



**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, JULY 22, 2021
#1 ST. MARY'S PLACE, ROSWELL, NM 88203**

Chairman Cavin called the meeting to order at 9:00 am. Commissioner Ezzell led the pledge and Commissioner Bilberry led in prayer. Those present were Commissioners Cavin, Bilberry, Ezzell, and Dana. Commissioner Taylor was absent. 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, County Attorney, Stan Riggs, Detention Center Director, Daniel Ornelas, Sheriff, Mike Herrington, Road Supervisor, Joe West, staff, and guests.

APPROVAL OF MINUTES

**MOTION MADE TO: APPROVE THE MINUTES FROM THE JUNE 17, 2021 REGULAR ADMINISTRATIVE MEETING AND THE JUNE 17, 2021 SPECIAL MEETING.
MOTION MADE BY: COMMISSIONER DANA
SECOND MADE BY: COMMISSIONER EZZELL
IN FAVOR: COMMISSIONERS CAVIN, BILBERRY, EZZELL, AND DANA
ABSENT: COMMISSIONER TAYLOR
OPPOSED: NONE**

UPDATE ON ECONOMIC DEVELOPMENT CORPORATION

Presenter: Melissa Juarez, EDC Project Manager

Ms. Juarez stated their main areas are business attraction, BRE, and workforce development. For business attraction they had started filming videos to highlight the main industries in the County. They started an aviation and agriculture video in February, and everything was pretty dry, so they didn't get good footage. With all the rain we've received everything is green and they have started filming the agriculture video again. These videos are used to highlight our main industries, but they are also sent out to site consultants. They continue to conduct BRE visits and calls. Workforce development is one of their main areas. They testified for USA Beef for JTIP, Job Training Incentive Program, and they were awarded the full amount they requested which was \$134,098.00. They coordinated a small event with New Mexico Solar Group where they awarded scholarships to three technical education students from ENMU-R. They each got \$1,000.00 scholarships for their educational expenses. They have started working on their career and technical education program again. They met with all the Superintendents in the County to discuss their thoughts on CTE and offer their partnership. They will be having their first CTE event next week on the 30th which will be an industry expo day. Commissioner Cavin thanked Ms. Juarez and stated they do a great job for this Community and the CTE program is important. We need more vocational jobs for our kids to get in to.

UPDATE ON THE ROSWELL CHAMBER OF COMMERCE

No update was available.

UPDATE FROM CONSTITUENTS IN COMMISSION DISTRICT 2 ON FLOODING ISSUES

Commissioner Ezell stated he had some constituents from the affected area of W. Orchard Park Road who would like to speak. They received flood damage on Memorial Day weekend and didn't get the attention that the water coming across the Airbase did in the media.

Charles Harper, 89 Lariat Rd., Dexter, NM

Mr. Harper thanked the Commissioners for hearing them and stated that this is not a gripe session but an opportunity to find a solution to their problem. He thanked Commissioner Ezell for coming out three or four times, Joe West for taking time to come out and look around, Dick Smith for being candid about what he thought about the flood situation, and Karen Sanders who put together the emergency declaration. He is asking that under the emergency declaration the following roads be repaired: Concho, Lariat, Ambush, Two Sticks, and Lansing. The repairs should include blading, correcting the bar ditches, installing culverts, crowning the roads, establishing proper drainage, and hauling materials. They are asking for the flood plan to be reviewed and for the Commissioners to authorize the Flood Commissioner to collaborate with other agencies to come up with a solution to the flooding problem and take out the finances to do the necessary projects. They would also like to request they collaborate with the State Highway Department to maintain the culverts on 285.

Michael Gomez, 39 Ambush Rd., Dexter, NM

Mr. Gomez stated he has held this property since 1984 and in the past 30 plus years he's never seen so much water come down Orchard Park Road. He has addressed his concern about previous flood waters coming down Orchard Park Road. He sent an email to all the Commissioners about five or six years ago and the only one that responded was Mr. Williams and Joe West. They came and replaced the culvert on Ambush Road. Since then, they've had issues with water that continues to come down Orchard Park Road. With the recent flood, he and his brother traced the path of the water that came down from the West. It pointed to private property and they concluded it came from Juan lake which is beyond Brown Road. The huge amount of water that came down, he believes, was either caused by a man-made levee in that area or obstacles that held the water back. The Flood Control Superintendent said it was from a breach from the dams, but the path does not come from that area.

A long-term plan is needed to locate the source and contain or redirect the water. He would like to see a short-term plan from the County and Flood Commission to provide deeper drainage ditches on Orchard Park Road. When he first moved there in 1984 the bar ditch was sometimes five feet deep and now it's maybe three feet or non-existent. The Chaves County policy says that any public or private residence driveway needs to have a culvert. To his knowledge, he's only seen three residents that have held to that obligation. These culverts need to be huge to contain the water. Ambush and Concho Roads have applied for the County to take over the maintenance and they've worked hard to bring them up to standards, but they continue flooding. Every time it rains it washes all their efforts away and it's like taking a step backwards. Until this problem is resolved they are at the mercy of the County and Flood Commission.

Natalie Swinney, 84 Lariat Rd., Dexter, NM 88230

Ms. Swinney thanked the Commissioners for their time and stated their well collapsed around the casing eight feet. They've done nothing but pump trash water for over thirty days. They have to haul water in to water their livestock, cook, clean, or anything else. Septic tanks have been flooded and several people need them worked on. They have put in new filtration systems on their wells to try to clean the trash water out. There is so much damage that it's going to take months and months to clean up. They appreciate everything that has been done but there definitely needs to be more that is looked in to and done. It isn't comfortable to sit in your home and it sounds like roaring rapids outside the walls. She thanked them for their time and attention to this matter.

