act. We did receive approval for that however, we have not received the money yet. Submission #5 will also be turned in and that will complete the local government grant in the total amount of \$537,750.00. We did receive nine applications from small businesses for phase II and they will be reviewing that tomorrow. This will also complete that grant for \$337,750.00. A voice vote was unanimous. The motion carried.

### **RESOLUTION R-20-044 REINSTATEMENT OF MEAT INSPECTION PROGRAM IN NEW MEXICO**

Bill Williams stated this resolution supports the reinstatement of a meat inspection program in New Mexico. When states rescinded their meat inspection programs it went in to the federal meat inspection overseen by the USDA and they lost their ability to directly sell their products in the State. A state-run meat inspection program will level the playing field for local producers and allow them to package and sell New Mexico labeled products to consumers in New Mexico. Staff recommends approval. Commissioner Cavin asked Commissioner Bilberry to read the resolution out loud. Commissioner Dana stated she fully supports this because as we have seen during this trying time people are worried about finding any type of groceries. A lot of people are trying to shop local. Mr. Williams stated the COVID shutdowns have affected the meat packing plants. The local non-USDA inspected plants couldn't sell to the general public. This will allow the small packing houses to slaughter and sell locally. Commissioner Bilberry stated there are two packing houses getting ready to open. The lamb, hog, and goat industry will benefit from this. There is a need for this and he fully supports it. Commissioner Cavin thanked former Commissioner Chesser for pushing this along. Commissioner Ezzell moved to approve R-20-044. Commissioner Bilberry seconded the motion. A voice vote was unanimous. The motion carried.

## **OTHER BUSINESS**

### **COURTHOUSE SECURITY UPGRADE PROJECT**

Stan Riggs stated they are seeking authorization for the Chairman to sign all documents associated with the courthouse security upgrade project. During the 2020 Legislative Session, Chaves County received \$480,000.00 in capital outlay for security upgrades at the courthouse concerning cameras, card readers, computer systems, software, and more. APIC Solutions estimate came in at \$364,549.82. APIC is a security company that performs this type of work and is currently the vendor we utilize at the jail. They are a New Mexico corporation and are on State contract. Staff is requesting that the Commission authorize the Chairman to sign all the documents associated with this project so we can get it going ASAP. Commissioner Dana moved to approve. Commissioner Ezzell seconded the motion. A voice vote was unanimous. The motion carried.

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

Stan Riggs stated that permission to publish for a public hearing to be held in January of every odd numbered year is required by State law. We need to determine if we want to have an ordinance. We have never approved this. The taxes are just shifted. It's a convoluted attempt so people don't have to pay property taxes. It's a scheme to lower taxes for certain individuals to qualify, even how you qualify is based on your income tax which can be manipulated. If this were to get approved, you could do a gross receipts tax to make up for the tax. Staff recommends approval for permission to publish for a public hearing in January. Commissioner Ezzell moved to approve. Commissioner Dana seconded the motion. The vote was 4-1 in favor with Commissioner Corn voting no. Commissioner Corn asked to explain his no vote. He stated he's looked at this statute and it is a mess. If the Legislature is serious about this, they need to fix it or take it off the books.

**2021 CHAVES COUNTY ANNUAL ROAD HEARING SCHEDULE**

Bill Williams presented the proposed schedule for the 2021 annual road hearing. Staff recommends approval. Some of the dates fall on corresponding County Commission Meeting dates but they will change if the County Commission meeting schedule changes. Commissioner Corn moved to approve. Commissioner Ezzell seconded the motion. A voice vote was unanimous. The motion carried.

**WAIVE ROAD CUT FEE FOR BERRENDO COOPERATIVE WATER USERS ASSOCIATION, INC.**

Bill Williams stated the Chaves County right of use permit ordinance requires that road pavement excavations in excess of 24 inches be approved by the Chaves County Board of Commissioners. Normally, this would be done prior to an excavation, however, on October 6, 2020, Berrendo Cooperative Water Users Association was forced to perform an emergency repair to a line that had ruptured. The line at 5906 Kincaid Road required an excavation requiring 21 feet by 30 inches wide. The road cut fee was determined to be \$1,940.00. The road was repaired as per ordinance No. 44 requirements. Joe West and his staff reviewed it and made sure it met the standards. Berrendo Water Co-op continues to provide a valuable service to residents of Chaves County and therefore, we recommend the waiver of the road excavation fee. Commissioner Bilberry moved to approve. Commissioner Ezzell seconded the motion. A voice vote was unanimous. The motion carried.

**APPROVAL OF CHECKS**

Commissioner Dana moved to approve checks in the amount of \$1,690,755.33. Commissioner Bilberry seconded the motion. A voice vote was unanimous. The motion carried.

**APPROVAL OF REPORTS**

Commissioner Corn moved to approve the reports for the period. Commissioner Bilberry seconded the motion. Commissioner Dana asked, under the general Clerk's fees, have we ever received reimbursement from the Secretary of State's Office for absentee ballot costs. Cindy Fuller stated that they did receive reimbursement from the Primary election and the fees for the General election were submitted yesterday. A voice vote was unanimous. The motion carried.

