



**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

**SPECIAL MEETING MINUTES
TUESDAY, NOVEMBER 9, 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 Taylor. Commissioner Dana attended via phone. Also present were County Manager, Bill Williams, Public Services Director, Mac Rogers, County Attorney, Stan Riggs, County Clerk, Cindy Fuller, County Treasurer, Charlotte Andrade, news media, staff, and guests.

**AGENDA ITEM #1
CANVAS OF THE 2021 REGULAR LOCAL ELECTION**

Presenter: Cindy Fuller, Chaves County Clerk

Ms. Fuller thanked all the polling locations that allowed them to use their facilities. She thanked the Commissioners for adding the Boys and Girls Club back in as a polling location and believes this will be a good addition for the voters in Chaves County. She thanked all the poll workers, early, absentee, election day, and those that helped deliver and pick up supplies. She thanked the Clerk's Office staff for putting in a lot of time and effort to prepare and make sure everything ran smoothly and efficiently. Ms. Fuller stated this is the first election that the Secretary of State's Office provided funding up front. They provided \$27,650.00, they will still be short about \$15,000.00 and she will reach out to ask the State for reimbursement. The State is covering all the costs for this election.

In looking at the results, there were 34,552 eligible voters for this election. There was a total voter turnout of 2,425 which is a 7% overall turnout. Ms. Fuller stated they were disappointed with the turnout and are looking into ways to communicate with voters, maybe by text or email, moving forward. Currently they use radio, newspaper, and send out brochures but are always open to ideas about how they can get information out to the voters. There were 655 early voters at four locations, 93 absentee ballots were returned, and on election day 1,677 people voted. A comparison sheet was given to the Commissioners for the 2019 and 2021 Regular Local Elections.

Questions and Discussion from the Commission:

Commissioner Cavin asked if there were any issues with absentee ballots or same day registration or other things they have looked at in the past. Ms. Fuller stated they did not, it was a very quiet day, and they did not have any issues. They did not have same day voter registration on election day, it ended the Saturday before the election. Commissioner Cavin told the Clerk's Office they did a great job and wish we would've had a better turnout but stated they did a great job with what they had to work with. Commissioner Ezzell asked what precinct is in the Artesia School District. Ms. Fuller stated precinct 104 and only position 1 is in Chaves County.

MOTION MADE TO: APPROVE THE CANVASS FOR THE 2021 REGULAR LOCAL ELECTION
MOTION MADE BY: COMMISSIONER EZZELL
SECOND MADE BY: COMMISSIONER BILBERRY
ROLL CALL VOTE: COMMISSIONER TAYLOR – YES
COMMISSIONER DANA – YES
COMMISSIONER EZZELL – YES
COMMISSIONER BILBERRY – YES
COMMISSIONER CAVIN – YES

Rita Kane Doerhoefer, very narrow unstriped Mark Road

She was the presiding judge for West Country Club Church of Christ. She stated they have no idea how hard the Clerk's Office works. She never has any problems that they can not answer. Stephanie was out there at quarter after six in the morning to make sure things were running right. They never have any problems they can't handle without the Clerk's Office. Ms. Doerhoefer stated every time she needs something it is right there. Casey knows that she comes early in the morning to pick up what she needs, and it was ready. She wanted Travis to come to her polling place, but he didn't show up. The Clerk's Office always vets out the people, so she has the best at her polling place. It's people who want to be there and know their job and people who run a great election. She only had one lady who was a problem, and she took care of her. It takes a lot to run a poll and she doesn't think they get paid enough to run the polls. It was a great election. She stated they needed to salute, applaud or whatever they want to do for the Clerk, the Deputy Clerk, and her entire staff.

Chaves County Treasurer, Charlotte Andrade, reminded the Commission that the canvassing is still going to delay the property tax process. They will be sending out the tax bills on December 1st. They have been trying to notify the public by several means but because Elida is a multi-county school district it will still delay the tax bills until the State canvasses on November 23rd.

AGENDA ITEM #2

REDISTRICTING WORKSHOP

Presenter: Bill Williams, Chaves County Manager

Mr. Williams stated the redistricting workshop will allow for public input. Mr. Rod Adair will give a presentation based on the 2020 census data. This is a public hearing, and it has been properly advertised per statute requirements. He asked everyone to please speak loudly into the mic so Commissioner Dana will be able to hear on the phone.

A. PRESENTATION ON REDISTRICTING

Presenter: Rod Adair, New Mexico Demographics

Mr. Adair stated he would start with a few notations about redistricting. It has to be done every ten years and due to a bill passed last year by Senator Ivey-Soto of Albuquerque, there is a provision that requires them to redistrict to within five percent of the ideal of the County's districts. Chaves County came in with a population of 65,157, divide by 5 and you get an ideal district of 13,031 people. Ideal because if everyone had exactly the same representation that's how many people would be in each of the Commissioner's districts. This idea came from frustrations shown through the years about districting in and of itself for the first 180 years of America's history. It reached a boiling point in the early 1960's when people from Tennessee realized that some of their State Representatives represented four or five thousand people and others represented ninety thousand. They were in cities and the others were in rural areas and wondered why they weren't getting as much school appropriation. This eventually reached the Supreme Court in a case called Baker vs. Carr. At that time, New Mexico had no districts for its Congressman. We got our second Congressman after the 1940 census. Between 1942 and 1968 you got to go in, as if you lived in Hagerman or Lake Arthur, and vote for two like you do in At Large elections, which still occurs for towns under 10,000 people. Finally, Governor Dave Cargo, brought a suit himself to force New Mexico to divide into District 1 and District 2 in 1968.

Eventually, people made complaints about local bodies. Until 1988, Chaves County had three Commissioners who represented the entire County and everybody in the County could vote on all three. Problems arose because this tended to not recognize communities of interest based on ethnicity or race. In 1988 Chaves County had five Commissioners and it's been that way ever since. The same has applied to School Boards and City Councils. Counties, School Boards, and Cities do have leeway of 5% in either direction of the ideal. The Congress does not have any leeway. They have to come out exactly, one person one vote.

A question arose last night at the Roswell City Council meeting about a 10% variance. For the Legislature, the law provides for a variance. The Navajo Nation is arguing they can go minus 7%

in one district and plus 3 in another district so that the highest overage and the lowest value is no more than ten points. Local bodies don't have this. Mr. Adair discussed Plans A through D.

PLAN A

Chaves County		Plan Alpha			2021				
District	Population	Deviation	% Dev.	Hispanic	Non-Hispanic Origin				Area (Sq Mi)
					White	Native American	Black	Asian	
1	13,454	423	-3.3%	70.7%	25.2%	0.5%	1.2%	0.3%	1,732.30
Adult	9,795			67.5%	28.3%	0.4%	1.5%	0.3%	
2	13,354	323	2.5%	64.3%	30.7%	0.7%	2.0%	0.5%	2,116.15
Adult	9,821			59.6%	34.6%	0.8%	2.4%	0.6%	
3	12,813	-218	-1.7%	38.0%	55.4%	0.6%	1.2%	1.7%	2,135.11
Adult	9,669			33.1%	60.4%	0.7%	1.3%	1.8%	
4	13,029	-2	0.0%	57.8%	36.4%	0.7%	1.6%	0.7%	88.46
Adult	9,366			52.8%	40.7%	0.9%	1.8%	0.7%	
5	12,507	-524	-4.0%	52.8%	41.0%	0.6%	1.2%	1.7%	5.69
Adult	9,320			47.9%	46.1%	0.6%	1.4%	1.6%	
Total	65,157	Ideal: 13,031		56.9%	37.5%	0.6%	1.5%	0.9%	6,077.70
Adult	47,971			52.3%	41.9%	0.7%	1.7%	1.0%	

New Mexico Demographic Research, LLC

The Commissioners did not have any questions or discussion on Plan A.

PLAN B

Chaves County		Plan Bravo			2021				
District	Population	Deviation	% Dev.	Hispanic	Non-Hispanic Origin				Area (Sq Mi)
					White	Native American	Black	Asian	
1	13,031	0	0.0%	69.1%	26.9%	0.5%	1.1%	0.3%	1,724.48
Adult	9,484			65.5%	30.4%	0.5%	1.4%	0.4%	
2	13,031	0	0.0%	60.6%	34.8%	0.6%	1.5%	0.3%	2,349.64
Adult	9,762			56.7%	38.3%	0.7%	1.9%	0.3%	
3	13,031	0	0.0%	40.2%	53.2%	0.5%	1.3%	1.7%	1,994.01
Adult	9,658			35.3%	58.1%	0.6%	1.4%	1.7%	
4	13,032	1	0.0%	65.6%	28.9%	0.7%	2.0%	0.6%	3.51
Adult	9,235			60.7%	33.4%	0.8%	2.2%	0.6%	
5	13,032	1	0.0%	49.1%	43.8%	0.8%	1.4%	1.8%	6.06
Adult	9,832			43.9%	48.9%	0.8%	1.5%	1.9%	
Total	65,157	Ideal: 13,031		56.9%	37.5%	0.6%	1.5%	0.9%	6,077.70
Adult	47,971			52.3%	41.9%	0.7%	1.7%	1.0%	

New Mexico Demographic Research, LLC

Mr. Adair stated Plan B is called the "Perfect" Plan. It's only perfect in that there is no deviation in the populations of the five districts. Because the population ends in a 7, District 1, 2, and 3 all have 13,031, Districts 4 and 5 have 13,032 people. Mr. Adair does not recommend this plan because it splits precincts.

The Commissioners did not have any questions or discussion on Plan B.

PLAN C

Chaves County		Plan Charlie			2021				
District	Population	Deviation	% Dev.	Hispanic	Non-Hispanic Origin				Area (Sq Mi)
					White	Native American	Black	Asian	
1	13,109	78	0.6%	68.9%	27.0%	0.5%	1.3%	0.3%	1,727.83
Adult	9,553			65.4%	30.4%	0.5%	1.5%	0.3%	
2	12,742	-289	-2.2%	62.6%	33.0%	0.6%	1.4%	0.3%	2,343.85
Adult	9,574			58.8%	36.2%	0.7%	1.8%	0.4%	
3	13,013	-18	-0.1%	41.7%	51.6%	0.5%	1.4%	1.7%	1,993.19
Adult	9,597			36.6%	56.6%	0.6%	1.6%	1.7%	
4	12,854	-177	-1.4%	63.1%	31.3%	0.7%	2.0%	0.6%	5.00
Adult	9,098			57.8%	36.1%	0.8%	2.1%	0.6%	
5	13,439	408	3.1%	48.8%	44.3%	0.8%	1.2%	1.8%	7.83
Adult	10,149			43.7%	49.4%	0.8%	1.3%	1.9%	
Total	65,157	Ideal: 13,031		56.9%	37.5%	0.6%	1.5%	0.9%	6,077.70
Adult	47,971			52.3%	41.9%	0.7%	1.7%	1.0%	

New Mexico Demographic Research, LLC

Mr. Adair stated Plan C makes the least adjustments in the existing situation.

Questions/Discussion from the Commissioners:

Commissioner Dana asked Mr. Adair if Plan C splits any precincts. He stated no that is only in Plan B.

PLAN D

Chaves County		Plan Delta			2021				
District	Population	Deviation	% Dev.	Hispanic	Non-Hispanic Origin				Area (Sq Mi)
					White	Native American	Black	Asian	
1	13,561	530	4.1%	73.5%	22.7%	0.5%	1.1%	0.3%	2,775.47
Adult	9,876			70.7%	25.4%	0.5%	1.4%	0.4%	
2	13,655	624	4.8%	65.4%	29.6%	0.7%	2.0%	0.5%	1,765.32
Adult	10,023			60.7%	33.5%	0.8%	2.4%	0.5%	
3	12,601	-430	-3.3%	38.8%	54.7%	0.6%	1.3%	1.3%	1,521.57
Adult	9,475			34.1%	59.2%	0.7%	1.5%	1.3%	
4	12,407	-624	-4.8%	61.1%	33.3%	0.5%	1.6%	0.6%	3.64
Adult	8,844			56.2%	38.0%	0.6%	1.8%	0.6%	
5	12,933	-98	-0.8%	44.3%	48.7%	0.9%	1.2%	2.1%	11.71
Adult	9,753			39.1%	54.1%	0.9%	1.2%	2.1%	
Total	65,157	Ideal: 13,031		56.9%	37.5%	0.6%	1.5%	0.9%	6,077.70
Adult	47,971			52.3%	41.9%	0.7%	1.7%	1.0%	

New Mexico Demographic Research, LLC

The Commissioners did not have any questions or discussion on Plan D.

B. PUBLIC COMMENTS

Chairman Cavin opened the public hearing for public comment.

Frank Sanchez

Mr. Sanchez stated he has been a plaintiff in seven voting rights lawsuits over the past forty years and prevailed on all seven. One of the lawsuits that was filed was against the County Commissioner in the mid 80's and they challenged some of the voting rights acts, the At Large

system that the County operated under. Because so many of those lawsuits were filed across the State of New Mexico a law was established that created single member districts for all kinds of jurisdictions over a certain population. He stated he wanted to emphasize equal population, contiguous, communities of interest, and the Voting Rights Act. Section 2 of the Voting Rights Act says you can not crack or pack communities. Cracking means going to the core of a Mexican American community and splitting it up into three parts. That weakens potential for a district. Or the reverse, where you pack and get up to 80 or 90% of minorities put into the same district. There are some fair and objective standards that help you get fair districts. For the most part, with what he's seen, those are being followed. Of the choices that are available, he likes Plan D and Plan A. Plan D because most important to him, it keeps the East side precincts together and intact. Plan A takes two or three of the traditional Hispanic neighborhoods and puts them in other districts. His hope would be that they keep the traditional Hispanic precincts and neighborhoods together. He stated he does appreciate them putting a voting site on the east side which is also part of the Voting Rights Act to make sure that all people are accessible.

Commissioner Cavin asked Mr. Sanchez what his opinion was of Plan B. Mr. Sanchez stated it's perfect in terms of equal population but it's not perfect in all the redistricting principles and goes back to breaking up some of those traditional Hispanic precincts.

No public comments were received online concerning redistricting.

C. COMMISSIONERS QUESTIONS AND/OR COMMENTS ON REDISTRICTING

Commissioner Ezell asked Mr. Adair to put Plan D back up. Mr. Adair spoke about term limits and stated if you were elected in 2020 you are elected legally to a term that is described in the Secretary of State's proclamation describing your district and are elected for a term of four years. For those who serve until 2024, your district does not come into legal effect until January 1, 2025. You are tied to the district in which you were elected and serve your term completely. Those elected in 2018 will be affected in 2022.

Commissioner Cavin asked Cindy Fuller, Chaves County Clerk, how difficult would the "perfect" plan be for the Clerk's Office to put in place. Ms. Fuller stated they have split ten precincts over the last two years and whatever the Commission decides they will make it happen.

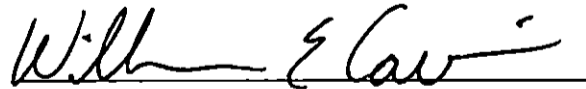
Commissioner Ezell asked if both B and C split precincts. Mr. Adair stated only Plan B splits precincts. He also stated that Plan D has the largest percentage of deviation with Plan A having the second largest.

Commissioner Cavin thanked Mr. Adair for the plans and thanked everyone for being there. He stated they have a big decision to make.