Joe West, Chaves County Road Supervisor

Mr. West stated he met with Mr. Harper yesterday and has also been in contact with him a couple times in the last few weeks. A couple other people who live out there have also contacted him through social media. He went out and looked at four of the roads, they are in much better shape

than some of the other County roads, except Lariat. What they spoke of is correct, he is not aware of Concho being picked up by the County but he's aware that Ambush was requested but it didn't go through. Mr. Gomez notified him that he would be doing work to get it back in shape and he did, it looks great. During the flooding, West Orchard Park was completely under water. Water was going over 285 because DOT's culverts couldn't hold the water. If this was the case in the Orchard Park area, culverts wouldn't have done any good. He's not sure if there is anything on their part that could've been done to alleviate that kind of water.

Tim Jennings, Chaves County Flood Commissioner

Mr. Jennings stated he has talked with Dick about looking into this to see what they can do. This is an age-old problem that has been going on for years. People are buying property and it's always dry until you have a storm every 20 years and then you have a problem. There needs to be some guidance on property sales in our County. 285 is a natural dam, it was created by the Highway Department. There are not enough culverts along 285 to let the water go through. It's been this way since they constructed the road. The two 24-inch culverts they have go uphill and water doesn't go uphill. The City has never maintained the storage facilities to hold water. The one right here on the side of this building doesn't go across Second St. It needs to go over there and to the pond on Atkinson Street, but the City hasn't maintained it or done anything with it. The pond in the cemetery was land that was given to the City for a Cemetery not a drainage pond. We have a lot of flooding issues and no one checks when people put houses out there. He is not aware of any permit process to put a diversion on private property. There are a lot of areas to look at. Most people just clean off a piece of property and don't put a foot or foot and a half base under it. They will look at this and see what they can find between Zubi Draw and Juan Lake and see if there are solutions to this problem. Culverts are a problem wherever we go because of trash. Diversion #3 had a problem with sticks, natural grasses and weeds that plug them up. A very big area was covered with water. The silt that is left is a fine powder. If the scraper is approved, it will help maintain this. He cautioned them on subdivisions and where people build houses.

Commissioner Ezzell asked Mr. Jennings if the Feds still do flood plain maps. Mr. Jennings stated yes but he's not sure they've looked Countywide. The force of nature is unbelievable, and this was a very large storm. We need to have gates on Rocky Arroyo. We're lucky to have Dick Smith. Commissioner Cavin asked what the cost of a gate would be and if this was something that the Army Corps of Engineers should be approached with. Mr. Jennings stated he doesn't have a cost for that. A gate was brought to their attention in 2006 but they are reluctant to do this. We just want to manage the water. Without the gates we can't fix things until it dries out. Commissioner Ezzell stated the flood control diversion is working and he thanked his constituents for coming.

PUBLIC HEARINGS

AGENDA ITEM #1. PUBLIC HEARING TO ACCEPT SUGGESTIONS AND IDEAS FOR THE CHAVES COUNTY 2023-2027 INFRA-STRUCTURE CAPITAL IMPROVEMENTS PLAN (ICIP)

Presenter: Georgianna Hunt, Project Specialist

Ms. Hunt stated that public input is being requested to obtain suggestions and ideas for projects that may be considered for addition to the Chaves County 2023-2027 infra-structure capital improvements plan. Project ideas submitted must have a life span of ten years and a cost of \$25,000.00 or more and must benefit the public at large and must meet a need in the Community. This is a requirement of the State for the ICIP planning process. Commissioner Cavin opened the public hearing for public comment.

Charles Garlinger, 107 W. Hobson, Roswell, NM

Mr. Garlinger stated he has property on Hobson Road and S. Sunset before you get to the base. The Government needs to cough up the money to make the Hondo Riverbed deeper all the way out to Twin Dams to cover the amount of water whenever we get a heavy rain in the mountains. Every 10 years he gets flooded out and he's tired of it. He's getting old and can't do it anymore and he doesn't care what it costs. Realtors say the property is good and the County taxes the property. It's time to ask the State for the money to widen the Hondo Channel.

Rita Kane Doerhoefer, very narrow, unstripped, freshly mowed Mark Road, Roswell, NM
Ms. Doerhoefer stated she has been very vocal about the City landfill. She is asking that they put a County landfill on the ICIP list. She has called the State, OSHA, environmental people, health people and it's time we have a landfill for the County. If there is anything that Keep Chaves County Beautiful can do to help, just let her know.

Larry Connolly, 2815 Encanto Dr., Roswell, NM

Mr. Connolly stated a high priority on the ICIP list should be cleaning up S. Main from the Airport to Brasher Road. The ETZ has condemned a lot of properties and buildings around there that have never been torn down. We should have at least \$300,000.00 for cleanup.

Geneva Martinez, 3691 E. Pine Lodge, Roswell NM

Ms. Martinez stated she is glad to see a County dump is being added. Since this is a five-year list where will it be on the priority? She stated maybe a new skate park as well.

Barry Foster, 2206 Fulkerson, Roswell, NM

Mr. Foster stated in the past they had put in for a bridge on Brasher and he would continue to encourage them to widen that bridge because it does become a hazard with truck traffic.

No comments or suggestions were received from Facebook. Chairman Cavin closed the public hearing for public comment and took further discussion from the Commissioners.

Commissioner Cavin stated they need to move expeditiously on a County landfill but it's not going to happen overnight. The City is creating a new cell at the City landfill which will possibly last for ten years. If we had collaboration with the City that would help us clean up South Main Street. They are constantly looking at the bridge because it's a safety and convenience issue for Chaves County. Sheriff Herrington stated they do have accidents at that bridge and he also wanted to remind them about the Deputy who wrecked his car and flipped into the canal there. You can't see the other side of it until you're right on it. They have concerns about this bridge as well. People on the roadway are bringing stuff to the dump and sometimes their stuff is wider than the road allows.

Commissioner Cavin stated they have asked the State for five million dollars to assist the City of Roswell with infrastructure at the Air Center. They have a good project with the City on the ACCENT project and also developing the infrastructure to the east side of the Airport.

