

**CHAVES COUNTY
BOARD OF COUNTY COMMISSIONERS**

William E. Cavin, Chairman
Jeff Bilberry, Vice Chairman



Dara Dana, Member
T. Calder Ezzell Jr, Member
Richard C Taylor, Member

William B. Williams, County Manager

**ADMINISTRATIVE MEETING MINUTES
THURSDAY, JUNE 17, 2021
#1 ST. MARY'S PLACE, ROSWELL, NM 88203**

Vice Chairman Bilberry called the meeting to order at 9:00 am. Commissioner Dana led the pledge and Commissioner Ezzell led in prayer. Those present were Commissioners Bilberry, Ezzell, Dana, and Taylor. Commissioner Cavin participated via telephone. Also present were County Manager, Bill Williams, Public Services Director, Mac Rogers, Finance Director, Anabel Barraza, County Clerk, Cindy Fuller, Planning and Zoning Director, Louis Jaramillo, IT Director, Alfredo Garcia, County Attorney, Stan Riggs, Detention Director, Daniel Ornelas, Sheriff, Mike Herrington, news media, staff, and guests.

APPROVAL OF MINUTES

MOTION MADE TO: APPROVE THE MINUTES FROM THE MAY 13, 2021 SPECIAL BUDGET MEETING AND THE MAY 20, 2021 ADMINISTRATIVE MEETING.
MOTION MADE BY: COMMISSIONER DANA
SECOND MADE BY: COMMISSIONER TAYLOR
IN FAVOR: CAVIN, BILBERRY, EZZELL, DANA, TAYLOR
OPPOSED: NONE

UPDATE ON THE ROSWELL CHAMBER OF COMMERCE

Presenter: Andrea Moore, Chairwoman

Ms. Moore stated over the last week they partnered with Artesia to bring in the 9/11 mobile memorial where they helped give away over 1,000 bags stuffed with goodies for the participants that showed up over the four days. Today, they have Business After Hours at Pasta Café from 5:30 to 7:00. Next Thursday they have a Business After Hours for Keller Williams. All of this information comes out on their website, social media, and the weekly newsletter. They are trying very hard to get their information out as much as possible. Friday they are submitting their second issue of the Roswell Now magazine. It is the "Extraordinary People" edition and they are highlighting Barry Foster and Larry Hobson for Citizens of the Year. They have partnered with the Realtors Association because they do the Citizen of the Year award every year. The summer issue every year will be the "Extraordinary People" issue. They are also highlighting the Valedictorians in Chaves County from each highschool. They are just trying to reach out and repair relationships to the best of their ability. Commissioner Bilberry thanked Ms. Moore. Commissioner Dana thanked Ms. Moore and stated she visited the Tunnel to Towers Memorial. It was wonderful and she is so glad Ms. Moore partnered with Artesia. Commissioner Dana stated it's nice to see our restaurants opening up. Ms. Moore stated they are working with the Sheriff's Department to bring back the Sheriff's luncheon. Commissioner Dana thanked Ms. Moore for including Chaves County once again.

UPDATE ON THE ECONOMIC DEVELOPMENT CENTER

Presenter: Mike Espiritu, EDC President

On the business attraction perspective, he attended a site selection guild where they are now a chartered member of a partner's association with the guild. This gives them the opportunity to be able to interface with more consultants that provide opportunities, that are working with companies to locate projects. He attended an event last week and met with 30 different



consultants. Some showed an interest in Chaves County. It's important to educate folks about who we are so that if they have projects in the future, they will hopefully consider us as a place to do business. They sent out new videos to 142 consultants last month. They have a new database with around 650 consultants. They will continue to send them information about what is going on in our County.

On the business retention and expansion side of things, they have increased their FAÇADE grant program to the entire County. They visited 32 businesses last month. A number of them are grateful the EDC is reaching out to keep them connected to resources so they can keep the jobs they already have and expand their operations. Their monthly goal is 40 businesses and next year they want to be at 50. He saw some of the Commissioners at the AEVEX open house. The opportunities they are bringing are significant to increase opportunity in our County. Project Gold is officially Admiral Beverage. They had their liquor license approved and can move forward. They have secured the land at the corner of Brasher and SE Main. They are building a 100,000 square foot building. This is a great project that will bring 75 jobs. The CFO from Albuquerque will be here this month. They anticipate groundbreaking within the next couple of months.

They had a job fair with 30 businesses from different industries that participated. There were around 120 job seekers, he would've liked to have seen more, but they will do another job fair in September or October when the unemployment benefits on the federal level even out. There were around 150 jobs that were available and 34 were hired. A number haven't been hired yet because they have online and other things they're going through. It looks like it was well received.

On the education front, we try to entice, advise, and educate younger folks in the high schools to a career pathway leading to industry, to a job, or higher education. They plan to work with all the school districts next month to ensure they have an idea what's needed to get kids lined up to the programs and courses they need to be success in the career interests they may have. They still have a lot of apprenticeship models going on and he is pleased with how this is progressing.