The meeting was adjourned at 10:01 am.



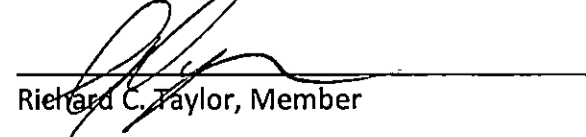
BOARD OF CHAVES COUNTY COMMISSIONERS


William E. Cavin, Chairman

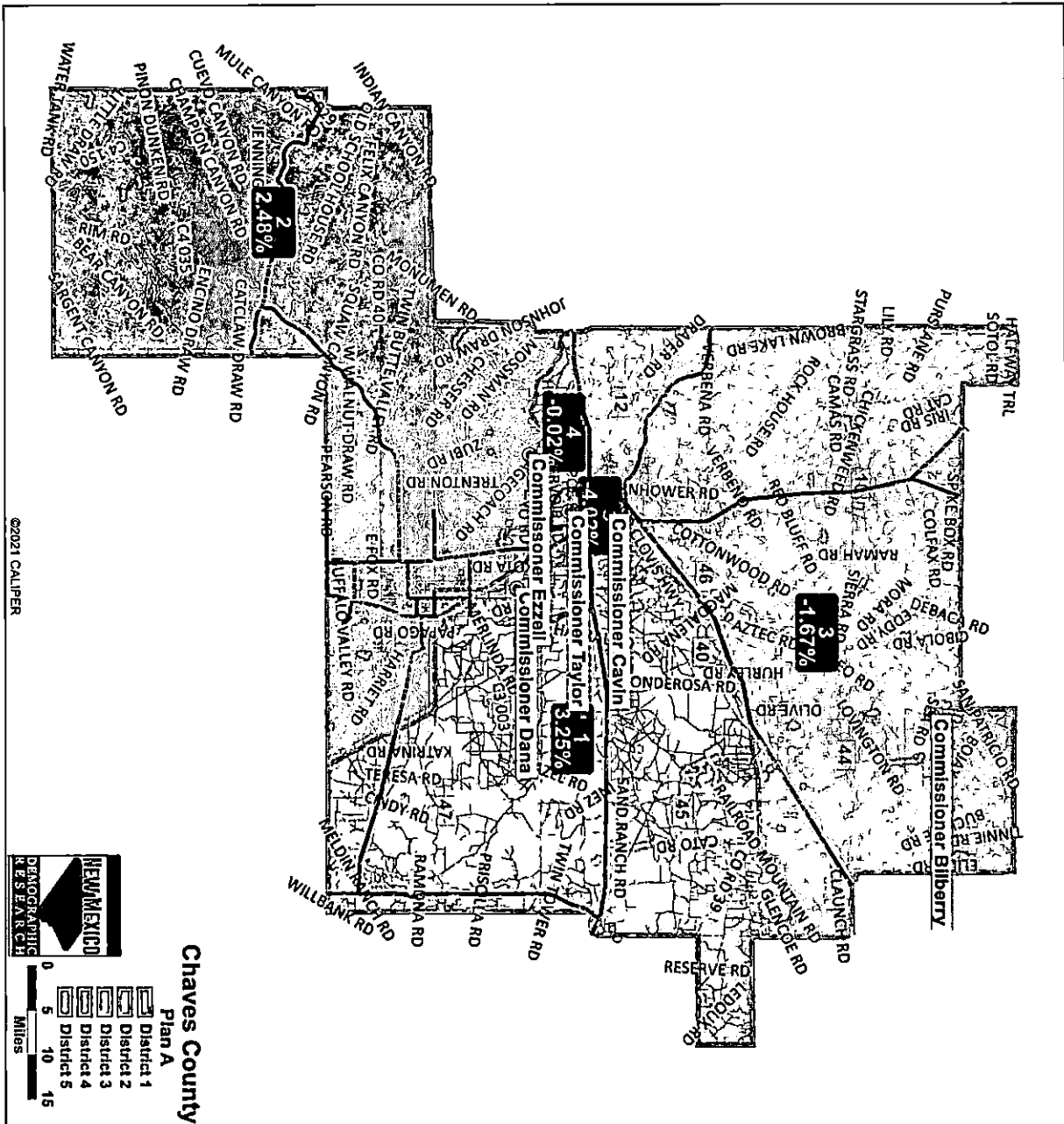

Jeff Bilberry, Vice-Chairman


Dara Dana, Member

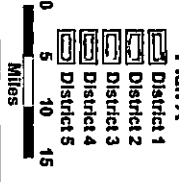

T. Calder Ezzell Jr, Member


Richard C. Taylor, Member

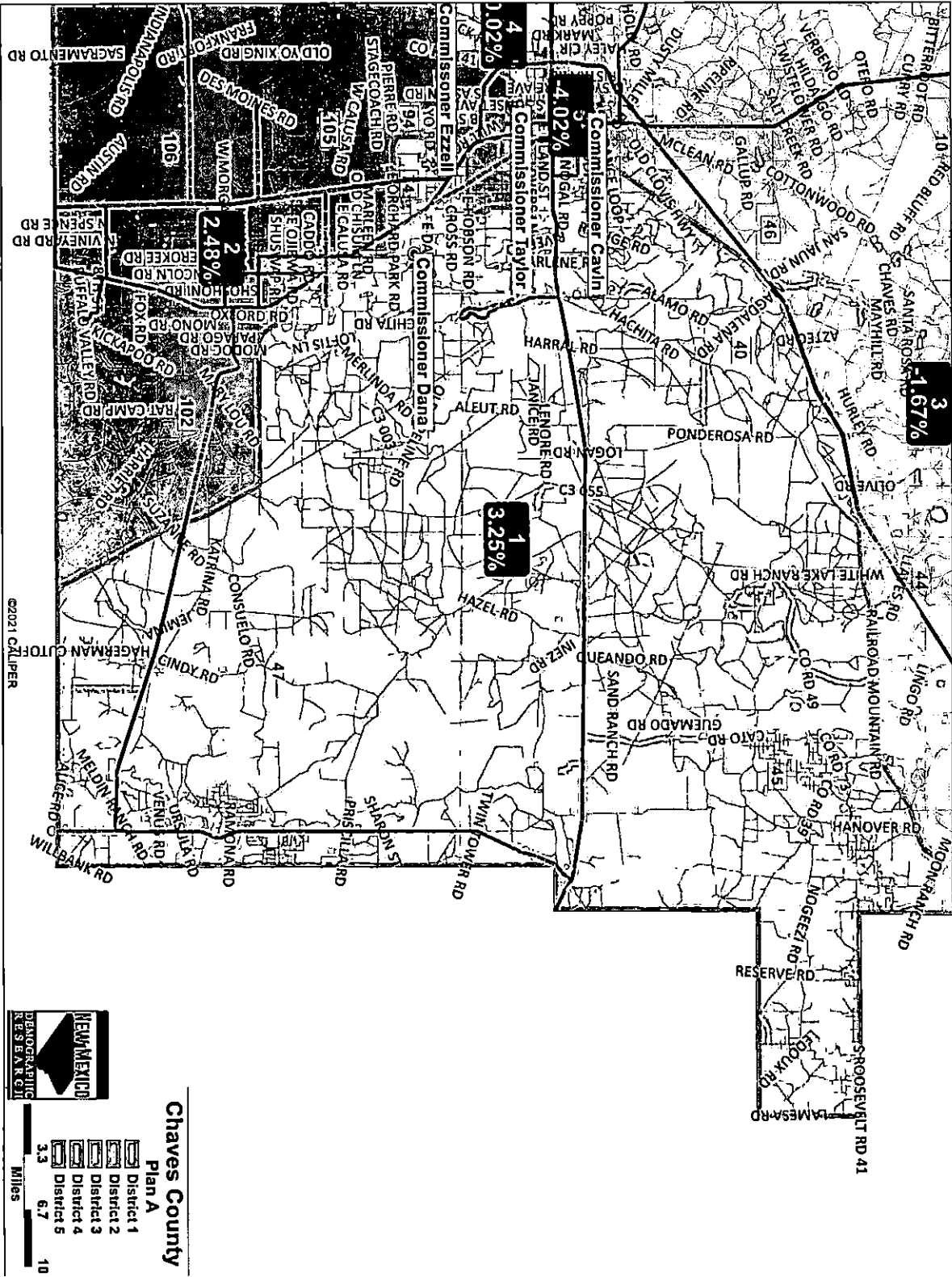
Chaves County Plan A All Districts



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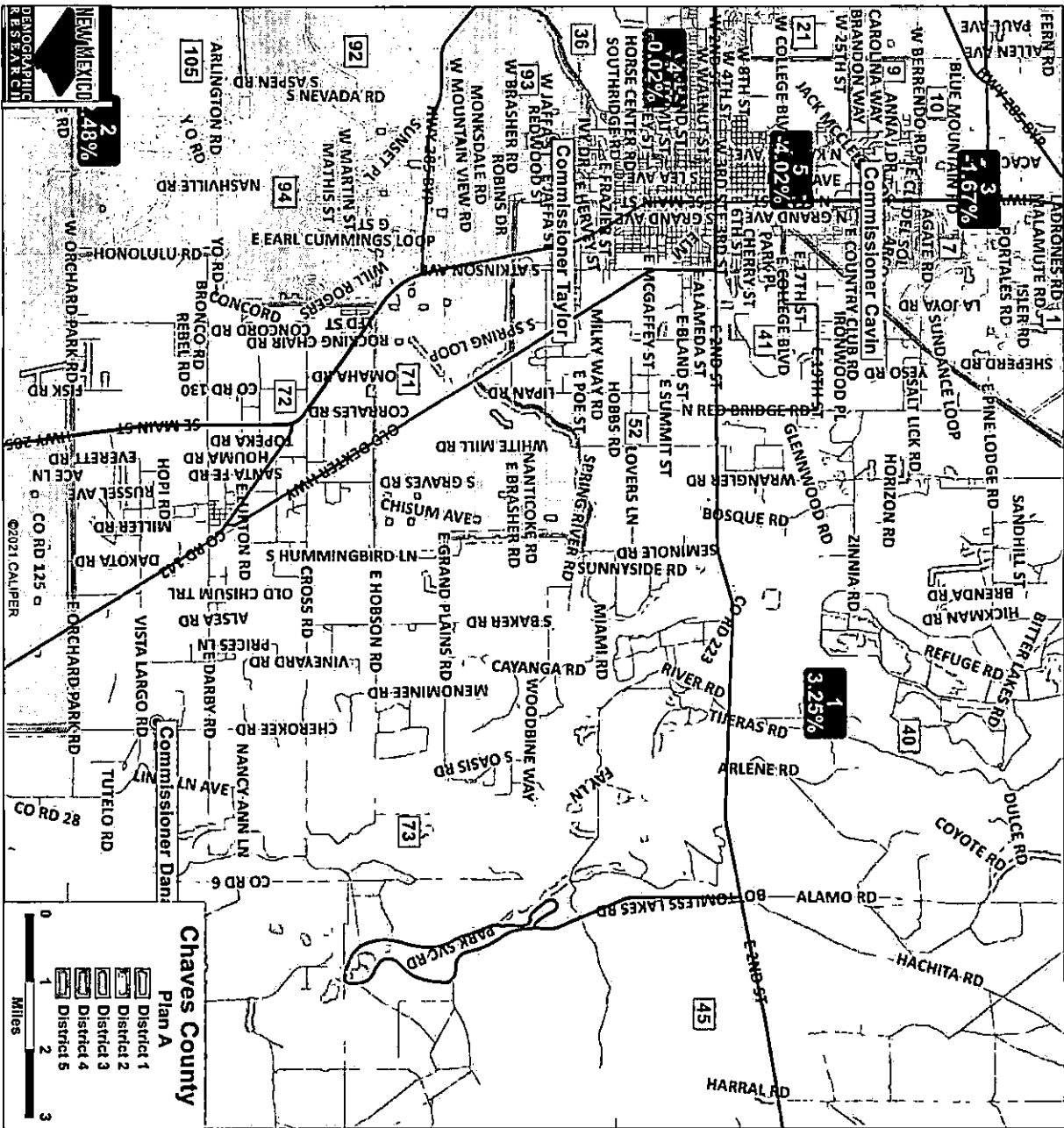