Commissioner Dana asked Council Foster when the new cell at the City landfill will be up and running? Council Foster stated that some of the water came around and got into the cell and they are draining it now. The humidity needs to be below 5% before they can put the liner down. They redesigned the existing cell and believe this will give them another seven months. It's his understanding they never said they wouldn't take the County trash. With the storm trash there was a conversation because it wasn't going to be compacted and they asked if we could find another place for the storm trash. The only time they shut down the cell is when it's too dangerous to drive the trucks in. They have six to seven months on the old cell and the new cell should be up and running before that if it doesn't keep raining. J&H is there now draining it. He invited the Commissioners to take a tour with him. The State requires them to shut down if the wind gets up to 30 mph, he couldn't remember the exact number. Commissioner Dana asked about the City landfill and verified that City residents can take their water bill once a month to access this. Councilor Foster stated this is correct.

Bill Williams stated he wanted to thank the City for taking compactor trash and apologized for the misunderstanding that the landfill thought we were saying they refused to take our open top containers. Mr. Williams stated that Mike Matthews told him the City was concerned they did not have enough room in the existing cell to handle additional trash from the open top dumpsters which the County was placing to assist with cleanup of trash in the flooded areas. The County understood, going in, the City did not have room for the flood trash and the Road Department chose to haul that material to Carlsbad. They appreciate all the work the City did to help even though it was a hardship for them. He stated the City is a great partner to them.

AGENDA ITEM #2. CASE Z 2021-3 VARIANCE TO THE FIVE-ACRE MINIMUM LOT SIZE-AREA II

Presenter: Louis Jaramillo, Planning and Zoning Director

Mr. Jaramillo stated that Angell Living Trust is wishing to create a one-acre parcel of land that will be sold to Central Valley Electric Co-op for the construction of a new electric substation located just across the street from their existing substation on Chickasaw Road. The existing substation is located on lease land and they wish to suspend this lease and purchase a parcel for a new substation. The proposed one-acre tract is located approximately 1,240 feet east from the intersection of Chickasaw Road and US 285. The surrounding area is vacant with the exception of the existing substation, overhead electric lines running north-south and a gravel pit business further east. The area is zoned agricultural-residential. The five-acre minimum lot size was established in 1980 with the approval of the Chaves County Zoning Ordinance No. 7. The purpose of the regulation is to protect the recharge area of the Roswell-Artesia Water Basin from over usage and contamination. The proposed one-acre electric substation would not affect the Water Basin in any way as it would not require water usage or a septic tank. Also, the variance for a one-acre parcel would not be injurious to the public health, safety, moral, or general welfare of the community nor affect the use or value of the adjacent properties.

The property is to be known as Tract B of the Angell Living Trust Boundary Line Adjustment. The Planning and Zoning Commission recommended approval of the variance with one condition, this condition being that the one-acre parcel of land be known as Tract B and shall be sold to Central Valley Electric Co-Op for the purpose of developing a new electric substation, any other use or sale of Tract B shall not be permitted and shall void this variance. This was approved by a vote of 4-1 based on findings of fact 1-6 which is included in the Staff's report. Staff recommends approval. This particular substation will still need to come before the Commission as a special use in September. Commissioner Cavin opened the public hearing for public comment.

IN FAVOR: NONE
OPPOSED: NONE

No comments or suggestions were received from Facebook. Chairman Cavin closed the public hearing for public comment, there was no further discussion from the Commissioners.

MOTION MADE TO: APPROVE CASE Z 2021-3 WITH FINDINGS OF FACT
MOTION MADE BY: COMMISSIONER EZZELL
SECOND MADE BY: COMMISSIONER BILBERRY
IN FAVOR: COMMISSIONERS CAVIN, BILBERRY, EZZELL, AND DANA
ABSENT: COMMISSIONER TAYLOR
OPPOSED: NONE

AGREEMENTS AND RESOLUTIONS

AGENDA ITEM #3.

Presenter: Elly Hollon, Continuum Coordinator

- A. AGREEMENT A-21-026 BETWEEN CHAVES COUNTY AND CHAVES COUNTY CASA FOR ALTERNATIVE EDUCATION PROGRAM**
- B. AGREEMENT A-21-027 BETWEEN CHAVES COUNTY AND CHAVES COUNTY CASA FOR GENDER SPECIFIC PROGRAM**
- C. AGREEMENT A-21-028 BETWEEN CHAVES COUNTY AND CHAVES COUNTY CASA FOR YOUTH ADVOCACY PROGRAM**
- D. AGREEMENT A-21-029 BETWEEN CHAVES COUNTY AND WINGS FOR L.I.F.E. FOR WHY TRY MIDDLE SCHOOL PROGRAM**

Ms. Hollon stated Chaves County received funding under the Juvenile Justice Continuum Grant for programs addressing at risk youth. Chaves County would like to award subcontracts to the attached providers to provide services for this grant. The term of subcontract agreements will be from July 1, 2021 through June 30, 2022. Staff recommends approval.

MOTION MADE TO: APPROVE AGREEMENT A-21-026, AGREEMENT A-21-027, AGREEMENT A-21-028, AND AGREEMENT A-21-029
MOTION MADE BY: COMMISSIONER BILBERRY
SECOND MADE BY: COMMISSIONER EZZELL
IN FAVOR: COMMISSIONERS CAVIN, BILBERRY, EZZELL, AND DANA
ABSENT: COMMISSIONER TAYLOR
OPPOSED: NONE

AGENDA ITEM #4 – RATIFICATION OF AGREEMENT A-21-033 IN THE AMOUNT OF \$87,600.00 FUNDED THROUGH JR. BILL 21-ZF9119 TO PURCHASE AND EQUIP SHERIFF VEHICLES
Presenter: Georgianna Hunt, Community Development Project Specialist

Ms. Hunt stated she is requesting ratification for approval of agreement A-21-033 in the amount of \$87,600.00 which is funded through the Jr. Bill 21-ZF9119 to purchase and equip Sheriff's vehicles.