New Mexico Solar Group is headquartered out of Albuquerque. They have opened shop here in Chaves County and will be awarding three scholarships to students at Eastern New Mexico University next month. They will be \$1000.00 scholarships in tech fields. Another great article by Lisa Dunlap in the paper this morning on JTIP for USA Beef as they continue and develop. That company started out with 30 jobs and now have over 60 employees and continue to grow.

On the real estate side, they have been working to get sites shovel ready. Businesses rely on speed of market. It costs money to wait and we need to be ready and poised to be positioned to provide the shortened time frame. They've been working on a 44-acre site at the Air Center. They've hired and paid for the phase 1 environmental and that's complete. They are doing the certified sites in partnership with EXCEL Energy, who is a strong partner with the EDC. They continue to drive more opportunities by having shovel ready sites available. For businesses it's about speed and time. This will be the second certified site. Commissioner Dana asked how USA Beef is going to expand. Mr. Espiritu stated the current JTIP funds are for onsite. They are planning to expand further than that. He can't talk a whole lot about it because they are in negotiations right now. Commissioner Bilberry thanked Mr. Espiritu.

PRESENTATION – AMERICAN STEWARDS OF LIBERTY

Presenter: Margaret Byfield

Bill Williams introduced Ms. Byfield. Ms. Byfield stated she appreciates the invitation from the Commission. They work on a lot of ESA and interspecies issues and have an aggressive de-listing program to de-list species that shouldn't be on the list. They are a property rights organization. The new Administration has an initiative they are pushing called "30 x 30". They started following this right after the President was elected because they were watching what the environmental movement was really pushing and there are a lot of people in policy positions in the new Administration looking to push this agenda. We saw 30 x 30 coming up in all their literature. 30 x 30 is a very radical environmental push to permanently protect 30 percent of our lands and oceans by 2030. That is basically 681,000,000 acres by 2030 that they want permanently protected in its' nature state, which means no productive use. The Department of Interior has said that currently 12% of the lands in America are permanently protected, they are looking at another 409,000,000 acres that they want to put in to permanent protection. Their reasoning

for this stems from the climate crisis narrative that we are hearing from this Administration. They believe that over one million species will go extinct, worldwide, in the coming decades and one third of the US species will go extinct. Therefore, they need to permanently protect the habitat. This is a scary proposition because that is a lot of land. They are talking about increasing restrictions on federal land and a lot of private property. They have clearly stated they must have more private property included in the program because two thirds of the conversion of lands from it's natural state to development is now occurring on private property but only 1% of that property is protected at the level they want to see.

There are two keys things, Vice President Harris co-signed the Senate resolution for 30 x 30 in the last session. There were only ten Senators that did it, it's not a popular idea. On the House side, Department of Interior Secretary, our former Representative, Haaland, was one of the five co-sponsors for 30 x 30. It came to play on January 27th which was a little earlier than they expected. It is deep inside the climate crisis executive order which is 57 pages. In section 216 there's a very simple statement that says, "the President wants to conserve 30% of our lands and oceans". There is not a lot of transparency from the Biden Administration on this. The Department of Interior has released a little bit more substance which is helping to connect the dots for the environmental agenda of 30 x 30. The Biden Administration has really been hiding the ball. A report was supposed to be delivered to the National Climate Task Force by the DOI that was to include the implementation plan and it is very shy on details. They are trying to rebrand the project now because there has been a lot of backlash. This is a concept that a lot of Americans do not agree with. They have failed to provide Americans with details such as, they say we must conserve and restore 30% of our lands but then they say defining what conserve means is too difficult so they don't give a definition. They also don't specifically identify what lands they are targeting.

They have been tracking actions out of the DOI, bills that are being pushed and endorsed by the Administration through Congress, and the 12% figure. They are trying to get information out to the public and educate everyone as best as they can. One of the things that is really being pushed by the Administration is that this is a locally led initiative. However, this initiative is an international initiative. Every nation is being called on to implement 30 x 30. She will give a presentation tonight and peel back all the layers from start to finish. This will help us know what to watch for and how to protect the home front because nobody can protect the County except us. Commissioner Bilberry invited everyone to come tonight to listen to the whole presentation.

PUBLIC HEARING – CASE Z 2020-1 SPECIAL USE PERMIT TRUCKING BUSINESS

Presenter: Louis Jaramillo

This case is to approve or deny a special use permit for a trucking business in Area II, zoned agriculture residential. Mr. and Mrs. Rivera would like to operate their trucking business, Seed Trucking LLC, from their newly constructed residential lot located approximately 950 feet east of the intersection of Orchard Park Road and US 285. They possess 11 operational semi-trucks but are the only two full time drivers listed on the USDOT registration. They hire eight to ten drivers yearly, from May to November to assist them with transporting agriculture produce from the fields to the processing centers in West Texas, Oklahoma, New Mexico, and now Arizona. From December to April the semi-trucks are repaired and stored on the property.