Chaves County Plan A District 1 Detail

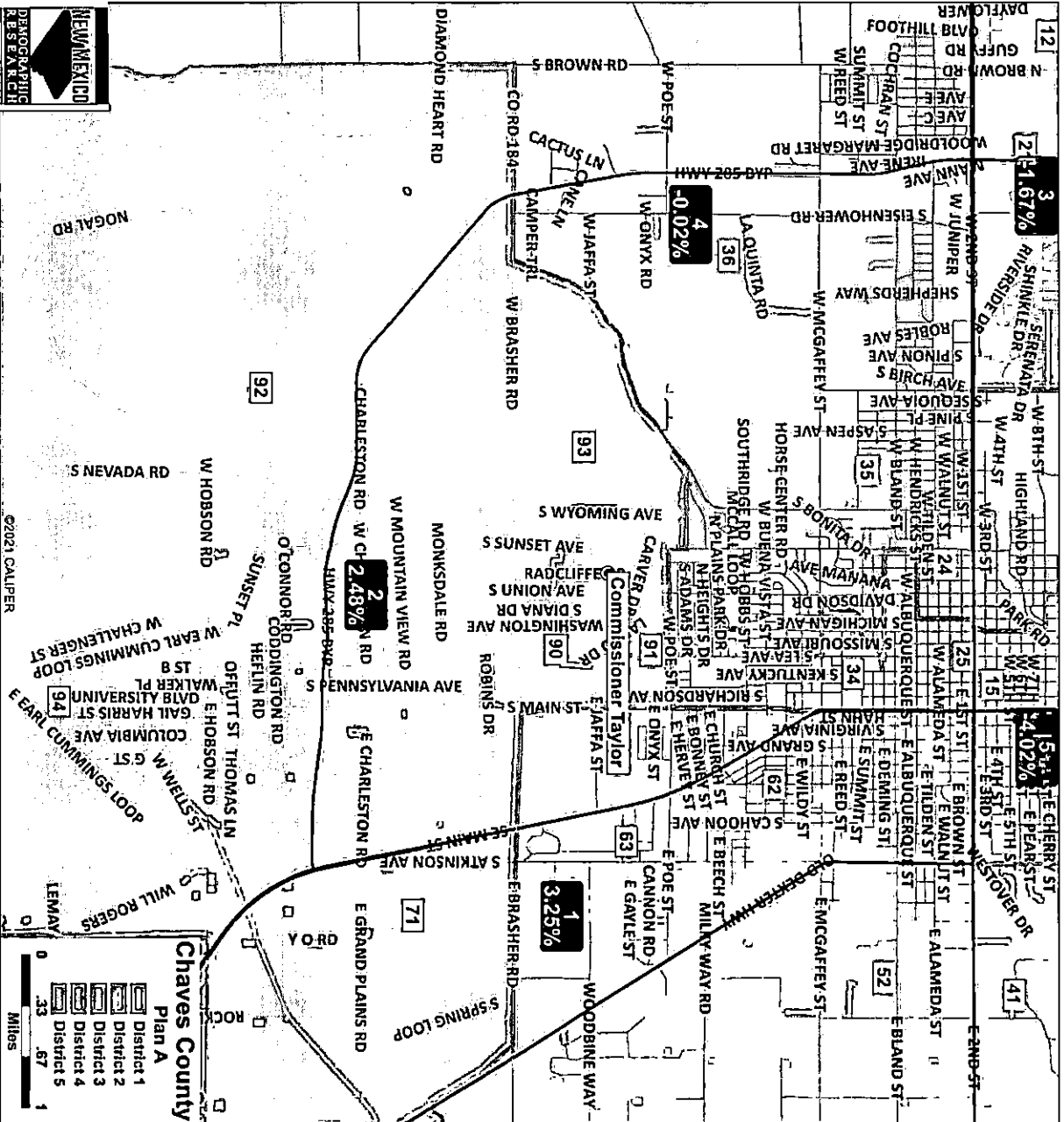


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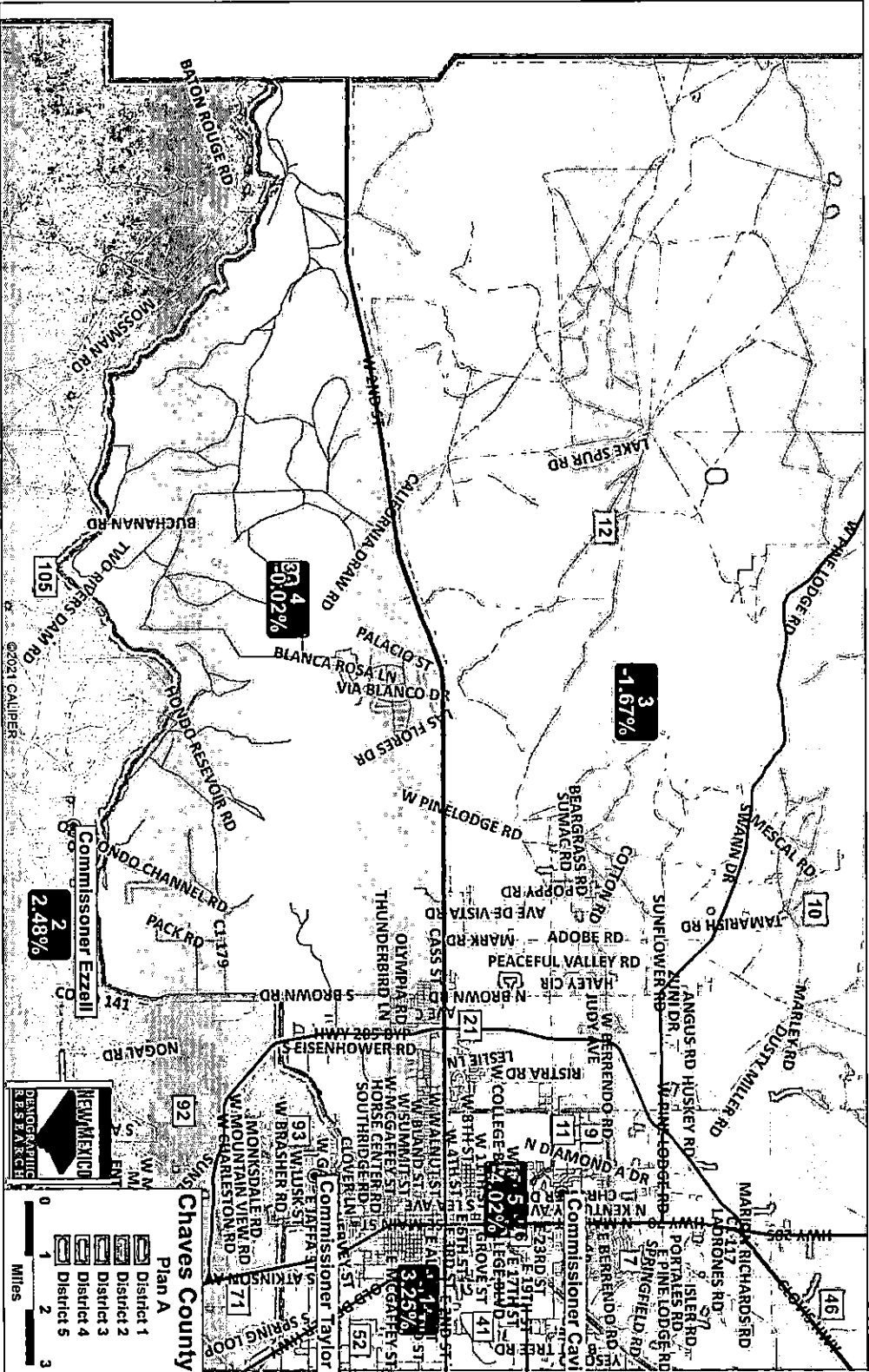
Chaves County Plan A District 1 Roswell Detail



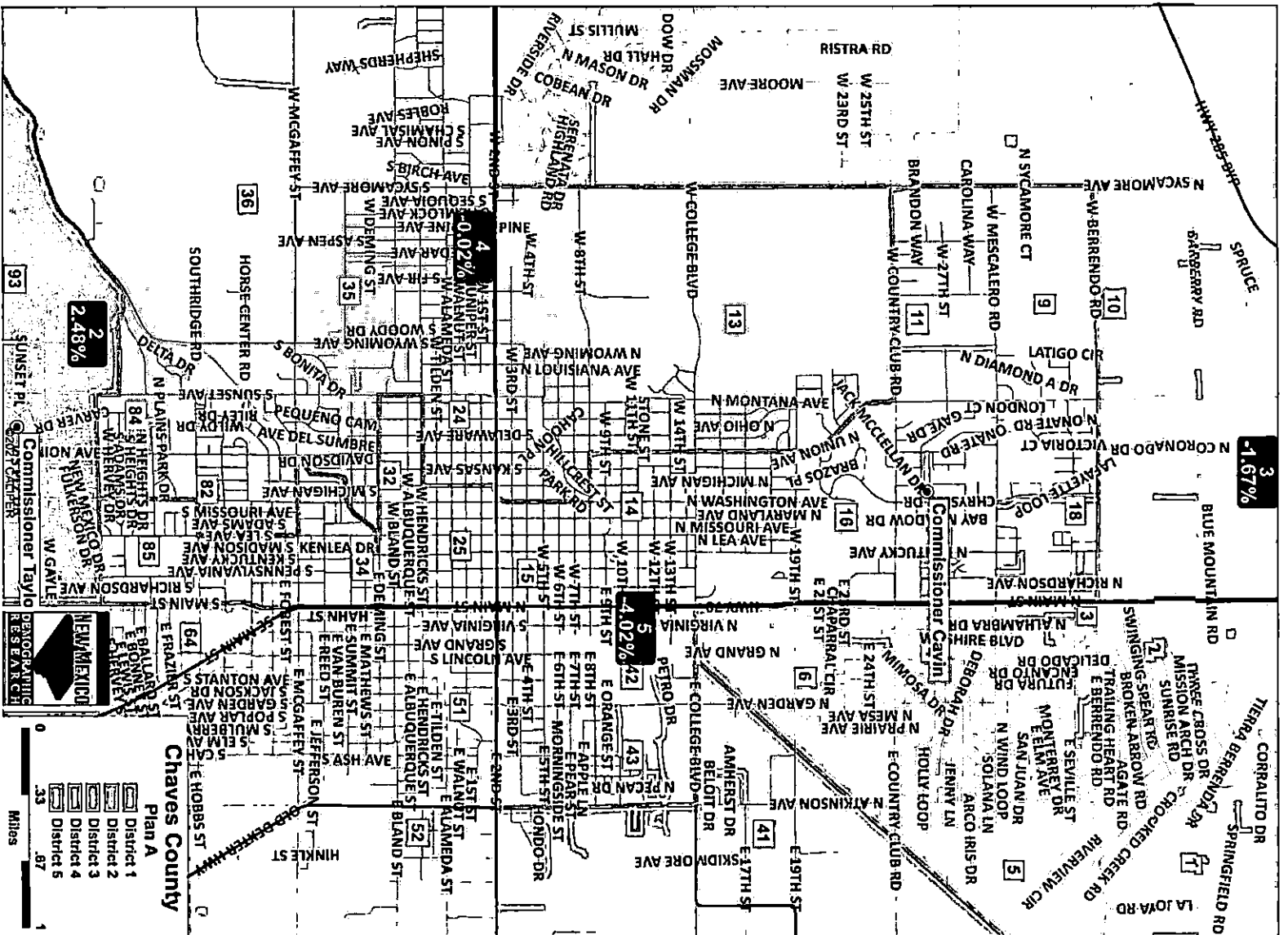
Chaves County Plan A District 2 Roswell Detail



Chaves County Plan A District 4 Detail



Chaves County
 Plan A
 District 5 Detail



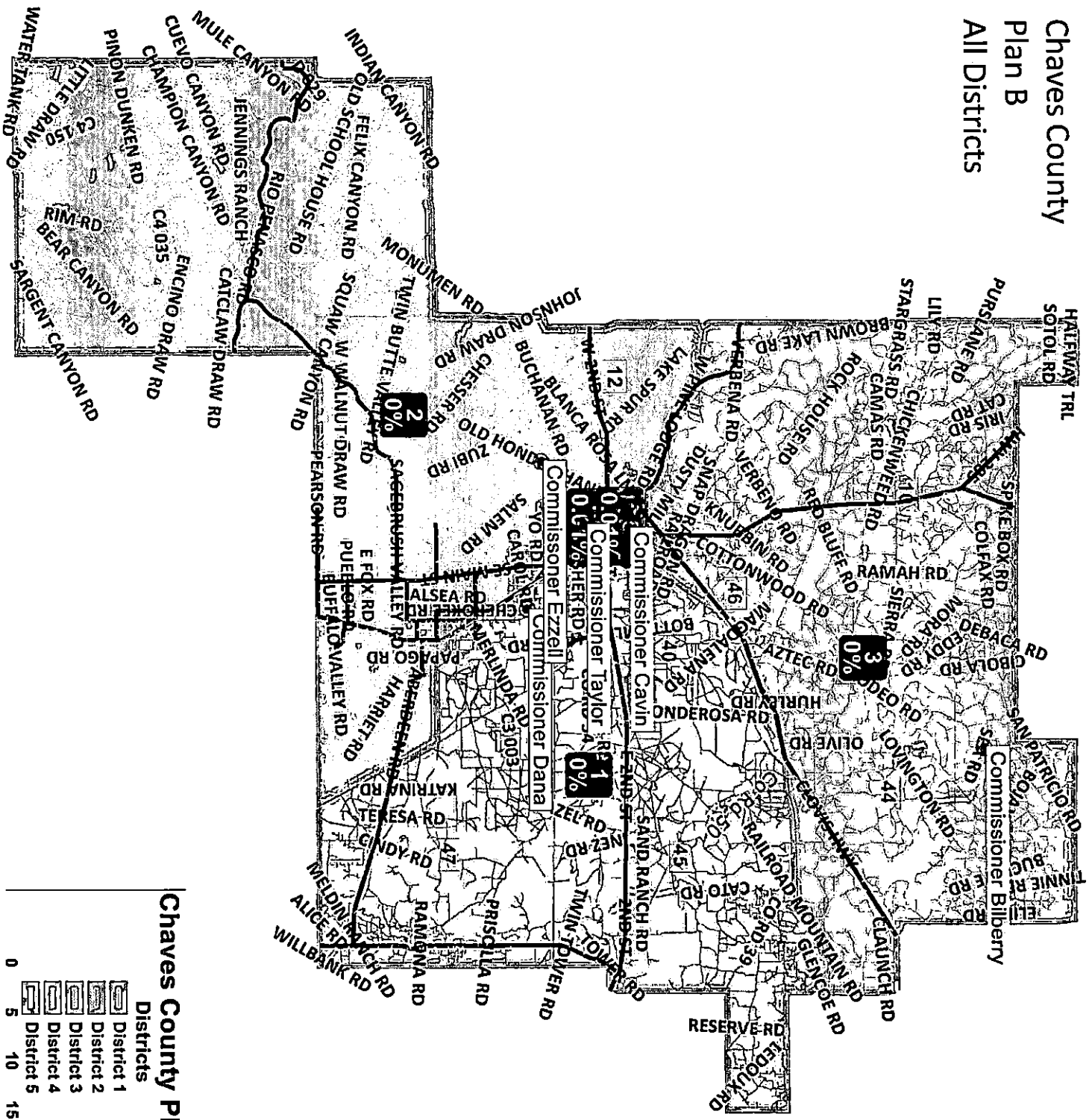
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Chaves County
 Plan A

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- District 2
- District 3
- District 4
- District 5