MOTION MADE TO: APPROVE RATIFICATION OF AGREEMENT A-21-033
MOTION MADE BY: COMMISSIONER DANA
SECOND MADE BY: COMMISSIONER EZZELL
IN FAVOR: COMMISSIONERS CAVIN, BILBERRY, EZZELL, AND DANA
ABSENT: COMMISSIONER TAYLOR
OPPOSED: NONE

AGENDA ITEM #5 – RATIFICATION OF AGREEMENT A-21-034 PURCHASE AND EQUIP 4X4 SHERIFF'S PICKUP TRUCKS FUNDED THROUGH JR. BILL 21-ZF9120 IN THE AMOUNT OF \$90,000.00
Presenter: Georgianna Hunt, Community Development Project Specialist

Ms. Hunt stated staff is requesting ratification for approval of agreement A-21-034 to purchase and equip 4x4 Sheriff's patrol vehicle pickup trucks funded through Jr. Bill 21-ZF9120 in the amount of \$90,000.00

MOTION MADE TO: APPROVE RATIFICATION OF AGREEMENT A-21-034
MOTION MADE BY: COMMISSIONER DANA
SECOND MADE BY: COMMISSIONER BILBERRY
IN FAVOR: COMMISSIONERS CAVIN, BILBERRY, EZZELL, AND DANA
ABSENT: COMMISSIONER TAYLOR
OPPOSED: NONE

AGENDA ITEM #6 – A. APPROVAL TO LEASE (WITH OPTION TO BUY) FOR ONE (1) 2021 VOLVO L120H WHEEL LOADER
B. APPROVAL OF AGREEMENT A-21-035 TO LEASE THE EQUIPMENT
Presenter: Sandra Rodriguez, Purchasing Director

Ms. Rodriguez stated that the Chaves County Road Department is requesting to lease a new wheel loader. Money has been approved in the 21-22 fiscal budget. The contract is with Sierra Machinery and the monthly lease payment will be \$2,670.85. Staff recommends approval to lease the equipment and approval of Agreement A-21-035.

MOTION MADE TO: APPROVE LEASE FOR A 2021 VOLVO L120H AND APPROVAL OF AGREEMENT A-21-035
MOTION MADE BY: COMMISSIONER BILBERRY
SECOND MADE BY: COMMISSIONER EZZELL
IN FAVOR: COMMISSIONERS CAVIN, BILBERRY, EZZELL, AND DANA
ABSENT: COMMISSIONER TAYLOR
OPPOSED: NONE

AGENDA ITEM #7 – A. APPROVAL TO LEASE (WITH OPTION TO BUY) FOR ONE (1) 2021 WHEEL TRACTOR-SCRAPER

B. RATIFICATION OF AGREEMENT A-21-037 TO LEASE THE EQUIPMENT

Presenter: Sandra Rodriguez, Purchasing Director

Ms. Rodriguez stated that Chaves County Flood Control is requesting to lease a new 2021 Wheel Tractor Scraper. Money has been approved in the 21-22 fiscal budget. The scraper was delivered at the beginning of the month per Mr. Smith's request due to the circumstances. The contract is with Caterpillar Financial and the monthly lease payment is \$9,513.16. Staff recommends approve to lease the equipment and ratification of agreement A-21-037.

MOTION MADE TO: APPROVE LEASE FOR A 2021 WHEEL TRACTOR-SCRAPER AND APPROVE RATIFICATION OF AGREEMENT A-21-037

MOTION MADE BY: COMMISSIONER EZZELL

SECOND MADE BY: COMMISSIONER BILBERRY

IN FAVOR: COMMISSIONERS CAVIN, BILBERRY, EZZELL, AND DANA

ABSENT: COMMISSIONER TAYLOR

OPPOSED: NONE

AGENDA ITEM #8 – RATIFICATION OF AGREEMENT A-21-040 IN THE AMOUNT OF \$75,000.00 FUNDED THROUGH JR. BILL 21-ZF9121 TO ESTABLISH A LOCAL RESOURCE DATABASE DIRECTORY, REFERRAL TECHNOLOGY PLATFORM AND INTEGRATED WEBSITE.

Presenter: Georgianna Hunt, Community Development Project Specialist

Ms. Hunt stated staff is requesting ratification of approval of Agreement A-21-040 for Jr. Bill 21-ZF9121 in the amount of \$75,000.00 for the purpose of creating a resource database for a local resource directory, referral technology platform and integrated website to provide public access to resource information for a coordinated referral process for persons in need of health and social services. Commissioner Ezzell asked for clarification on this agenda item. Ms. Hunt stated the County is going to be acting as the fiscal agent for District Court. Judge Hudson has requested this funding to lease a computer type program that will allow for an integrated referral system to be established to help service those in need in Chaves County. There will be a zoom presentation for this. It is her understanding that this will be for an initial three-year lease with a cost of \$100,000.00. They do have an additional \$10,000.00 available to them through a fund with CASA, they are discussing where to get the additional funds. The first year is \$40,000.00 and the two subsequent years are \$30,000.00. Commissioner Ezzell wanted to clarify this was not for a Director position. Ms. Hunt stated that it's a directory and staff does recommend approval.

Commissioner Dana asked if the program would go through our I.T. Department and who will maintain the program? Mr. Williams stated we're not certain yet on where this will reside, it looks like it might be a third-party company and we will put a link on our County website directing persons to the CASA site. The salesman will show more on the zoom call, but they did get the funding from the State. Chairman Cavin stated that the manpower to put the information into the database is something that Judge Hudson is putting together. It is without a doubt a work in progress, and this is about behavior health and mental health and all the things our law enforcement is having to deal with here in the Community. In this instance, we will be the fiscal agent but won't have much more responsibility as far as our I.T. other than consultation. CASA should be manning the calls. We are trying to rebuild after Counseling Associates and Turquoise left to try and maintain the behavior health and mental health issues we have. This is a good thing and we're going to help guide this ship and make this happen because this is extremely important to Chaves County. Commissioner Ezzell stated he will support this on the condition that our I.T. Department make sure this cannot create any portal or offer access to our system.