The proposed location is within the US 285 commercial corridor which supports commercial and industrial development, per the 2016 comprehensive master plan. It is one lot over from another trucking business zoned industrial owned by his cousin, Mario Rivera. Section 1.A.1 of Article XVIII of the Chaves County Zoning Ordinance No. 7 states that the Board may grant a special permit in districts from which the uses are otherwise prohibited by this Zoning Code and shall impose appropriate conditions and safeguards to protect the general plan to conserve and protect the property values in the neighborhood. This particular property is located at 22 Orchard Park Road. The Planning and Zoning Commission recommended approval of the special use permit by a vote of 4-0 based on finding of facts 1-5 and with conditions 1-9 as noted on the staff report. Staff recommends approval.

Vice Chairman Bilberry opened the public hearing for public comment.

IN FAVOR: Eric Rivera, 22 E. Orchard Park, Dexter, NM. Mr. Rivera stated they are requesting the special use permit to be approved. They have been using the address to park the trucks.

During the silage season the trucks aren't at this address, they are in the fields and working. He stated that 90% of their work is out of town in Arizona, Oklahoma, and Texas. The trucks are never loaded at this address or going through the streets heavy. They aren't doing any business at this location just parking the trucks to maintain them for agricultural work for dairies. Commissioner Dana asked Mr. Rivera if he knew the conditions that were put into this. Louis Jaramillo stated yes, they have spoken about this with Mr. Rivera. Commissioner Dana asked Mr. Rivera if he was ok with the conditions. He stated he would like specific details. He stated they were told they had to put up a fence and they are putting down recycled asphalt where the trucks travel. Commissioner Dana asked Louis to get with the applicants and go over the conditions again.

OPPOSED: Neil Binderman, 3751 E. Crossroads. Mr. Binderman stated he wishes to formally object and he believes they are exceeding their authority by granting this. Commissioner Ezzell asked Mr. Binderman in what way are they exceeding their authority? Mr. Binderman stated it relates to a Supreme Court decision on the very same subject. He thinks it would be more appropriate not to talk about it here but if they approve this he can launch a formal appeal which they will overturn and after that they'll get in front of a District Court Judge so they can actually resolve this issue once and for all. He can put everything in documentation for an appeal. Vice Chairman Bilberry asked Stan Riggs, Chaves County Attorney, if he could address this. Mr. Riggs stated he believes the Commission does have the authority to do this and their own ordinance allows them to do this. It's been their practice in the past to do this and it's not arbitrary, capricious, or against the law. If they chose to do it, they can, they have to have findings of facts and conclusions. If they don't want to do it they'll have to have findings and facts as to why they are turning it down but they do have that authority.

MOTION MADE TO: APPROVE CASE Z-2020-1
MOTION MADE BY: COMMISSIONER EZZELL
SECOND MADE BY: COMMISSIONER DANA
IN FAVOR: CAVIN, BILBERRY, EZZELL, DANA, TAYLOR
OPPOSED: NONE

AGREEMENTS AND RESOLUTIONS

AGENDA ITEM #1A – RATIFICATION OF APPROVAL FOR AGREEMENT A-21-019 BETWEEN CHAVES COUNTY AND THE NEW MEXICO DEPARTMENT OF TRANSPORTATION FOR THE REAUTHORIZATION OF APPROPRIATION 19-D3314 HOBSON ROAD PROJECT FUNDING IN THE AMOUNT OF \$428,584.00.

#2B – RATIFICATION OF APPROVAL FOR RESOLUTION R-21-024 BETWEEN CHAVES COUNTY AND THE NEW MEXICO DEPARTMENT OF TRANSPORTATION FOR THE REAUTHORIZATION OF APPROPRIATION 19-D3314 HOBSON ROAD PROJECT FUNDING IN THE AMOUNT OF \$428,584.00.

Presenter: Georgianna Hunt, Community Development Project Specialist

Ms. Hunt stated they are asking for ratification of approval for agreement A-21-019. This is an agreement between the New Mexico Department of Transportation and Chaves County in the amount of \$428,584.00 for the Hobson Road Project. They were originally awarded \$569,000.00 but they found that the definition of the work that was allowed didn't cover the scope of the work they needed so they requested reauthorization to widen the scope so the work can be done. She offered to do agenda items 1A and 2B together. Ms. Hunt stated 2B is for the same agreement and the same amount of money which is a requirement of the DOT to have the resolution.