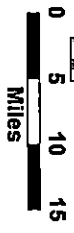
Chaves County Plan B All Districts



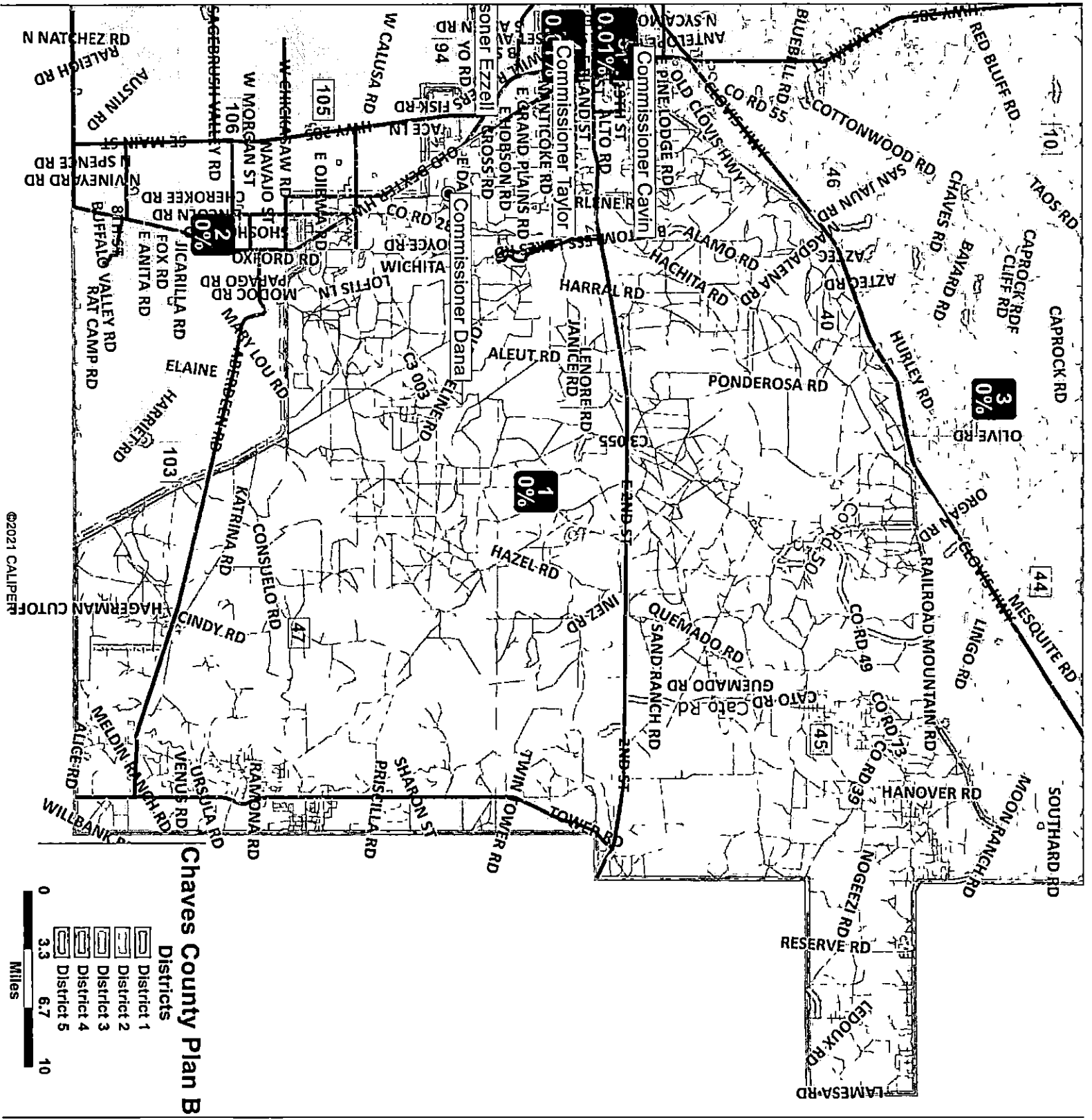
Chaves County Plan B

Districts

- District 1
- District 2
- District 3
- District 4
- District 5



Chaves County Plan B District 1 Detail



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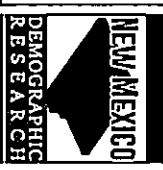
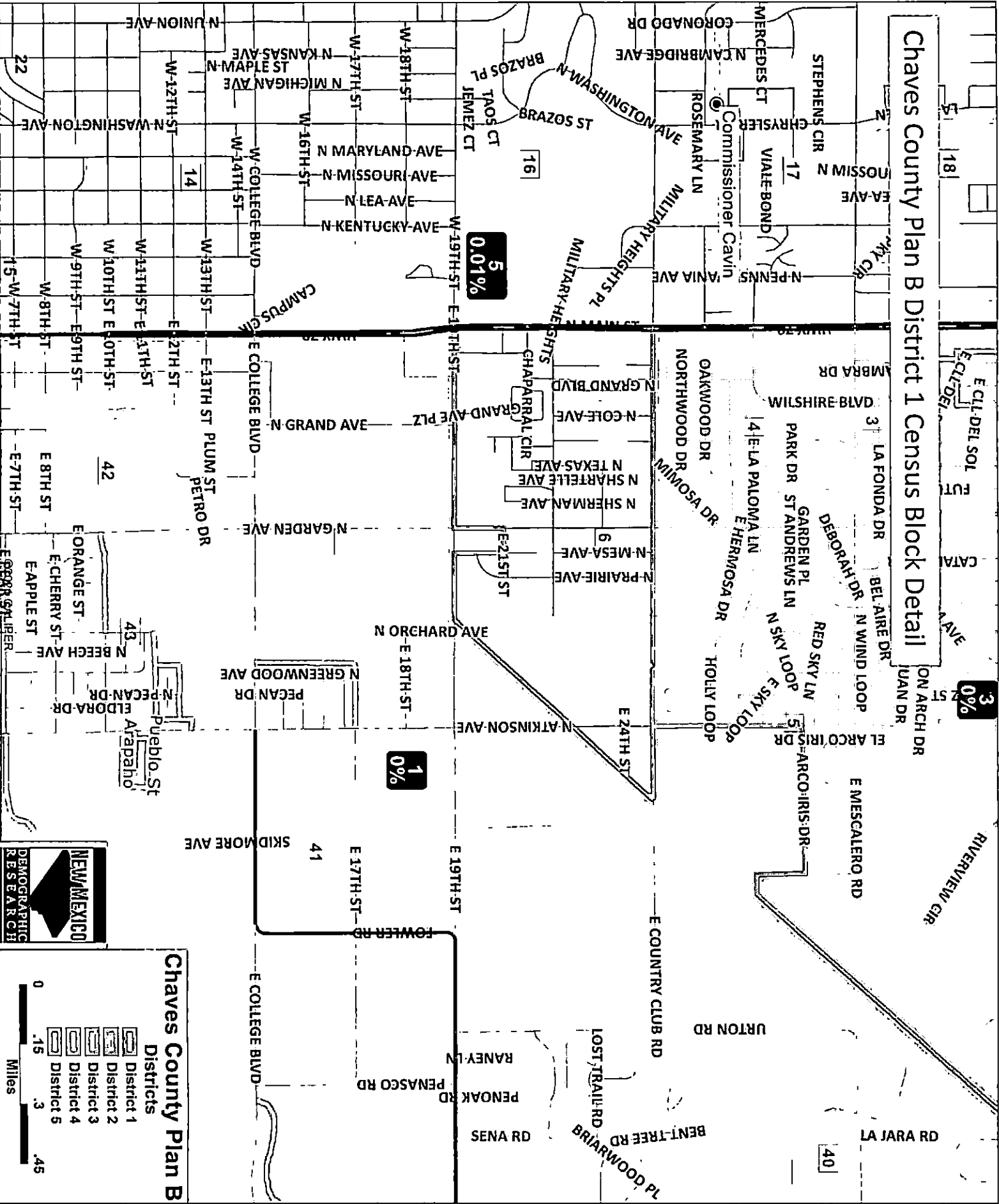
Chaves County Plan B

Districts

- District 1
- District 2
- District 3
- District 4
- District 5

0 3.3 6.7 10
Miles

Chaves County Plan B District 1 Census Block Detail



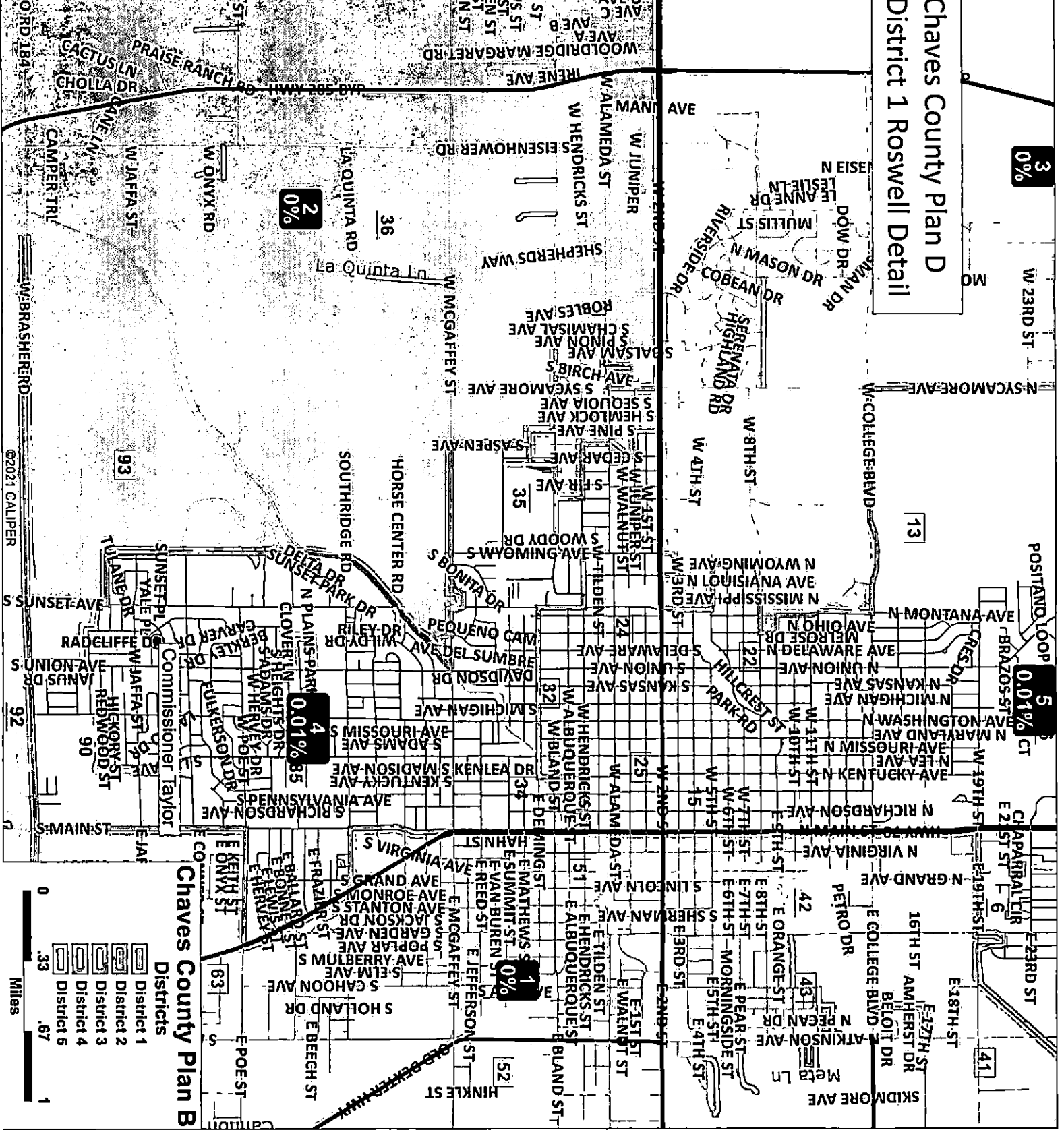
Chaves County Plan B Districts

- District 1
- District 2
- District 3
- District 4
- District 5

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Chaves County Plan D District 1 Roswell Detail

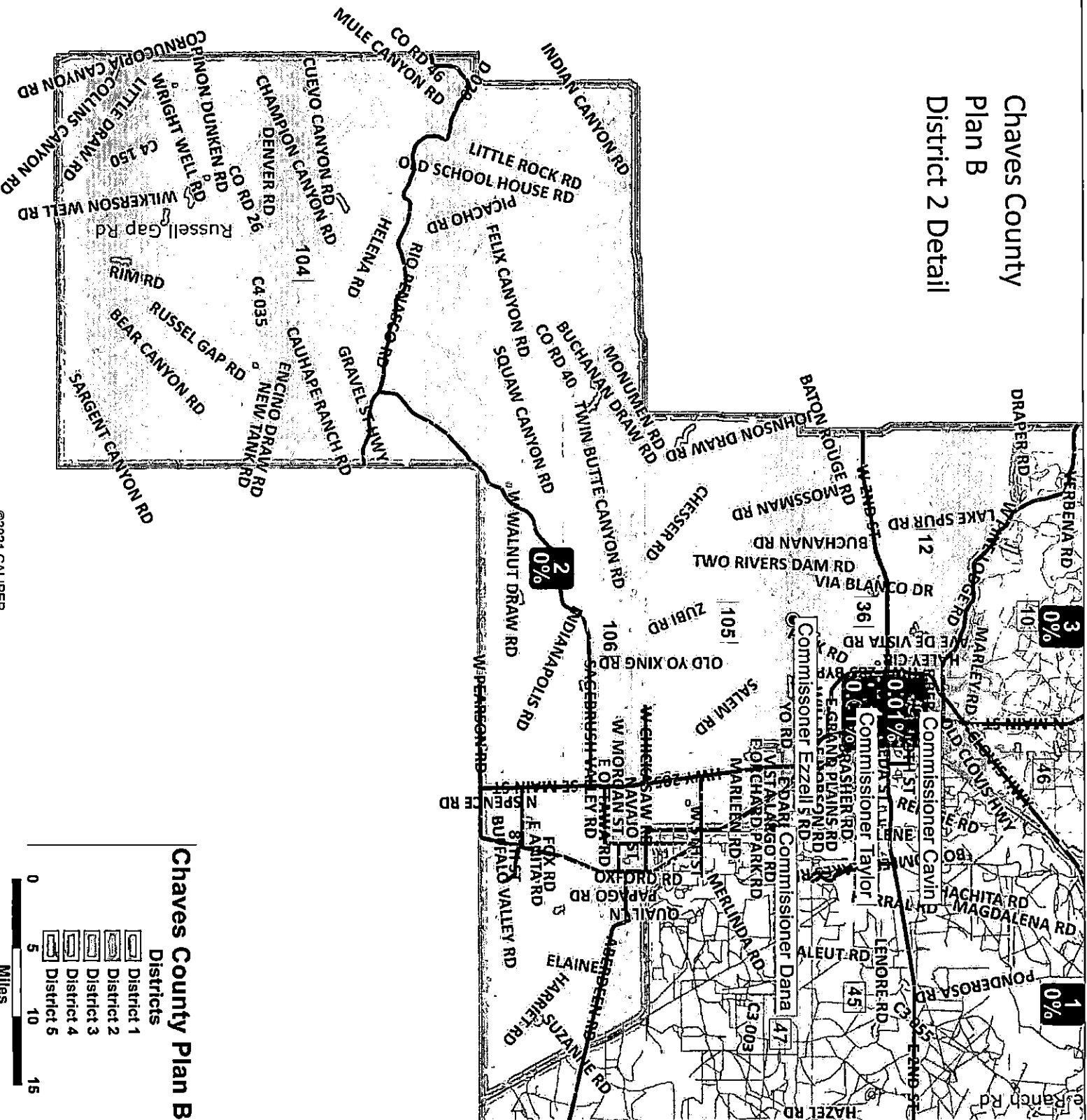


Chaves County Plan B
Districts
District 1
District 2
District 3
District 4
District 5



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**Chaves County
 Plan B
 District 2 Detail**



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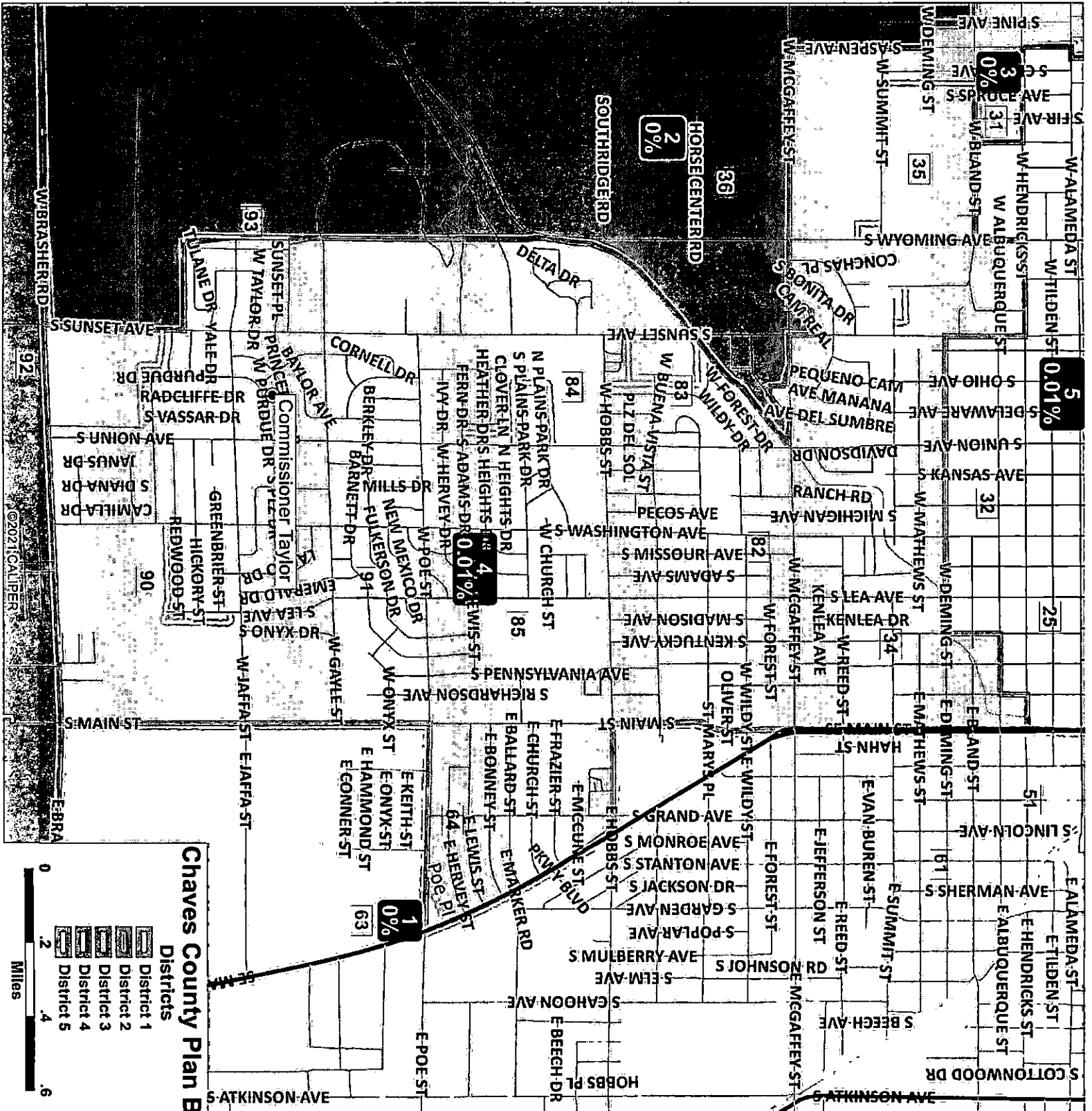
Chaves County Plan B