MOTION MADE TO: APPROVE RATIFICATION OF AGREEMENT A-21-040

MOTION MADE BY: COMMISSIONER EZZELL

SECOND MADE BY: COMMISSIONER DANA

IN FAVOR: COMMISSIONERS CAVIN, BILBERRY, EZZELL, AND DANA

ABSENT: COMMISSIONER TAYLOR

OPPOSED: NONE

AGENDA ITEM #9 – AGREEMENT A-21-043 BETWEEN CHAVES COUNTY AND LA CASA DE BUENA SALUD, INC FOR LEASE OF 1511 S. GRAND.

Presenter: Bill Williams, Chaves County Manager

Mr. Williams stated Agreement A-21-043 is a lease agreement between Chaves County and La Casa de Buena Salud for the lease of 1511 S. Grand. La Casa provides a lot of services to the residents of our community and in the exhibits, there is a list showing what they provide. They provide approximately \$480,000.00 of services throughout the year. The rent has been reduced on this. Rent is \$2,950.00 per month or \$35,400.00 per year. They will charge La Casa \$1,200.00 per year to help offset what they are providing to the Community. Staff recommends approval.

MOTION MADE TO: APPROVE AGREEMENT A-21-043
MOTION MADE BY: COMMISSIONER BILBERRY
SECOND MADE BY: COMMISSIONER EZZELL
IN FAVOR: COMMISSIONERS CAVIN, BILBERRY, EZZELL, AND DANA
ABSENT: COMMISSIONER TAYLOR
OPPOSED: NONE

AGENDA ITEM #10 – A. RESOLUTION R-21-032 AND AGREEMENT A-21-038 COUNTY COOPERATIVE PROGRAM BETWEEN CHAVES COUNTY AND NMDOT ACCEPTING LOCAL GOVERNMENT ROAD FUNDS

B. RESOLUTION R-21-033 AND AGREEMENT A-21-039 COUNTY COOPERATIVE PROGRAM BETWEEN CHAVES COUNTY AND NMDOT ACCEPTING LOCAL GOVERNMENT ROAD FUNDS

Presenter: Mac Rogers, Public Services Director

Mr. Rogers stated that the Local Government Road Fund has offered a state match award to Chaves County. The state is providing \$238,892.00 under the CAP program and \$110,000.00 under the COOP program for chip sealing County roads. The application process was completed by Joe West and our Road Department. Staff recommends approval.

MOTION MADE TO: APPROVE RESOLUTION R-21-032, AGREEMENT A-21-038, RESOLUTION R-21-033, AND AGREEMENT A-21-039
MOTION MADE BY: COMMISSIONER EZZELL
SECOND MADE BY: COMMISSIONER DANA
IN FAVOR: COMMISSIONERS CAVIN, BILBERRY, EZZELL, AND DANA
ABSENT: COMMISSIONER TAYLOR

AGENDA ITEM #11 – RESOLUTION R-21-034 – ADOPTION OF REQUIRED COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) CERTIFICATIONS AND COMMITMENTS

Presenter: Georgianna Hunt, Community Development Project Specialist

Ms. Hunt stated staff is seeking approval of Resolution R-21-034, a resolution adopting required community development block grant annual certifications and commitments. The certifications and commitments are as follows: Citizen Participation Certification which certifies the commitment to citizen participation by preparing and adopting a citizen participation plan. Fair Housing Commitment to the Fair Housing Act of 1968. The Residential anti-displacement and relocation assistance, certifying compliance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and Section 3 Plan Required Elements, compliance with section 3 of the Housing and Urban Development Act of 1968. These are a requirement of the CBDG grant process. Staff recommends approval. Commissioner Ezzell asked if there is a process by which these certifications are obtained. Ms. Hunt stated they are adopting and signing off on the certifications and then there is one other element where she goes out and does some form of public education.

MOTION MADE TO: APPROVE R-21-034
MOTION MADE BY: COMMISSIONER EZZELL
SECOND MADE BY: COMMISSIONER DANA
IN FAVOR: COMMISSIONERS CAVIN, BILBERRY, EZZELL, AND DANA
ABSENT: COMMISSIONER TAYLOR
OPPOSED: NONE

AGENDA ITEM #12 – RESOLUTION R-21-035 – FIXED ASSET INVENTORY

Presenter: Lucia Serrano, Assistant Finance Director

Ms. Serrano stated the new listing as of June 30, 2021 for all Chaves County's Capital fixed assets can be found at <https://chavescounty.gov/DocumentCenter/View/904/Acquired-Asset-Listing-as-of-June-30-2021> . Staff recommends approval.

MOTION MADE TO: APPROVE R-21-035
MOTION MADE BY: COMMISSIONER BILBERRY
SECOND MADE BY: COMMISSIONER DANA
IN FAVOR: COMMISSIONERS CAVIN, BILBERRY, EZZELL, AND DANA
ABSENT: COMMISSIONER TAYLOR
OPPOSED: NONE

AGENDA ITEM #13 – RESOLUTION R-21-036 – DELETION OF PROPERTY AND PROPOSED DISPOSITION

Presenter: Lucia Serrano, Assistant Finance Director

Ms. Serrano stated approval of this resolution will allow staff to remove the attached inventory. Exhibit A has the assets listed. Staff recommends approval.