MOTION MADE TO: APPROVE RATIFICATION OF AGREEMENT A-21-019 AND APPROVE RESOLUTION R-21-024
MOTION MADE BY: COMMISSIONER EZZELL
SECOND MADE BY: COMMISSIONER DANA
IN FAVOR: CAVIN, BILBERRY, EZZELL, DANA, TAYLOR
OPPOSED: NONE

AGENDA ITEM #3 – A-21-020 APPROVAL OF CDWI APPLICATION FOR FY 22

Presenter: Elly Hollon, DWI Coordinator

Ms. Hollon stated the Chaves County DWI Program would like approval to submit the fiscal year 22 CDWI application. The estimated amount for FY 22 is \$13,955.00. This amount will partially pay for one of the DWI Court Compliance Officers. The application will fund the project year July 1, 2021 through June 30, 2022. Staff recommends approval.

MOTION MADE TO: APPROVE A-21-020
MOTION MADE BY: COMMISSIONER TAYLOR
SECOND MADE BY: COMMISSIONER DANA
IN FAVOR: CAVIN, BILBERRY, EZZELL, DANA, TAYLOR
OPPOSED: NONE

AGENDA ITEM #4 – AGREEMENT A-21-021 BETWEEN CHAVES COUNTY AND THE STATE OF NEW MEXICO, DFA/LOCAL GOVERNMENT DIVISION FOR DWI LOCAL GRANT FY 21/22

Presenter: Elly Hollon, DWI Coordinator

Ms. Hollon stated the Chaves County DWI Program was awarded \$52,000.00 in local DWI grant funds for fiscal year 2021-2022. This funding will be utilized to fund a full-time treatment provider. The term of the agreement will start on July 1, 2021 and will extend to June 30, 2022. Staff recommends approval.

MOTION MADE TO: APPROVE A-21-021
MOTION MADE BY: COMMISSIONER DANA
SECOND MADE BY: COMMISSIONER TAYLOR
IN FAVOR: CAVIN, BILBERRY, EZZELL, DANA, TAYLOR
OPPOSED: NONE

AGENDA ITEM #5 – AGREEMENT A-21-022 LEGAL SERVICES FOR CHAVES COUNTY

Presenter: Sandra Rodriguez, Purchasing Director

Ms. Rodriguez stated that on May 20, 2021, the Commission awarded RFP-21-1 Legal Services for Chaves County to Stanton L Riggs, Attorney at Law, LLC. Agreement A-21-022 is the agreement for those services. Staff recommends approval.

MOTION MADE TO: APPROVE AGREEMENT A-21-022
MOTION MADE BY: COMMISSIONER EZZELL
SECOND MADE BY: COMMISSIONER DANA
IN FAVOR: CAVIN, BILBERRY, EZZELL, DANA, TAYLOR
OPPOSED: NONE

AGENDA ITEM #6 – AGREEMENT A-21-030 BETWEEN CHAVES COUNTY AND EYE ASSOCIATES OF NEW MEXICO FOR LEASE OF OFFICE SPACE AT PECOS VALLEY MEDICAL COMPLEX

Presenter: Bill Williams, Chaves County Manager

Mr. Williams stated this is a lease agreement for office space located at the Pecos Valley Medical Complex, 1606 SE Main Street, Roswell, NM. Eye Associates has leased this building for the last five years. The new lease is for a one-year period with four additional one-year automatic renewals not to exceed a total of five years. The rent is \$9,649.00 a month. The rent will increase by 1.5% for each year of the renewal. Eye Associates has been a good lessee and Chaves County desires to continue this relationship. Staff recommends approval.

MOTION MADE TO: APPROVE AGREEMENT A-21-030
MOTION MADE BY: COMMISSIONER TAYLOR
SECOND MADE BY: COMMISSIONER EZZELL
IN FAVOR: CAVIN, BILBERRY, EZZELL, DANA, TAYLOR
OPPOSED: NONE

AGENDA ITEM #7A– AGREEMENT A-21-031 LEASE AGREEMENT BETWEEN CHAVES COUNTY AND DIANNE S MEDA TO LEASE OFFICE SPACE AT 1600 SE MAIN, SUITE D-2

Presenter: Bill Williams, County Manager

Mr. Williams stated that Ms. Meda is an independent contractor who performs services for the Chaves County DWI program. She has been leasing one office from the County, Suite D-2 of the St. Mary's complex, for the last four years. She has been a great lessee and the County wishes to continue the lease. The lease will be \$200.00 per month. The offset of services to the value of the property is well exceeded by the work she provides for our community. Staff recommends approval.

MOTION MADE TO: APPROVE AGREEMENT A-21-031
MOTION MADE BY: COMMISSIONER DANA
SECOND MADE BY: COMMISSIONER EZZELL
IN FAVOR: CAVIN, BILBERRY, EZZELL, DANA, TAYLOR
OPPOSED: NONE

AGENDA ITEM #7B– AGREEMENT A-21-032 LEASE AGREEMENT BETWEEN CHAVES COUNTY AND DIANE TAYLOR TO LEASE OFFICE SPACE AT 1600 SE MAIN, SUITE D-2

Presenter: Bill Williams, County Manager

Mr. Williams stated that Ms. Taylor is an independent contractor who performs services for the Chaves County DWI program. She has been leasing one office from the County, Suite D-2 of the St. Mary's complex, for the last four years. She has been a great lessee and the County wishes to continue the lease. The lease will be \$200.00 per month. The offset of services to the value of the property is well exceeded by the work she provides for our community. Staff recommends approval. Commissioner Ezzell asked if there were two leases for the same space. Mr. Williams clarified that there are two different offices.