Districts

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- District 2
- District 3
- District 4
- District 5

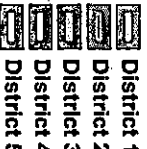
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 Miles

Chaves County Plan B District 4 Detail



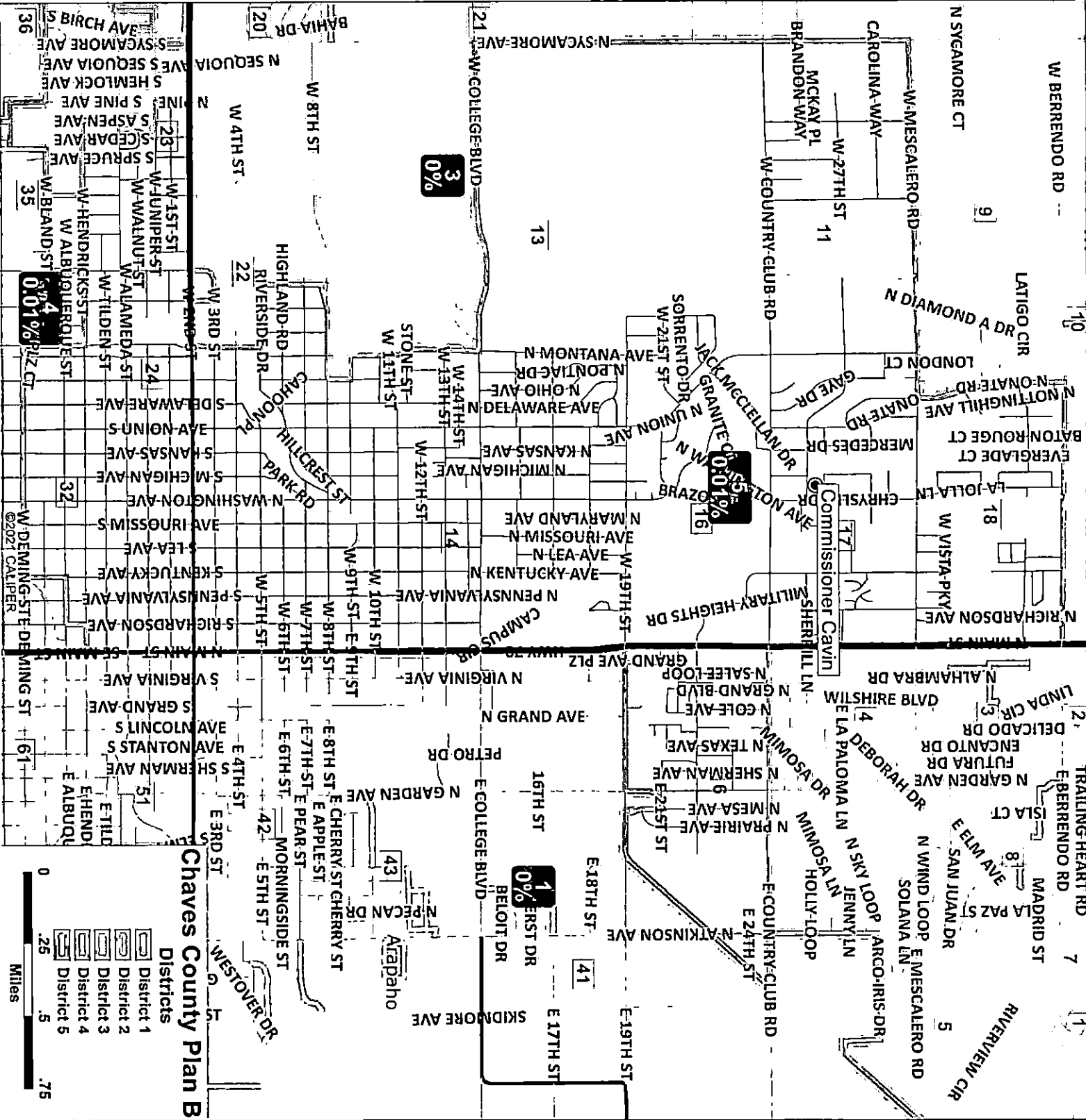
Chaves County Plan B

Districts



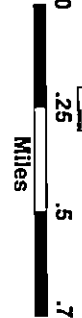
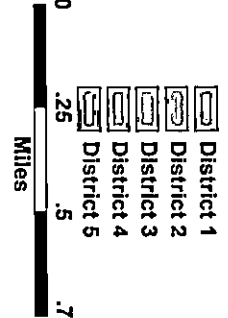
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Chaves County Plan B District 5 Detail



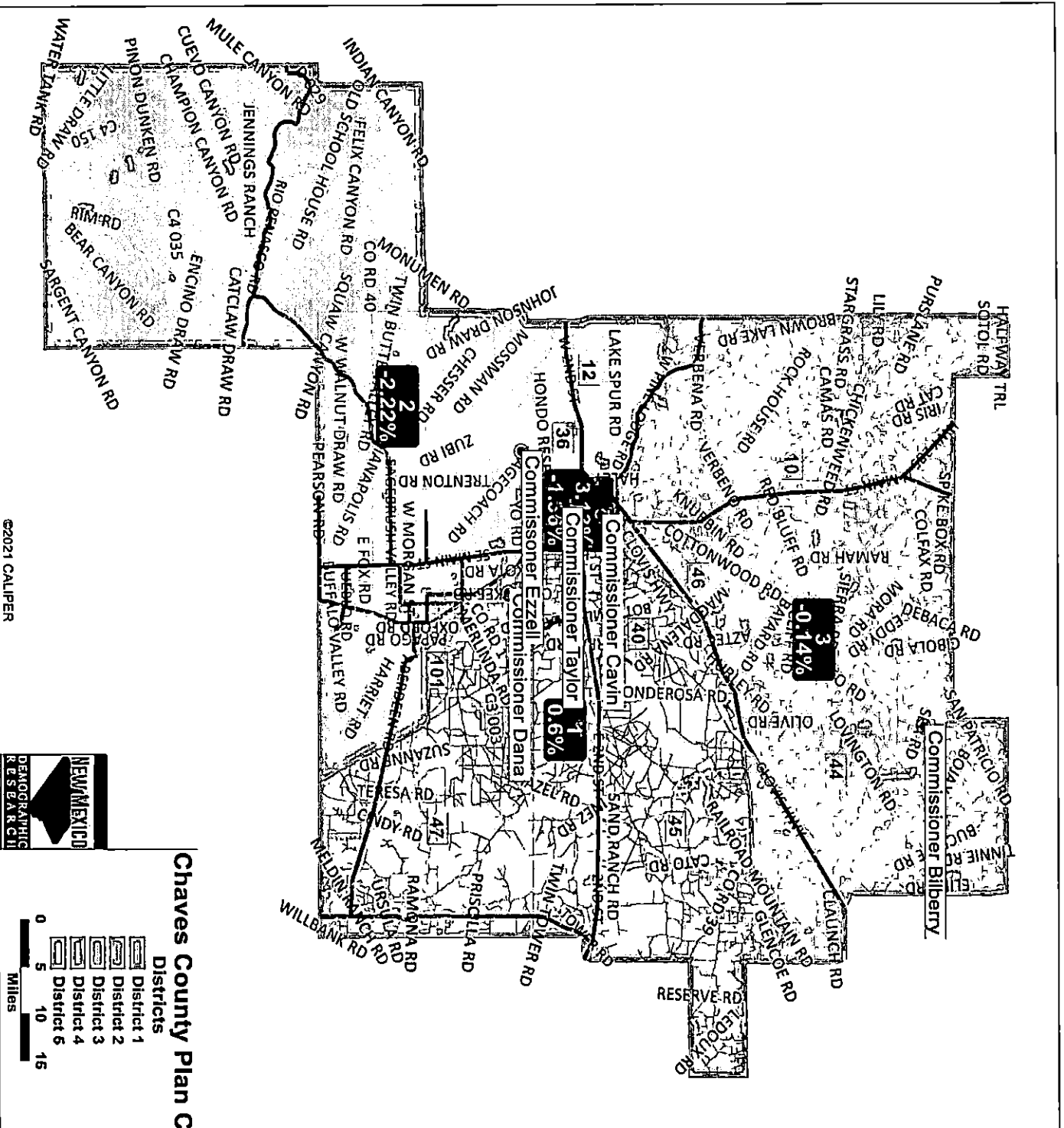
Chaves County Plan B

Districts



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Chaves County Plan C All Districts



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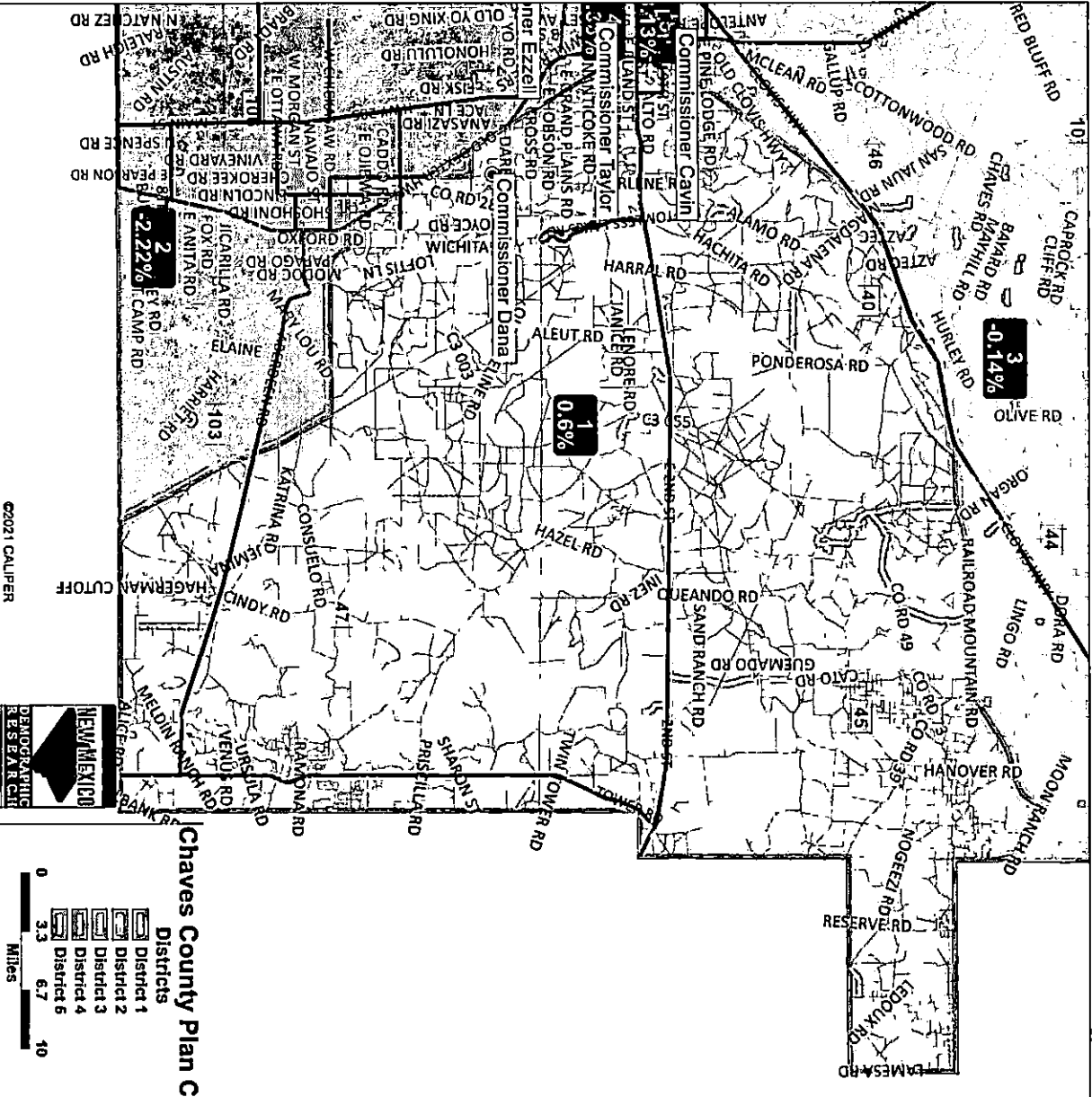
Chaves County Plan C