MOTION MADE TO: APPROVE R-21-036
MOTION MADE BY: COMMISSIONER BILBERRY
SECOND MADE BY: COMMISSIONER DANA
IN FAVOR: COMMISSIONERS CAVIN, BILBERRY, EZZELL, AND DANA
ABSENT: COMMISSIONER TAYLOR
OPPOSED: NONE

AGENDA ITEM #14 – RESOLUTION R-21-037 – APPROVAL OF BUDGET ADJUSTMENT FY 20-21

Presenter: Anabel Barraza, Finance Director

Ms. Barraza stated they have done their end of the year variances and have attached Exhibit A that has the budget adjustments they will need. Some of them are for landfill fees and various others. Staff recommends approval.

MOTION MADE TO: APPROVE R-21-037
MOTION MADE BY: COMMISSIONER DANA
SECOND MADE BY: COMMISSIONER EZZELL
IN FAVOR: COMMISSIONERS CAVIN, BILBERRY, EZZELL, AND DANA
ABSENT: COMMISSIONER TAYLOR
OPPOSED: NONE

AGENDA ITME #15 – RESOLUTION R-21-038 – APPROVAL OF FY 2021-2022 FINAL BUDGET

Presenter: Anabel Barraza, Finance Director

Ms. Barraza thanked all the Departments and the Finance Committee for their continued hard work on this. The interim budget was approved in May and DFA did approve in June. Before the Commission is final budget recaps for fiscal year 2021-2022. The budget recaps do have the actual unaudited beginning cash balances. Staff recommends approval.

MOTION MADE TO: APPROVE R-21-038
MOTION MADE BY: COMMISSIONER EZZELL
SECOND MADE BY: COMMISSIONER DANA
IN FAVOR: COMMISSIONERS CAVIN, BILBERRY, EZZELL, AND DANA
ABSENT: COMMISSIONER TAYLOR
OPPOSED: NONE

AGENDA ITEM #16 – RESOLUTION R-21-039 – APPROVAL OF 2021 FINAL QUARTER FINANCIAL REPORT

Presenter: Toni Gomez, Chief Deputy Treasurer

Ms. Gomez stated the New Mexico Department of Finance and Administration requires that the 4th quarter financial report for fiscal year ending June 30, 2021 be approved by the governing body. Staff recommends approval.

MOTION MADE TO: APPROVE R-21-039
MOTION MADE BY: COMMISSIONER BILBERRY
SECOND MADE BY: COMMISSIONER EZZELL
IN FAVOR: COMMISSIONERS CAVIN, BILBERRY, EZZELL, AND DANA
ABSENT: COMMISSIONER TAYLOR
OPPOSED: NONE

AGENDA ITEM #17 – RESOLUTION R-21-040 AND AGREEMENT A-21-042 BETWEEN CHAVES COUNTY AND SOUTHEASTERN NEW MEXICO ECONOMIC DEVELOPMENT DISTRICT/COUNCIL OF GOVERNMENTS FOR ANNUAL MEMBERSHIP

Presenter: Bill Williams, County Manager

Mr. Williams stated this resolution and agreement, if approved, would authorize Chaves County's membership in Southeastern New Mexico Economic Development District/Council of Governments. Chaves County has budgeted the \$8,000.00 annual dues for this membership. Staff recommends approval. Commissioner Dana stated this is our voice in Santa Fe and the partners that we have working for us in Santa Fe and throughout Southeastern New Mexico are working very hard to make sure our voice is heard.

MOTION MADE TO: APPROVE R-21-040 AND AGREEMENT A-21-042
MOTION MADE BY: COMMISSIONER DANA
SECOND MADE BY: COMMISSIONER EZZELL
IN FAVOR: COMMISSIONERS CAVIN, BILBERRY, EZZELL, AND DANA
ABSENT: COMMISSIONER TAYLOR
OPPOSED: NONE

OTHER BUSINESS

AGENDA ITEM #18 – PERMISSION TO PURCHASE A 2021 URBAN INTERFACE BRUSH TRUCK FOR EAST GRAND PLAINS VOLUNTEER FIRE DEPARTMENT

Presenter: Sandra Rodriguez, Purchasing Director

Ms. Rodriguez stated that Chief Baker is asking for approval to purchase a 2021 Urban Interface Brush truck. The truck is within budget and was planned for. The monies will come from the fire apparatus replacement schedule and fire funds. Specifications have been sent to the State Fire Marshall's Office and have been approved. The total cost will be \$180,536.64, replacement schedule funds will cover \$109,125.00 and fire funds will cover \$71,411.64. Staff recommends approval. Commissioner Ezzell asked if they will replace an existing unit. Ms. Rodriguez stated she believes they are replacing.

MOTION MADE TO: APPROVE THE PURCHASE OF A 2021 URBAN INTERFACE BRUSH TRUCK BY EAST GRAND PLAINS VOLUNTEER FIRE DEPARTMENT
MOTION MADE BY: COMMISSIONER DANA
SECOND MADE BY: COMMISSIONER EZZELL
IN FAVOR: COMMISSIONERS CAVIN, BILBERRY, EZZELL, AND DANA
ABSENT: COMMISSIONER TAYLOR

APPROVAL OF CHECKS

MOTION MADE TO: APPROVE CHECKS IN THE AMOUNT OF \$3,340,468.61
MOTION MADE BY: COMMISSIONER DANA
SECOND MADE BY: COMMISSIONER BILBERRY
IN FAVOR: COMMISSIONERS CAVIN, BILBERRY, EZZELL, AND DANA
ABSENT: COMMISSIONER TAYLOR
OPPOSED: NONE