**UNSCHEDULED COMMUNICATIONS**

Commissioner Cavin and Commissioner Corn thanked Rita Kane Doerhoefer for all the goodies she brought everyone. Commissioner Cavin thanked the Sheriff for introducing his new crew and stated he is doing an amazing job. Sheriff Herrington invited everyone out to Rustic Essentials at 125 N Main for a toy drive to benefit CASA and the children of Chaves County.

Ron Lethgo thanked the Commission for the presentation and stated it's been his joy and pleasure to have worked for Chaves County for nearly 40 years. He wished everyone a Merry Christmas and a Happy New Year.

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

Stan Riggs stated we have a lot going on. They are working with the City and he thinks they have finally come to a good resolution on the MOU. They have plans to spend the \$5,000,000.00. Mr. Riggs stated that Daniel Ornelas is doing a really good job out at the jail and they are pleased with the way things are running. They were able to get the issues with getting the deputies in to the Academy worked out. Anabel has been working really hard to spend the COVID money. You guys challenged her, and she has done a great job. Next year is going to be a busy year. The swearing in ceremony is scheduled for December 31<sup>st</sup> at 9:00. Joel Carson, 10<sup>th</sup> Circuit Federal Judge will be presiding over that. To Rita he said, "Go Cardinals". It's been an honor to be up here working with all of you, the great staff and great County. God bless all of you and have a great Christmas.

#### **COMMISSIONERS' COMMUNICATIONS**

Commissioner Dana stated Ms. Rita could not be here but she was going to give an update on Keep Chaves County Beautiful and some of the things they are going to be doing in 2021. It's a great program and she thanked her for the grants she and Georgianna have been working on. The walking trail is going to be a nice project and area and they are trying to make it beautiful. She appreciates everything Ms. Rita does because right now it's a challenging time. She keeps getting phone calls from people asking what is the Governor going to do, what is the County going to do to keep people engaged? Until the Governor hears from people in her own party she is not going to do anything. It's up to us to go around these challenges. A walking trail is great. Get out and walk with your kids. The park in Midway is great. We have to be creative as parents and find ways to get our kids engaged. She thanked Bill for inviting her to disperse some of the CARES Act checks. We care about our businesses and we want to see them growing and thriving. She is looking forward to 2021 and stated we can face challenges together and move forward. She thanked those retiring for their service.

Commissioner Ezzell stated that he recently learned that Apache Corporation has a tree grant program. He gave the information to Rita and Commissioner Dana. He presented a poster to the Chairman of their participation in the Chaves County Fair. He thanked his fellow commissioners for contributing to the animal purchase. He thanked everyone for their hard work and hopes everyone has a blessed Christmas and New Year. He thanked Ron Lethgo, Dave Kunko, Commissioner Corn, and Stan Riggs.

Commissioner Bilberry stated it's been a privilege the last four years to work with this great group and all the elected officials. He stated it's been a privilege to work with Stan and he appreciates all he has done for our county and for him. He stated he is looking forward to working with Bill. He also stated it's been great to work with Ron and Dave and Mike and his crew. He prays blessings over them. He got the privilege a little over a year ago to go with Commissioner Corn to Washington DC and see firsthand the relationships he opened up for this county and they will be long lasting. He personally thanked Commissioner Corn and stated how much he cares about this county. Commissioner Bilberry stated that Commissioner Corn is a true servant. He's looking forward to the next four years. He told everyone to have a Merry Christmas and a blessed new year.

Commissioner Cavin stated that all the things spoken today proves what a great county we have. It's a new era, reigns are being handed off in a lot of our departments and he has the upmost confidence that those forces are going to be run like they've been run and the folks handing off the reigns will be there to help out in any way they can to make this county continue to be as great as it can. This is a family organization. Christmas is a week away, if you're out in public put a mask on and try to keep your social distance. It's so important. He told the Sheriff to be safe on the streets protecting the citizens. Hope all of Chaves County can have a Merry

Christmas and a fruitful New Year. It's going to be an interesting 2021. God Bless this County and Chaves County. He spoke of his travels with Commissioner Corn and thanked Stan.

Commissioner Corn stated going to Washington DC is serious business. Unfortunately, some things we hoped to get done we didn't, but we won quite a few battles. He stated he learned a great deal from all the commissioners he's served with and he hopes they learned a little bit from him. He thanked the voters and the taxpayers for this opportunity.

The meeting was adjourned at 10:59 am.



BOARD OF CHAVES COUNTY COMMISSIONERS

*William E. Cavin*

William E. Cavin, Chairman

*Jeff Bilberry*

Jeff Bilberry, Vice-Chairman

*Dara Dana*

Dara Dana, Member

*T. Calder Ezzell Jr.*

T. Calder Ezzell Jr., Member

*Richard "Dick" Taylor*

Richard "Dick" Taylor, Member

*Cindy Fuller*

Cindy Fuller /  
County Clerk