Districts

- District 1
- District 2
- District 3
- District 4
- District 5
- District 6



Chaves County Plan C District 1



Chaves County Plan C

Districts

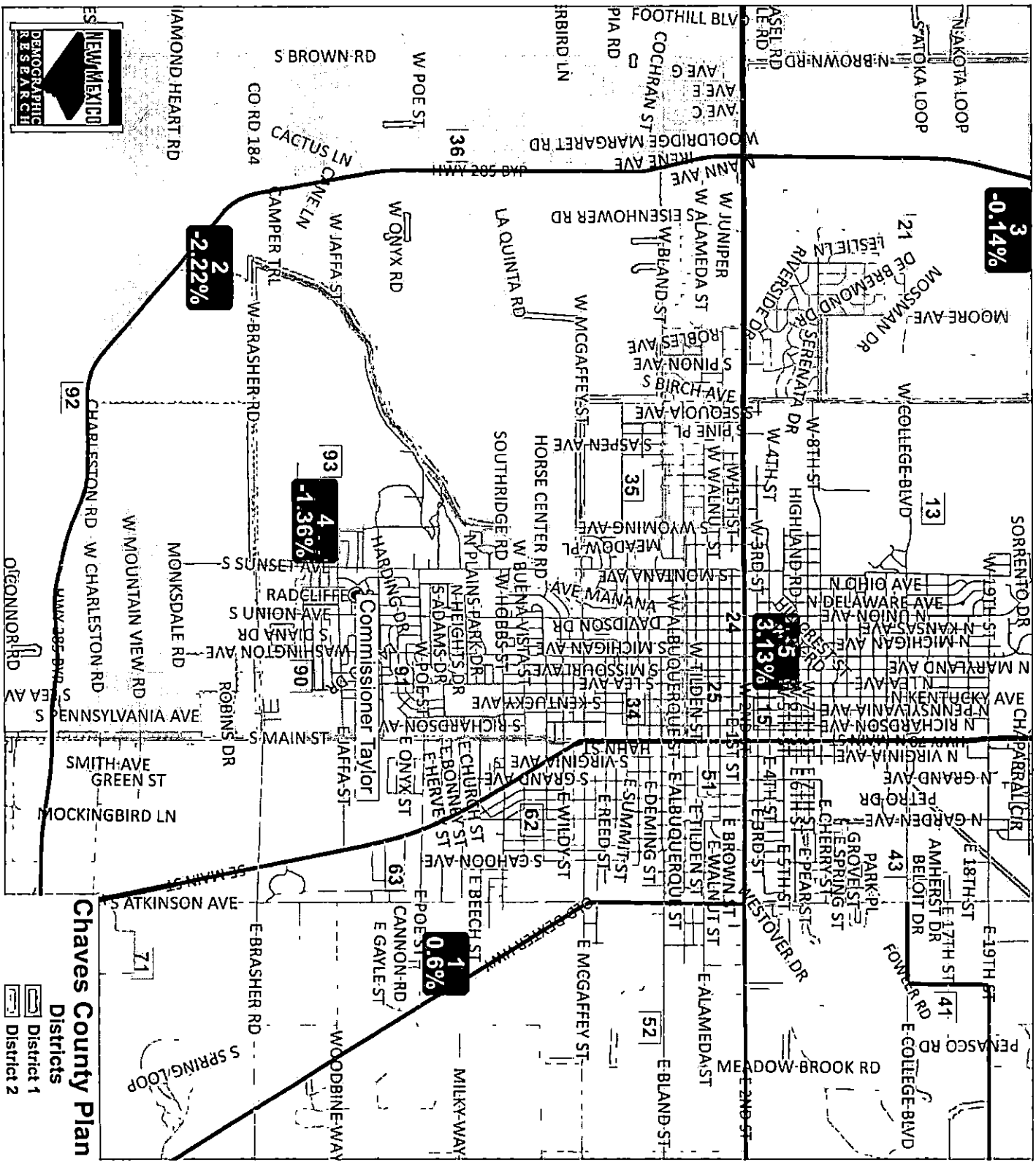
- District 1
- District 2
- District 3
- District 4
- District 5
- District 6



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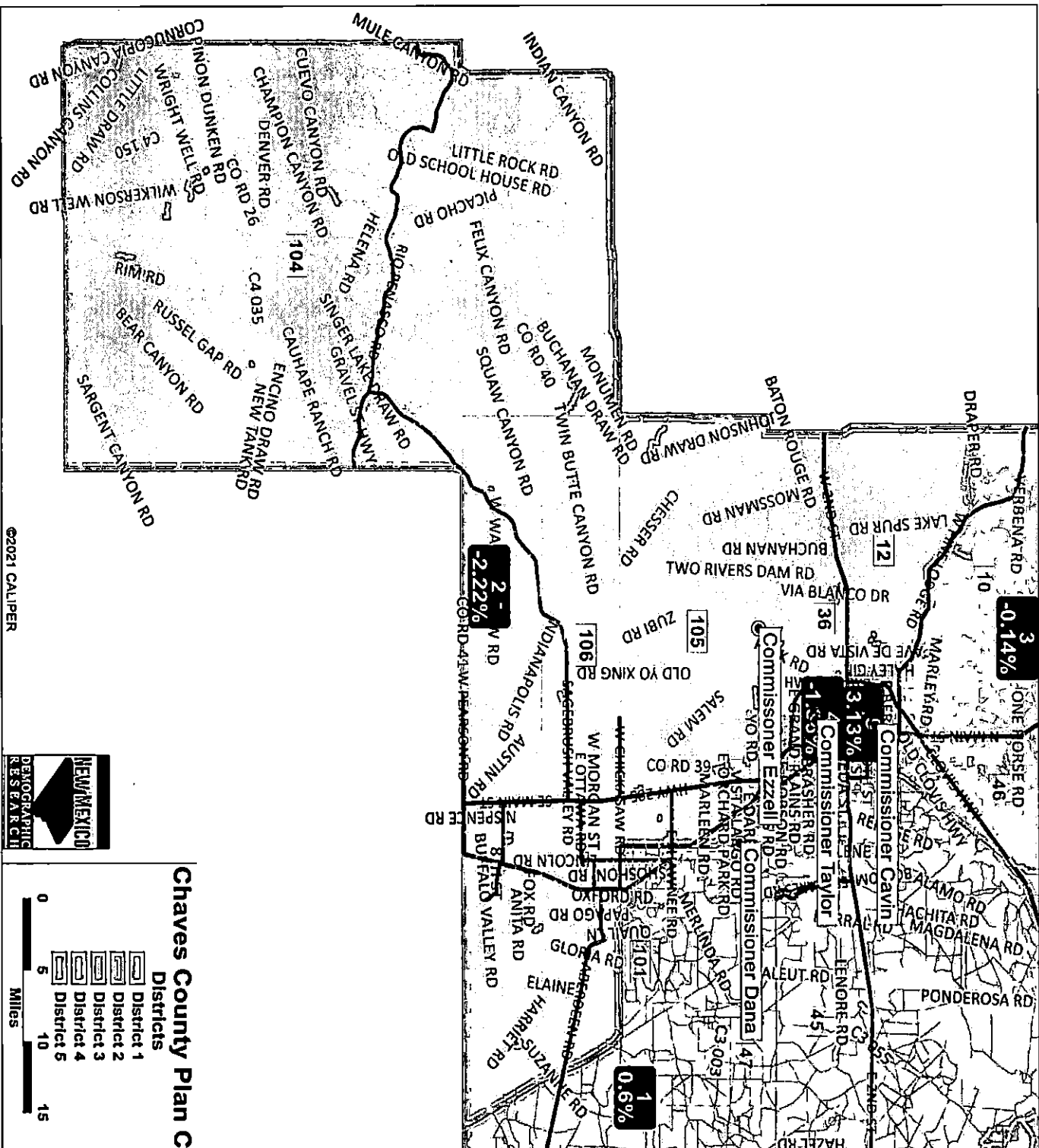


Chaves County Plan C District 1 Roswell Detail



Chaves County Plan
 Districts
 District 1
 District 2

Chaves County Plan C District 2 Detail



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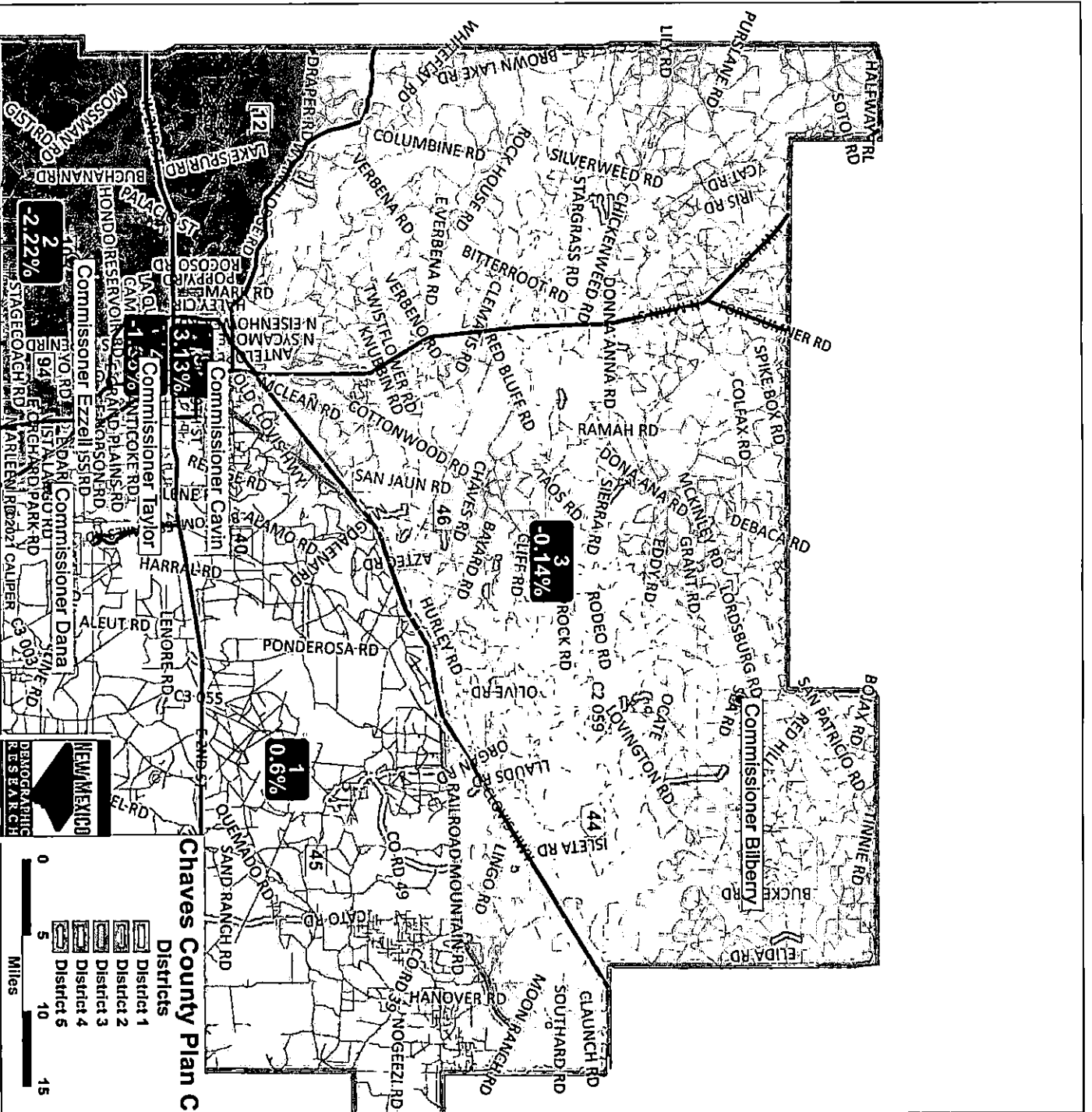