APPROVAL OF REPORTS

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

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

Rita Kane Doerhoefer stated she is the Treasurer for Keep Chaves County Beautiful. They partner with Main Street Roswell to do the trash for them on the Courthouse lawn or what is coming up here on August 7th. There are some people that she cannot do what she does without them. She mentioned Elly and Robert. They had a meeting in Elly's office and got boots on the ground for what they were going to do for the Alien Fest. They picked up trash, including one diaper, one full syringe, and two condoms plus a lot more trash. She told Robert not to do Main Street because when one of the Community service workers and she started, there were cockroaches. She wasn't afraid of cockroaches but when they picked up a bag of maggots that's when they said no, they would not do that. On the eleventh hour they got a call saying they were not allowed to dump their trash in any of the facilities or containers on Main Street. This was at 3:00 on Thursday, she called the Road Department. Angelo picked up the phone and asked what she needed. Ms. Rita told Angelo she realized he had three more hours to work, and Angelo told her he would get her a trash container there. She thanked Angelo. She got a call for the Chili Cheese on July 24th and 25th on the Courthouse Lawn. She does the lawn and the parking lot. She got a call stating the City wanted to charge them \$371.25 for the roll off and \$120.00 for the workers to bring it there and take it. She got on the phone and called Mac. She told Mac if there was a charge to send her the bill. She talked with Joe and Joe said, "don't worry about it". The County tries to help people who bring tourists into the City. She thanked Bill for signing their MOU and thanked them in advance if they are going to approve it. They are going to walk on the trail. Commissioner Dara and George and Tina and herself, and John, want to walk. They have gotten \$23,000.00 on their grant. Some of that money goes for trees, some for mural, and some for trash cans. If any of you want to walk that's fine. You've got some great people who never say no when she asks them because they know everything is for the County and the City of Roswell. She has a great working relationship with the County, and she hopes it continues.

No public comments were received online.

DEPARTMENT COMMUNICATIONS

Daniel Ornelas, Detention Center Director

Mr. Ornelas thanked the Commissioner for everything they've done. He stated people don't leave this place because it's a good place to work. At the jail, with more manpower things will get a lot better, just give it some time.

Joe West, Road Department

Mr. West thanked the Commissioner for the loader and stated don't ever let anyone tell you that size doesn't matter. There's a big difference in the L90 and the L120. The L120 will replace a 744

John Deere. The John Deere is going back on the lease which they are paying \$4,000.00 a month for. The L120 is comparable in size and it's \$2,000.00 a month so it's a big savings. There's been a lot of talk on social media about the trash situation. He and the Director of solid waste for the City, Abraham, are constantly in contact. They've had 22 phone conversations since the first flood of this year. It wasn't a matter of the City cutting them off, it was a huge burden to them, and they had to make a quick decision because they can't just shut the County residents off. The closest facility to us, besides the City of Roswell, is Eddy County which is several miles east of Carlsbad. He reached out to Jason Burns, Public Works Director for Eddy County, and he said, "bring us what you've got at no charge". As of today, they've hauled 11 loads down there during the closure of the City. It's 96 miles one way from our facility so it's more expensive. Since then, not knowing where we stand with the City or knowing what they are going to do, they've set up an account with Eddy County. They are half the cost of the City on tonnage cost, but they are ten times as far. They've set up an account with the City of Artesia, they're situation is very similar to Chaves. We can bring them our trash just not on Mondays or Tuesdays, which is our busiest time as well, after the weekend. They will be doing that if they're not able to go to the City of Roswell. The North site and South site have been closed. As of today, the sites are still closed. He doesn't know if they'll go back to opening them, they do currently have nine open tops in the yard full of trash because they didn't have anywhere to take them. One compactor holds the equivalent of three open top containers. A compactor holds 8.6 tons on average and the open tops, 3 tons. It's much more economical for the County to use the compactors, especially if they're having to travel that distance. They had a position upgraded to Road 1. He went and checked all the sites himself. He thanked Eddy County and Jason Burns. He stated everything hit at once, trash, mosquitos, and weeds. They have two crews spraying for mosquitos.

Dick Smith, Flood Control Superintendent

Mr. Smith stated he's going to hang around for a while. They are within a couple of days of finishing repairs on the diversion. Juan Lake is downstream of 13-mile draw, this floods Orchard Park.

Mike Herrington, Chaves County Sheriff

Sheriff Herrington stated that Deputies are being interviewed in reference to the Officer involved shootings that occurred over the weekend. He appreciates the Commissioners and their support. It's very traumatic on everyone involved. The Government has bad mouthed the Police and people are using force to challenge their authority. He is thankful the Deputies and Police Officers continue to do their jobs because there's enough reason to walk away. The United States government and the government in Santa Fe has put restrictions and try to make police look like the bad guys, it is causing more and more people to be combative with the Police and try to use deadly force against them. They will not stand by and watch this happen. The Deputies will be affected the rest of their lives. The Deputies want to be helpful to the Community and want to make a difference and they continue to stay. They will sit at trash sites if they have reports to do. He is asking the community to take pictures of license plates of people dumping trash and send them in. They will go talk with them and have them clean up their trash. The Deputy with a broken hand will receive pins. He thanked the Commission for the body cameras. These help the Deputies to come back, watch the videos, and show they did everything right. This is important for them because they're going to go home and it's going to play over and over in their mind. Without the video, your brain fills in these spots with other things. The Sheriff thanked RPD and the State Police and stated they're all working together.

Louis Jaramillo, Planning and Zoning Director

Brian Houghtalin has been approved by the building chief of the CID as a general building inspector. He is able to inspect commercial and residential on the structural and electrical sides. He's only a few more years from the CO or building official. He thanked Mike and all the Deputies. For the past year he's been doing code enforcement, and everyone has become aggressive and confrontational. He will not visit or approach a site without the Deputies. They get it from everybody. He thanked the Commission for everything they do for him as well.