MOTION MADE TO: APPROVE AGREEMENT A-21-032
MOTION MADE BY: COMMISSIONER EZZELL
SECOND MADE BY: COMMISSIONER DANA
IN FAVOR: CAVIN, BILBERRY, EZZELL, DANA
ABSTAINED: COMMISSIONER TAYLOR
OPPOSED: NONE

AGENDA ITEM #8 – RESOLUTION R-21-025 LOCAL EMERGENCY / DISASTER DECLARATION

Presenter: Bill Williams, Chaves County Manager

Mr. Williams stated that Chaves County declared an emergency on June 3, 2021 due to the severe weather that occurred May 30, 31, and June 1, 2021. Flooding occurred at the Roswell Air Center and southern Roswell due to the failure of the Hondo River Diversion #3 dike. At this time, we are requesting ratification of this declaration. The Declaration of Emergency is required prior to any reimbursements the County may receive. Staff recommends approval.

MOTION MADE TO: APPROVE RESOLUTION R-21-025
MOTION MADE BY: COMMISSIONER EZZELL
SECOND MADE BY: COMMISSIONER TAYLOR
IN FAVOR: CAVIN, BILBERRY, EZZELL, DANA, TAYLOR
OPPOSED: NONE

AGENDA ITEM #9 – RESOLUTION R-21-026 DESIGNATING THE POLLING PLACES FOR THE 2021 LOCAL ELECTION

Presenter: Cindy Fuller, Chaves County Clerk

Ms. Fuller stated the Commission had already approved the polling locations for the 2021 Regular Local Election that will be held November 2, 2021. This resolution is to add the Roswell Boys and Girls Club to the list of polling locations. Staff recommends approval.

MOTION MADE TO: APPROVE R-21-026
MOTION MADE BY: COMMISSIONER DANA
SECOND MADE BY: COMMISSIONER TAYLOR
IN FAVOR: CAVIN, BILBERRY, EZZELL, DANA, TAYLOR
OPPOSED: NONE

AGENDA ITEM #10 – RESOLUTION R-21-027 DESIGNATING POLLING PLACES FOR THE 2022 PRIMARY AND GENERAL ELECTIONS AND THE 2023 REGULAR LOCAL ELECTION

Presenter: Cindy Fuller, Chaves County Clerk

Ms. Fuller stated this resolution will designate the polling places for the 2022 Primary and General Elections and the 2023 Regular Local Election. The polling places will be the same as the ones that were just approved. We are asking for twelve locations. Staff recommends approval. Ms. Fuller added that Precincts 104 and 44 will be designated as mail ballot election precincts.

MOTION MADE TO: APPROVE R-21-027
MOTION MADE BY: COMMISSIONER TAYLOR
SECOND MADE BY: COMMISSIONER DANA
IN FAVOR: CAVIN, BILBERRY, EZZELL, DANA, TAYLOR
OPPOSED: NONE

AGENDA ITEM #11 – RESOLUTION R-21-028 APPOINTMENT TO THE COUNTY BOARD OF REGISTRATION

Presenter: Cindy Fuller, Chaves County Clerk

Ms. Fuller stated that according to State statute, at the first regular scheduled meeting in June of each odd-numbered year, the County Commission is to appoint three voters who shall constitute the Board of Registration for the County. Not more than two members of the Board shall be members of the same political party. The term will be from June 1, 2021 until June 30, 2023. The following names are being presented for appointment: Carolyn Hollifield, Daniel Johnson, and Dave Kunko. Staff recommends approval.

MOTION MADE TO: APPROVE R-21-028
MOTION MADE BY: COMMISSIONER EZZELL
SECOND MADE BY: COMMISSIONER TAYLOR
IN FAVOR: CAVIN, BILBERRY, EZZELL, DANA, TAYLOR
OPPOSED: NONE

AGENDA ITEM #12 – RESOLUTION R-21-029 ADJUSTING PRECINCT BOUNDARIES

Presenter: Cindy Fuller, Chaves County Clerk

Ms. Fuller stated New Mexico Statutes, Section 1-3-1 requires that a precinct shall be divided or its boundaries adjusted if the precinct has had more than seven hundred fifty (750) votes cast by voters of that precinct at a General election; based on the two most recent General elections, or more than two thousand five hundred, (2,500), persons residing within the boundaries of the precinct, based on the most recent federal decennial census. Pursuant to subsection A of section 1-3-5, it is the duty of the Board of County Commissioners by resolution to create, divide, abolish, combine, or adjust the boundaries of any precincts as necessary to meet the requirements of the Election Code as well as legal and constitutional requirements for redistricting.