Chaves County Plan C Districts

- District 1
- District 2
- District 3
- District 4
- District 5



Chaves County Plan C District 3



Chaves County Plan C

Districts

District 1

District 2

District 3

District 4

District 5

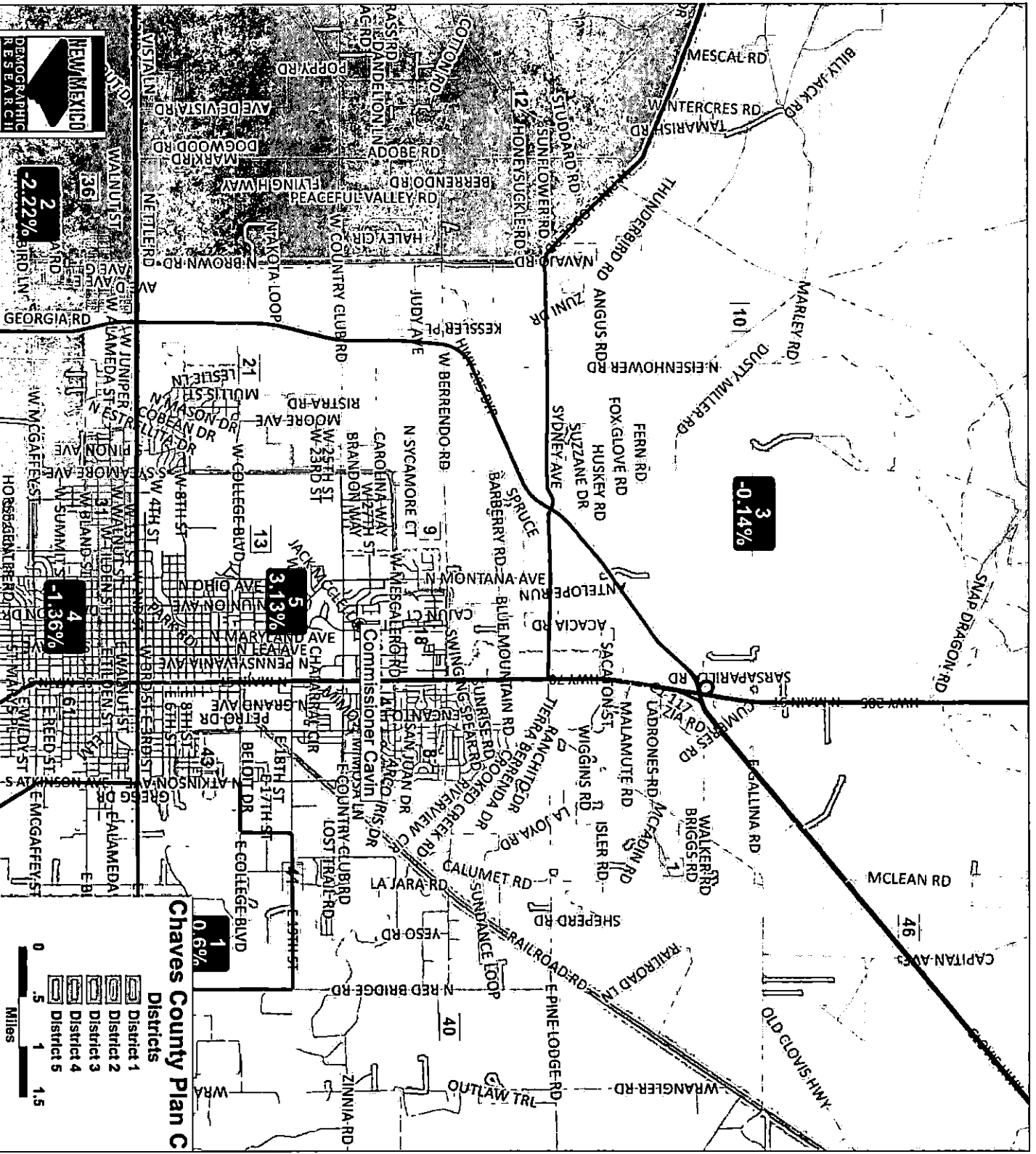
Miles

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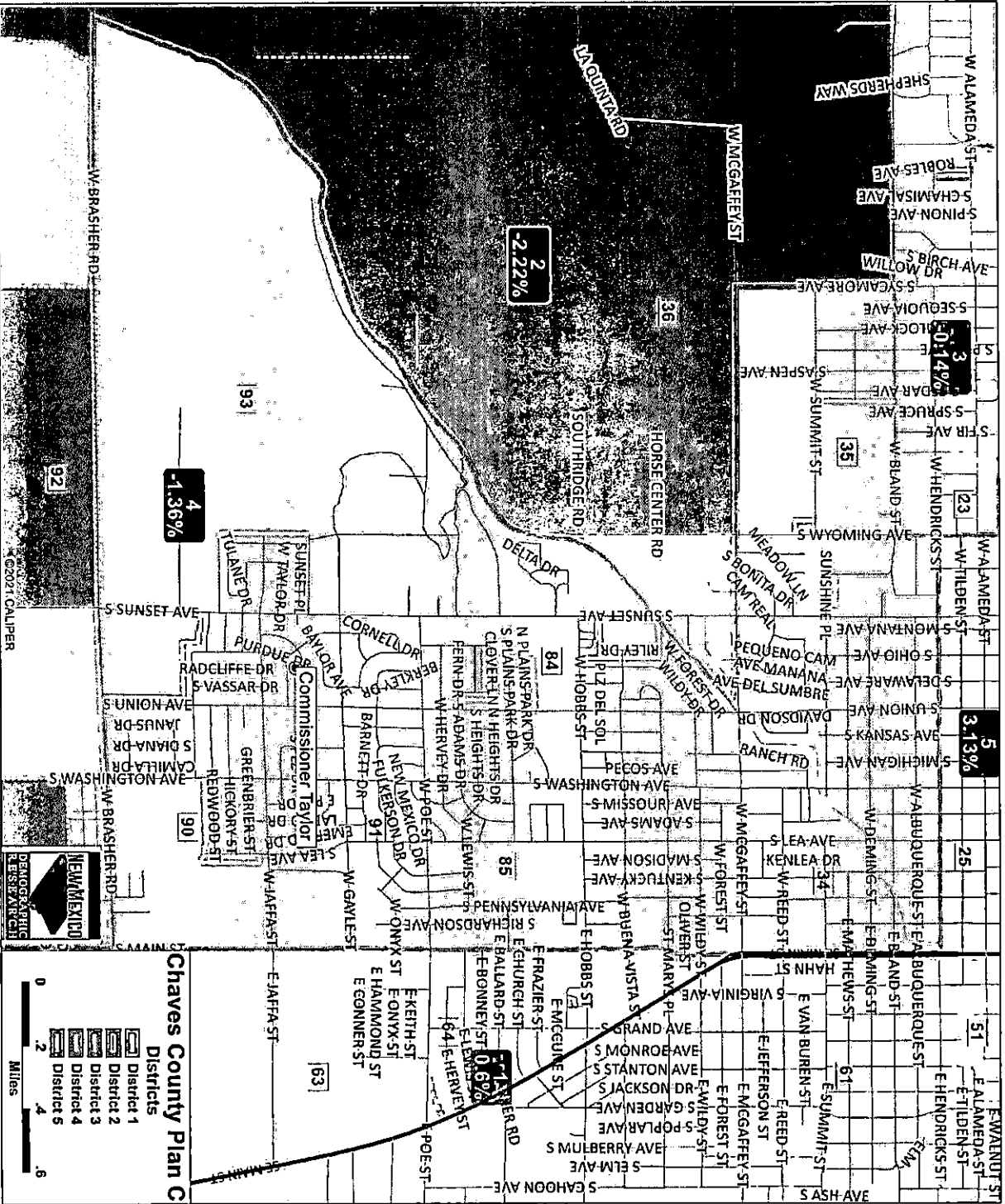
DEMOCRATIC
REPUBLICAN
NEW MEXICO

Commissioner Ezzell
Commissioner Taylor
Commissioner Gavin
Commissioner Dana
Commissioner Bilberry

Chaves County Plan C District 3 Southern Detail



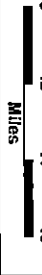
Chaves County Plan C District 4



Chaves County Plan C

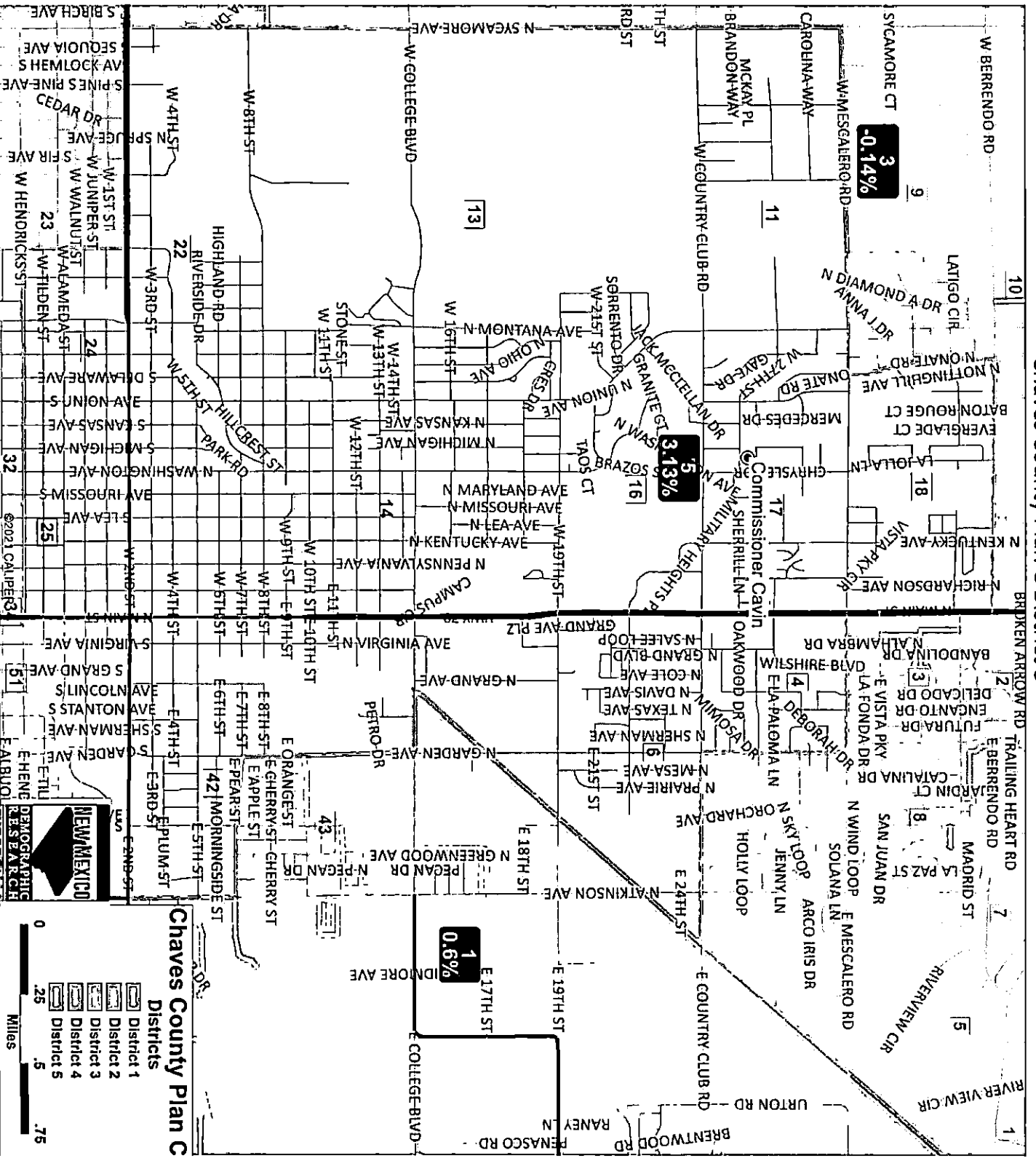
Districts

- District 1
- District 2
- District 3
- District 4
- District 5



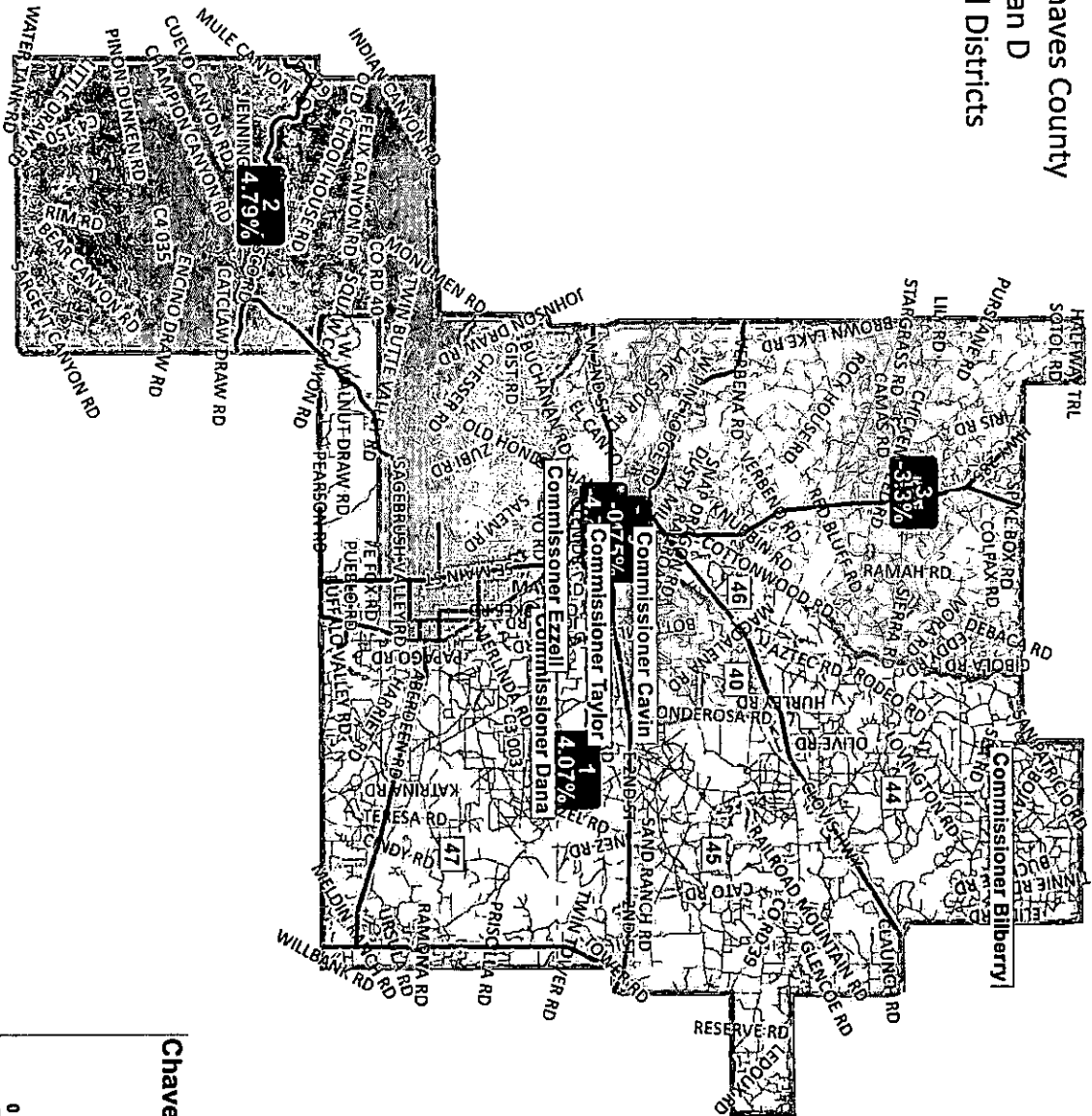
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Chaves County Plan C District 5