MANAGER'S COMMUNICATION

Bill Williams, Chaves County Manager

Mr. Williams stated it's interesting to look out and see all the people from the Community because that's the way this is supposed to work. He thanked the people on West Orchard Park and others that came in to tell them what they can do to be better. We appreciate that and encourage people to do that. The Brasher bridge was brought up on the ICIP. We didn't have an understanding of this until it was brought to our attention. They brought it to the State's attention, it was vetoed but thanks to the people who brought it to their attention. It will be a high priority on their ICIP list this year. Other ICIP things, the regional landfill, they appreciate the way the City of Roswell has worked with them, but they have their limitations as well, especially in this time with all the adverse weather and the construction of the new cell. He also thanked Carlsbad for working with us. Another thing they will add to the ICIP is a regional event center. It may be some time off in the future. They are always trying to think outside the box of things that we could utilize in our Community. They want to improve water supplies for Volunteer fire departments in the Boot Heel. There was no school bus fund this year. He will be in Lovington tonight for a 30x30 presentation. He thanked all staff and stated flood control has been working night and day. He gave a special shout out to Angelo and thanked him; he has gotten a lot of calls.

COMMISSIONERS' COMMUNICATIONS

Commissioner Dana stated she would like to thank everyone as well. The County was out last week, and you can practically see the weeds growing. She loves the rain, and her yard looks beautiful, but the mosquitos and weeds are horrible. It was a perfect storm, and everyone is doing the best they can, and she appreciates the Departments for what they are doing. She told the Sheriff she thinks it's a great idea to have Deputies sitting at the trash sites. It's easy to spread misinformation and she's glad people call and get correct information. She appreciates when they want to know the truth. She stated we have a great team and thanked everyone for putting in the extra hours and hard work. Once this dries out, we'll have the tumbleweeds and needle grass, and the wildfires start. She thanked everyone.

Commissioner Ezzell stated when the Sheriff had the podium, he thanked them, but he speaks for the entire Commission in saying it's their job to have his back and his deputies' backs so that he can hire and keep and they will always have their support. He stated that his wife specifically instructed him to tell Joe that she went to the grocery yesterday and got back to the house with no broken eggs. He spoke to Dick and stated what he and Tim have been able to do has been incredible. He knows we've had flood damage and some people had some real hardships but without third diversion and the work he's done out there it would've been so much worse. He applauds him for his expertise and wisdom and his people's ability to get things done and done right. He has their undying gratitude. He thanked Anabel for the budget. There will be a Livestock sale next Friday, he will make sure they have a presence, and he will get all of them to contribute. He stated that when they go to DC, people think it's just a boondoggle and that's not the case. With every trip they have accomplished positive things for Chaves County. If you don't think things can get accomplished look at the Texas Democrats that flew to DC, they went with one case of Miller Lite and came back with six cases of Corona.

Commissioner Bilberry stated that Mike, Joe, Angelo, and Dick have done an outstanding job. They're good at what they do, he appreciates it and other people in the County do too. There are always those that make loud noises and are negative. Our County is the best county in this State, go West here a little bit and you'll find this is a really good place to be from and everybody here cares about everybody. He thanked Will and Bill for going to Washington DC to represent us and he knows there will be a good report. It is a challenge when you go back there to visit with those folks because they don't understand a lot of the things we go through here. He appreciates them taking the time to do that.

Commissioner Cavin stated he didn't want to say their trip to Washington was fruitful but if they don't go, they don't have a voice. They spent a lot of time talking about the 30x30 plan and trying

to educate and get others to understand what is going on with it. The Federal Government will sell this like it's the greatest thing and they've rebranded it to "America The Beautiful", but it's really about the Federal Government controlling more of our land and waters. They already control a large majority of the land in the West, but they want to control more of it and will use whatever tools in their toolbox, whether it's the lesser prairie chicken or the Antiquities Act, to make an executive order and take land. This hurts our State and Counties when this type of stuff comes to fruition. There are some big battles we are dealing with in Washington DC.

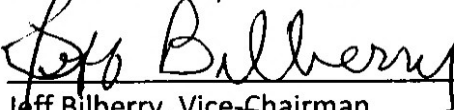
He stated he's been on the taskforce for broadband and one of the many things that we have experienced over this COVID timeframe, especially for public education and people working from home, is that our broadband is not what it could or should be in rural parts of the United States. That's a big thing they're working on through the National Association of Counties and the New Mexico Counties Organization. We have to have a voice and representation out there and he appreciates the support. He was excited to get Bill Williams out there for his first experience. It was a good experience. It's been an honor to serve for a second term on the Western Interstate Region which is also dealing with a lot of this stuff. You ask where the common sense is in any of this and there really isn't any. Our ranchers and farmers are taking care of the lands and we're doing our part, but they want to act like we're not. Our oil and gas guys are doing their part to conserve and not destroy the land that they work on, everyone is doing their part. It has been a long summer so far. Be smart and vigilant with COVID and if you feel like you're sick go see your Doctor. It's not going to work for them to shut things down again. Wash your hands. We have an absolutely amazing family here in Chaves County and everybody is doing amazing work. We've had a lot of challenges, but we pull together and support each other. We do what we do because we love this County, and we want to make a difference. God bless this County, God bless America, and God bless all of you.

The meeting was adjourned at 11:37 am.

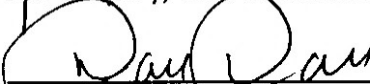
BOARD OF CHAVES COUNTY COMMISSIONERS



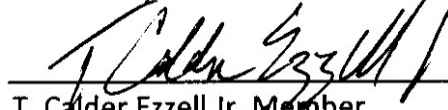
William E. Cavin, Chairman



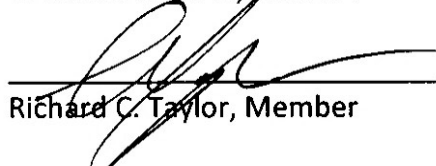
Jeff Bilberry, Vice-Chairman



Dara Dana, Member

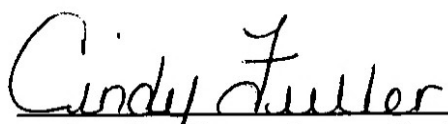


T. Calder Ezzell Jr, Member



Richard C. Taylor, Member

ATTEST:



Cindy Fuller/Chaves County Clerk