Adjustments are being made after the number of voters in the 2020 General Election exceeded 750 voters for precincts nine, (9), and forty-one, (41). These adjustments will not go into effect until January 1, 2022. Staff recommends approval. Commissioner Ezzell asked how voters are notified when their precinct changes. Ms. Fuller stated they are sent a new voter registration card and also stated with the split of these two precincts, none of the districts will change.

MOTION MADE TO: APPROVE R-21-029
MOTION MADE BY: COMMISSIONER DANA
SECOND MADE BY: COMMISSIONER CAVIN
IN FAVOR: CAVIN, BILBERRY, EZZELL, DANA, TAYLOR
OPPOSED: NONE

AGENDA ITEM #13A – RECONSIDER 2021 EAST GRAND PLAINS ROAD HEARING DISPOSITION WITHIN RESOLUTION R-21-022

Presenter: Bill Williams, Chaves County Manager

Mr. Williams stated at last month's meeting they voted, as part of the annual road hearings, to vacate East Grand Plains road in Resolution R-21-022. That vote ended in a tie as one of the Commissioners had to recuse himself from voting. After the meeting, the parties involved came forward and asked if we would consider reconsidering this vote. This request is to reconsider East Grand Plains Road vacation within Resolution R-21-022. If you should choose to vote to reconsider this there will be a new resolution for that road to make it crystal clear and have a paper trail. He reminded the Commissioners that they may only discuss the reconsideration vote at this time, they can't discuss any of the details of the road until after they've voted whether or not to reconsider the vote that was taken at the last meeting. Commissioner Ezzell stated that for the reasons stated in the last meeting he will abstain from voting.

MOTION MADE TO: RECONSIDER 2021 EAST GRAND PLAINS DISPOSITION WITHIN RESOLUTION R-21-022
MOTION MADE BY: COMMISSIONER TAYLOR
SECOND MADE BY: COMMISSIONER CAVIN
IN FAVOR: CAVIN, BILBERRY, DANA, TAYLOR
ABSTAINED: COMMISSIONER EZZELL
OPPOSED: NONE

AGENDA ITEM #13B – RESOLUTION R-21-030 2021 EAST GRAND PLAINS ROAD HEARING DISPOSITION

Presenter: Bill Williams, Chaves County Manager

Mr. Williams stated that in light of the vote to reconsider the vacation request for East Grand Plains Road the Commissioners will now reconsider the disposition of that. The parties were present and have come to an agreement concerning access.

MOTION MADE TO: VACATE ONLY THE PORTION OF EAST GRAND PLAINS ROAD REQUESTED IN THE 2021 ROAD HEARING
MOTION MADE BY: COMMISSIONER TAYLOR
SECOND MADE BY: COMMISSIONER DANA
IN FAVOR: CAVIN, BILBERRY, DANA, TAYLOR
ABSTAINED: COMMISSIONER EZZELL

ITB/RFP'S

AGENDA ITEM #14 – ITB-21-2 CONSTRUCTION MATERIALS AND SERVICES FOR CHAVES COUNTY ROAD DEPARTMENT

Presenter: Sandra Rodriguez, Purchasing Director

Ms. Rodriguez stated the Purchasing Department received a total of four bids from: Constructors Inc, Quality Emulsions LLC, Holly Frontier Refining and Marketing LLC, and Ergon Asphalt & Emulsions Inc. Staff find all bids responsive to specifications and recommends award be made to all bidders. Multiple awards are desired to ensure availability and timely delivery and to also ensure Chaves County taxpayers that the Road Department is providing the best product for the most efficient overall cost as reasonable as possible. Award will constitute a price agreement that will be effective for one year with the option to renew for up to three additional one-year terms by agreement of both parties. Staff recommends approval.

MOTION MADE TO: APPROVE ITB-21-2
MOTION MADE BY: COMMISSIONER EZZELL
SECOND MADE BY: COMMISSIONER DANA
IN FAVOR: CAVIN, BILBERRY, EZZELL, DANA, TAYLOR
OPPOSED: NONE

OTHER BUSINESS

AGENDA ITEM #15 – APPOINTMENT FOR DWI PLANNING COUNCIL VOTING MEMBERS

Presenter: Elly Hollon, DWI Coordinator

Ms. Hollon stated that according to the Chaves County DWI Program Charter, DWI Planning Council "Voting Members must be appointed by the Board of Commission in June every odd year". The attached list has the current voting members listed, as well as two new recommendations of potential new voting members. Judge Maria Ordonez, current Hagerman Municipal Judge, will be replacing Cliff Waide – at large. Judge Joe Seskey, current City of Roswell Municipal Judge, will be replacing Margaret Kennard – at large. Staff would like the Chaves County Commissioners to appoint DWI Planning Council Voting Members and the term will be for two years. With this approval the Chaves County Planning Council will remain with 12 approved voting members and one vacancy.

MOTION MADE TO: APPROVE JUDGE MARIA ORDONEZ AND JUDGE JOE SESKEY
MOTION MADE BY: COMMISSIONER DANA
SECOND MADE BY: COMMISSIONER EZZELL
IN FAVOR: CAVIN, BILBERRY, EZZELL, DANA, TAYLOR
OPPOSED: NONE

AGENDA ITEM #16 – APPOINTMENT OF MEMBER TO JOY CENTER BOARD OF DIRECTORS

Presenter: Bill Williams, Chaves County Manager

Three members of the JOY Center Board of Directors are appointed by Chaves County. Presently those members are Ms. Rita Kane Doerhoefer, Mr. Robert McCrea, and an empty position that was held by Mr. Harold Hobson, who resigned from the Board. Monica Duran, Executive Director of Chaves County Joy Centers Inc., has requested that the vacant position be replaced. Ms. Phyllis Fix has expressed interest in filling the vacant position. Staff recommends that the Commission appoint Ms. Phyllis Fix to the Board of Directors.

MOTION MADE TO: APPOINT MS. PHYLLIS FIX TO THE CHAVES COUNTY JOY CENTER BOARD OF DIRECTORS
MOTION MADE BY: COMMISSIONER DANA
SECOND MADE BY: COMMISSIONER EZZELL
IN FAVOR: CAVIN, BILBERRY, EZZELL, DANA, TAYLOR
OPPOSED: NONE

APPROVAL OF CHECKS

MOTION MADE TO: APPROVE CHECKS IN THE AMOUNT OF \$2,107,148.40
MOTION MADE BY: COMMISSIONER TAYLOR
SECOND MADE BY: COMMISSIONER DANA
IN FAVOR: CAVIN, BILBERRY, EZZELL, DANA, TAYLOR
OPPOSED: NONE

APPROVAL OF REPORTS

MOTION MADE TO: APPROVE REPORTS FOR THE PERIOD
MOTION MADE BY: COMMISSIONER DANA
SECOND MADE BY: COMMISSIONER TAYLOR
IN FAVOR: COMMISSIONERS CAVIN, BILBERRY, EZZELL, DANA, TAYLOR
OPPOSED: NONE

UNSCHEDULED COMMUNICATIONS: LIMITED TO THREE MINUTES PER VISITOR, NOT TO EXCEED 15 MINUTES, NO FORMAL ACTION WILL BE TAKEN BY THE COMMISSION.

Rita Kane Doerhoefer, very narrow, unstriped, Mark Road. She stated that since 2004 she has been sitting in the back row not causing any trouble and she hears all of the Commissioners always say how great the staff is. Well, not only is the staff great to you but the staff is great to her. She can go to any department, she calls people on the phone, and they do what she hopes they will do. The Alien Fest is going to be on the Courthouse Lawn, and we have a problem with trash. Ms. Rita stated she is the trash director, the education director, and a couple of other

directors along with everyone on the Keep Chaves County Beautiful Board. Thanks to Elly Hollon, the Detention Center, Robert, and Judge Seskey, they will keep the Courthouse lawn clean as well as up and down main street for our businesses. She thanked the Commissioners for appointing Phyllis to the Board, she has known her since 1992 and she will keep Ms. Rita out of trouble.

Tim Jennings, 3968 Cottonwood Lane. As our Flood Commissioner he stated they have repaired the breach in the levy or diversion #3. The problem still exists and we're going to need help from elected officials and others to pursue the Corps of Engineers placing gates on the Rocky Arroyo Dam. There is no way to fix any of that property until the water dries up. If we had gates and could shut it, we could've fixed it much earlier. In the future we probably need to raise the diversion maybe another eighteen inches or two feet. There was only one breach, the other was a designed overflow. The dirt out there is the finest dust that you could ever create anywhere. It's a real fine powder. We're ready for the next 50-year storm but should probably raise it up. He discussed sandbags. It is so flat out there and there are sink holes, you can see where there is like a funnel where the water goes into the ground. There are some issues, but we should be safe unless we have a perfect storm that comes between the Dam and our protected areas. The area is so flat we need to build some kind of canal to drain the water out but all in all we should be in good shape. Mr. Jennings stated it would be nice if they could vote in Duncan.

No comments or questions online.

MANAGER'S COMMUNICATION

Bill Williams, Chaves County Manager

Mr. Williams stated it's been a very interesting few days since Memorial Day and now as Mr. Jennings stated. They had a meeting with the Army Corps yesterday who pretty much told them they are not interested in putting a gate on the dam and don't believe that will do us any good but as the Commissioner stated, had they been able to turn off the water just for a few hours they could've gone in and repaired the damage and then opened it back up and gone back to business. The fact that water ran for several days was very unfortunate. They are working towards a solution and they have corrected the problem. Dick Smith worked very well during this time. He was assailed from all directions and stood up well to the test. He provided a lot of good response. Flood control was also very responsive and allowed them to drain one of their ditches into one of Flood Control's ditches so they could alleviate some concerns in East Grand Plains.

He created an MOU with the City of Roswell to assist with the ACCENT hangar project, up to three million dollars, to provide infrastructure for that project, and they just sent the signed copy back. This will be a great thing for our community. They met with AEVEX Aviation a couple days ago, Commissioner Dana and Ezzell were there. This is a fantastic opportunity for our community and we look forward to seeing where this goes. They purchased Mystic. He is very excited about tonight's meeting on the 30 x 30. He was fortunate to hear Margaret speak in Tucumcari about a month ago and she has a lot of information we need to hear. National Geographic said the bigger picture is actually 50 x 50. 50% of the world's lands and water being controlled by the UN or some other organization, personally, he doesn't want some other government telling him he can't go behind a fence to see what's going on. We have to stand firm. He is glad the Hobson Road money was reappropriated. We are ready to finalize and finish up all the stuff we have done over the last several years. He thanked Keep Chaves County Beautiful for working tirelessly on many many fronts and providing a lot of help and services. He thanked all the Staff and stated everyone has done a great job.

COMMISSIONERS' COMMUNICATIONS

Commissioner Taylor stated we finally got some rain, maybe a little too much at one time. He wasn't here to see the rain, he was in East Texas, and he kept getting emails about the tremendous rain. He thanked Senator Jennings and Commissioner Ezzell for all the work they put in and their expertise in working on the flood situation.

Commissioner Dana stated she agreed, she was out of town in Phoenix where it was hot and dry and received texts, emails and pictures. She asked Ms. Rita if she was working with the Roswell

Disaster? She knows they are trying to help some businesses and families, and someone had asked about trash bags. She stated next time she sees a call out she will make sure they know to get in touch with Ms. Rita. Some of the businesses are reopening in the flood area, please go to these businesses and support them. People get upset about the flood waters, but she stated we all worked together to alleviate the problem. Hopefully the next rain we get will be a little softer and gentler. She thanked Chaves County, the staff, the Road Department, and Bill. She thanked American Airlines for having a flight connection to Phoenix. She was amazed at the water that was standing on the west side. It was nice to see the coordinated effort between everyone in trying to alleviate the problems.

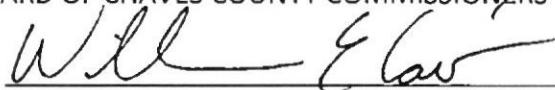
Commissioner Ezzell thanked Bill, Mac, Joe, Dick Smith, Tim Jennings, and everybody that worked on the flooding. The Rocky Dam is in the west pasture of his ranch, so they were in the middle of things all the way through. Most of the people affected by the flood waters live in his district. It was quite an unusual time but everything that possibly could've been done was done. He got calls from constituents. When things started drying up, they wanted to clean up their property, he called Bill, and they got a big dumpster. Mr. Williams stated they had 12 big dumpsters out in the County for people to use. Commissioner Ezzell stated the Road Department got construction size dumpsters out to all the affected areas so people could clean up the mess on their property. This is a testament to the resiliency of Chaves County residents, they didn't wait for someone to come do it, they got out there and did it themselves. This speaks volumes about the character of our citizens. He welcomed Stan Riggs to the private practice of law.

Commissioner Cavin thanked Margaret for being there today. He hopes people make it out tonight to listen to Margaret's presentation. He stated he is in Ruidoso attending a New Mexico Counties Board of Directors meeting. He asked Margaret to update him with any new information so he could share it with those attending the meeting. He stated New Mexico is mostly standing unified in opposition to this land grab. He stated God bless Chaves County and God bless America.

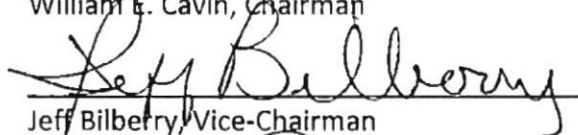
Commissioner Bilberry thanked everyone for their hard work, everybody has touched on all the great things that have happened in the last few weeks here in the County. The hundred-year flood let's hope it rains again within that period of time. There was a lot of hard work that went out and a lot of people worked on it to alleviate all the issues and problems. He thanked the staff for everything they do.

The meeting was adjourned at 10:34 am.

BOARD OF CHAVES COUNTY COMMISSIONERS



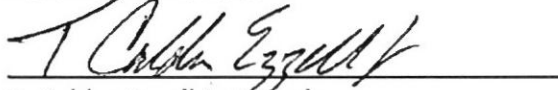
William E. Cavin, Chairman



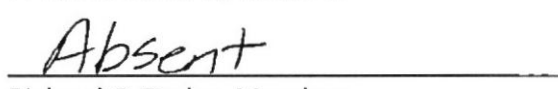
Jeff Bilberry, Vice-Chairman



Dara Dana, Member



T. Calder Ezzell Jr, Member



Richard C. Taylor, Member




Cindy Fuller