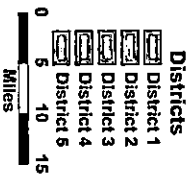
Chaves County Plan C

Chaves County Plan D All Districts

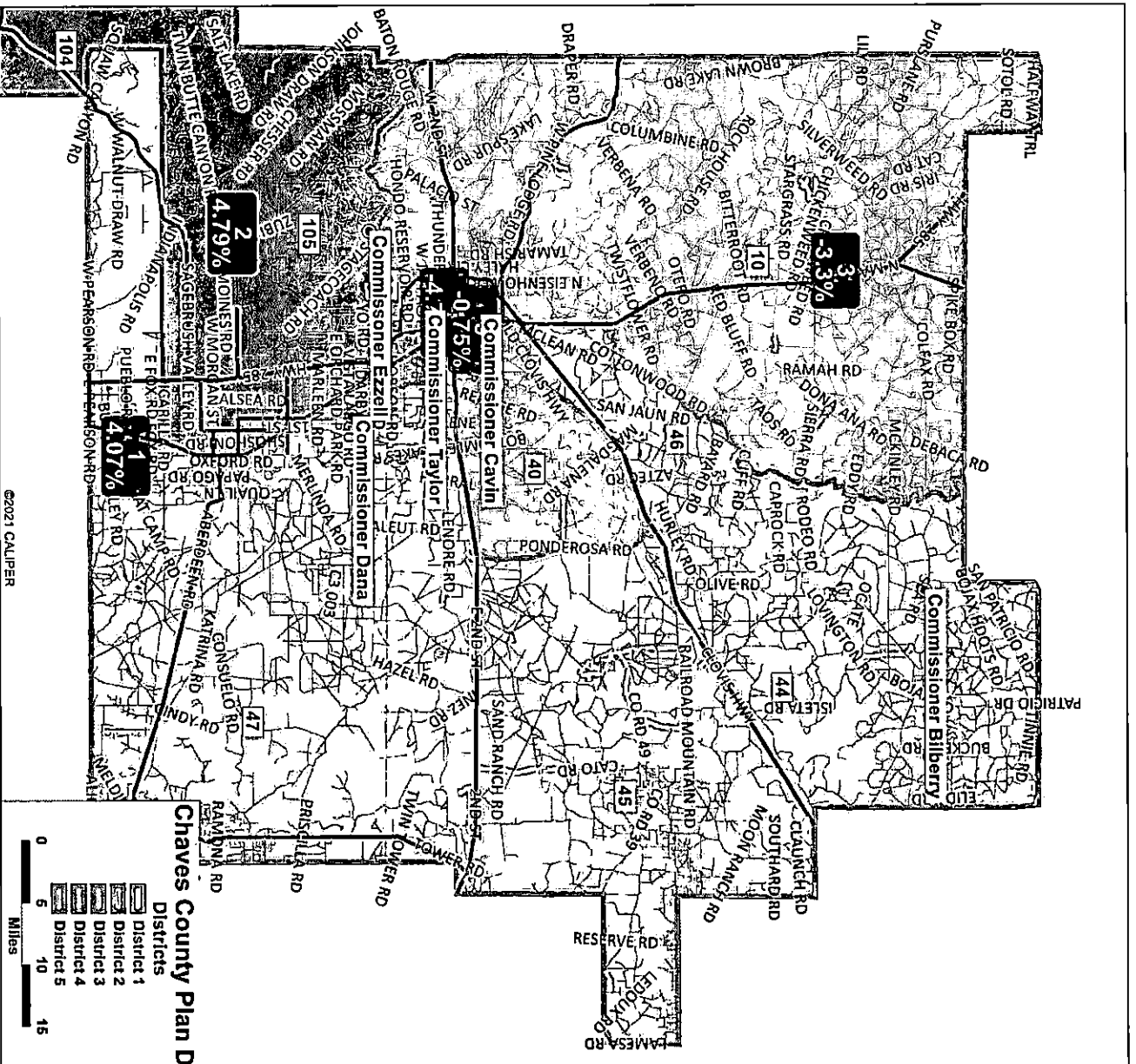


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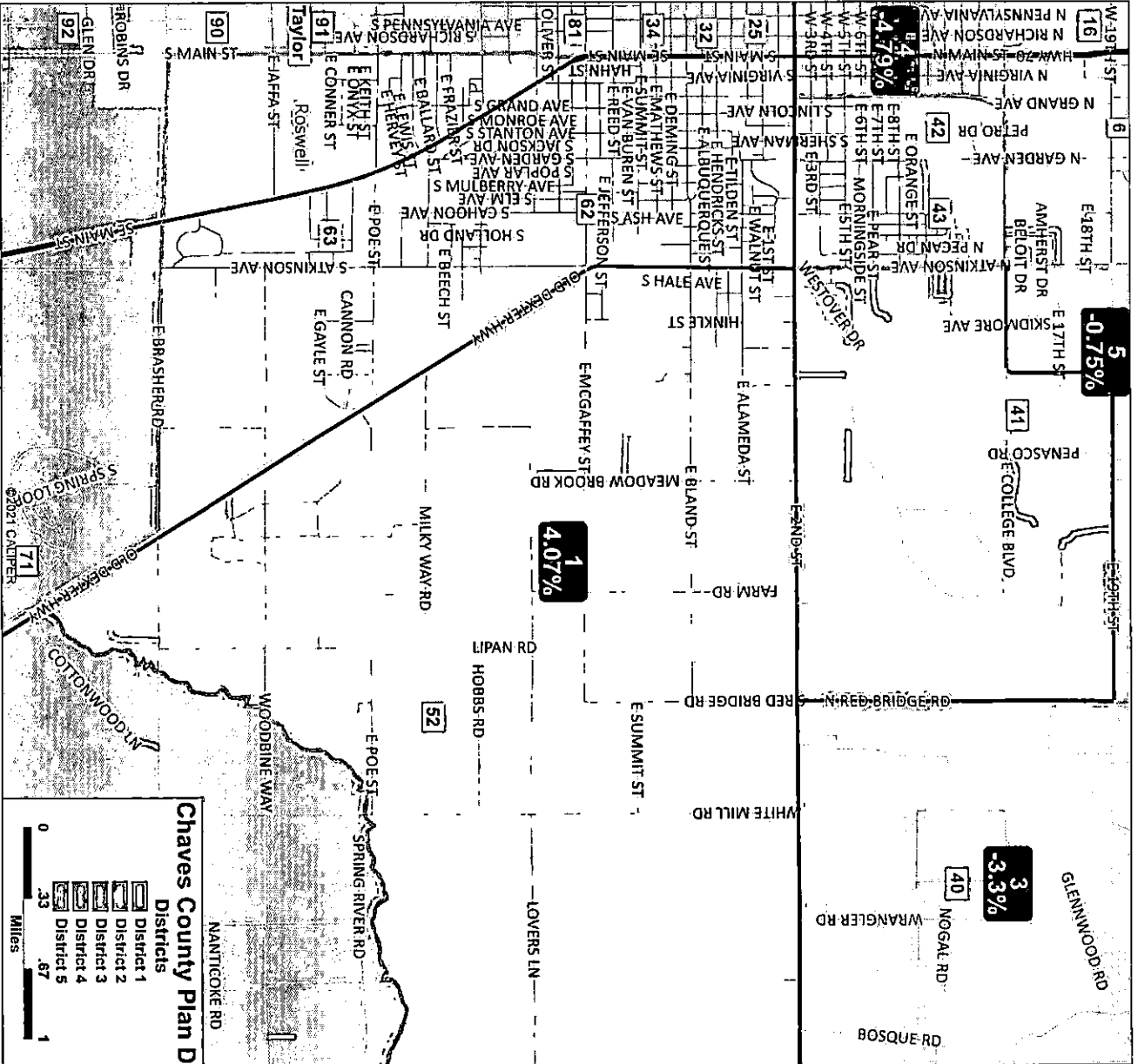
Chaves County Plan D



Chaves County Plan D District 1



Chaves County Plan D District 1 Roswell Detail

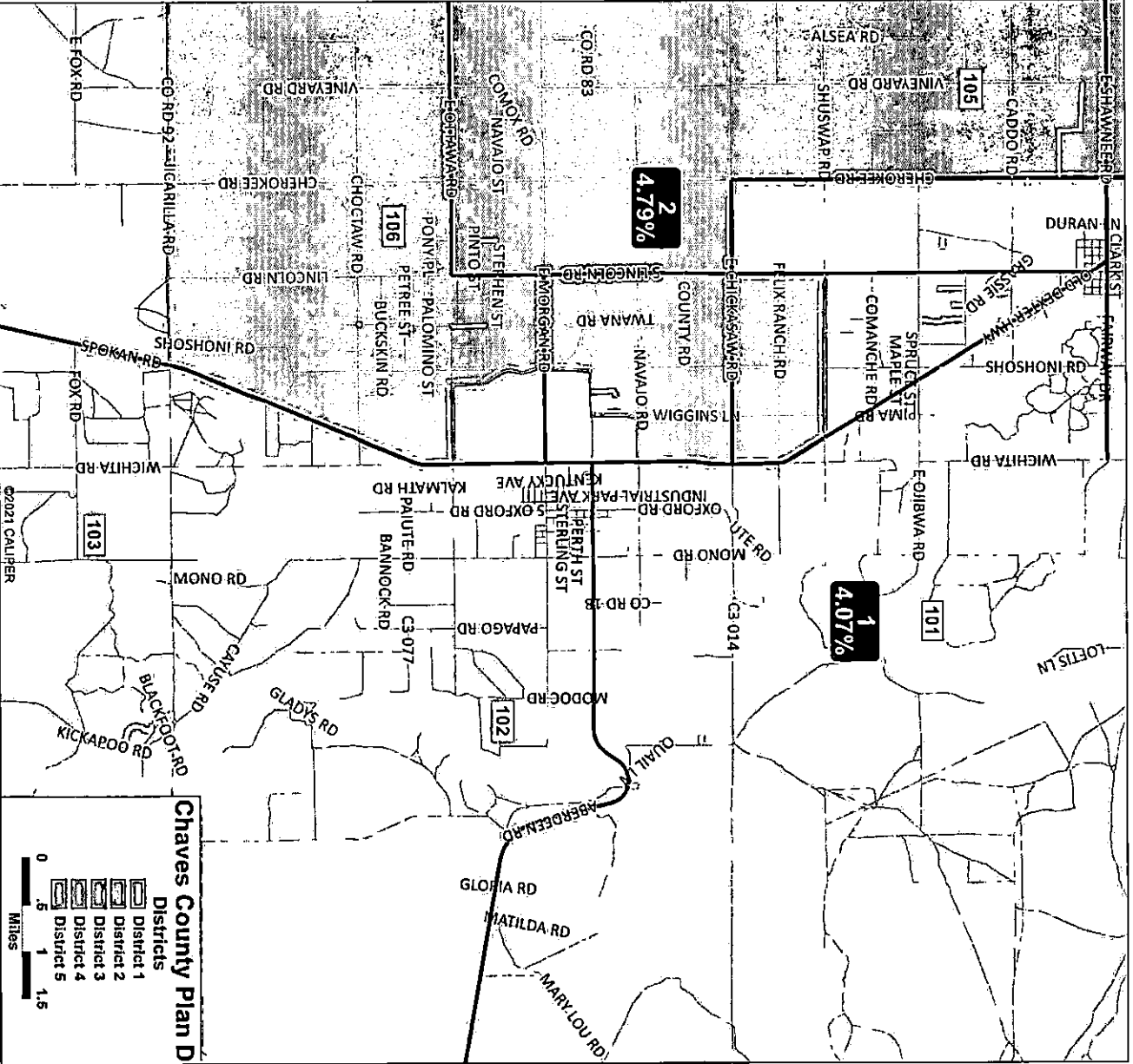


Chaves County Plan D

- Districts
- District 1
 - District 2
 - District 3
 - District 4
 - District 5



Chaves County Plan D District 1 Hagerman Detail



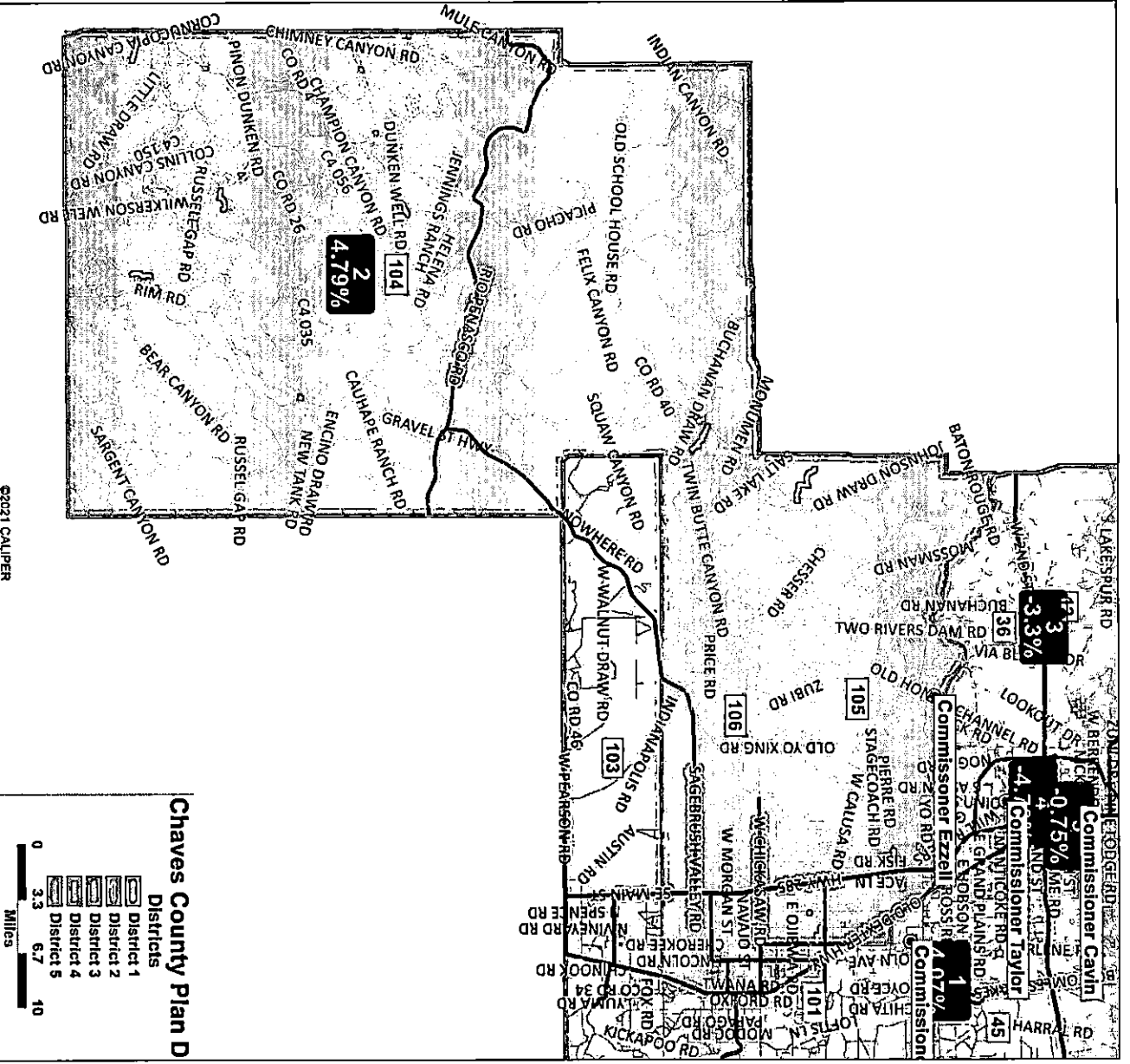
Chaves County Plan D

Districts

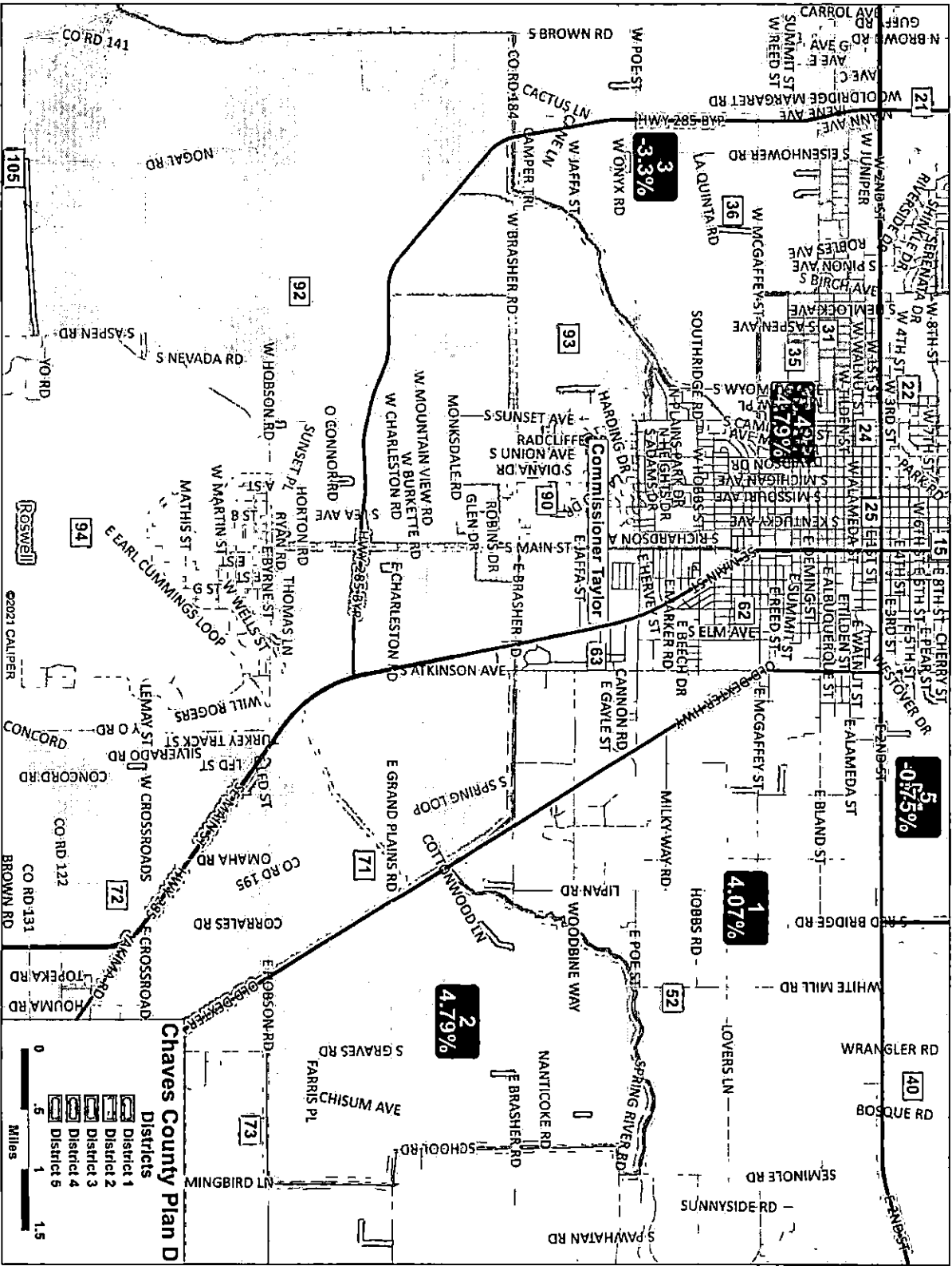
- District 1
- District 2
- District 3
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- District 5



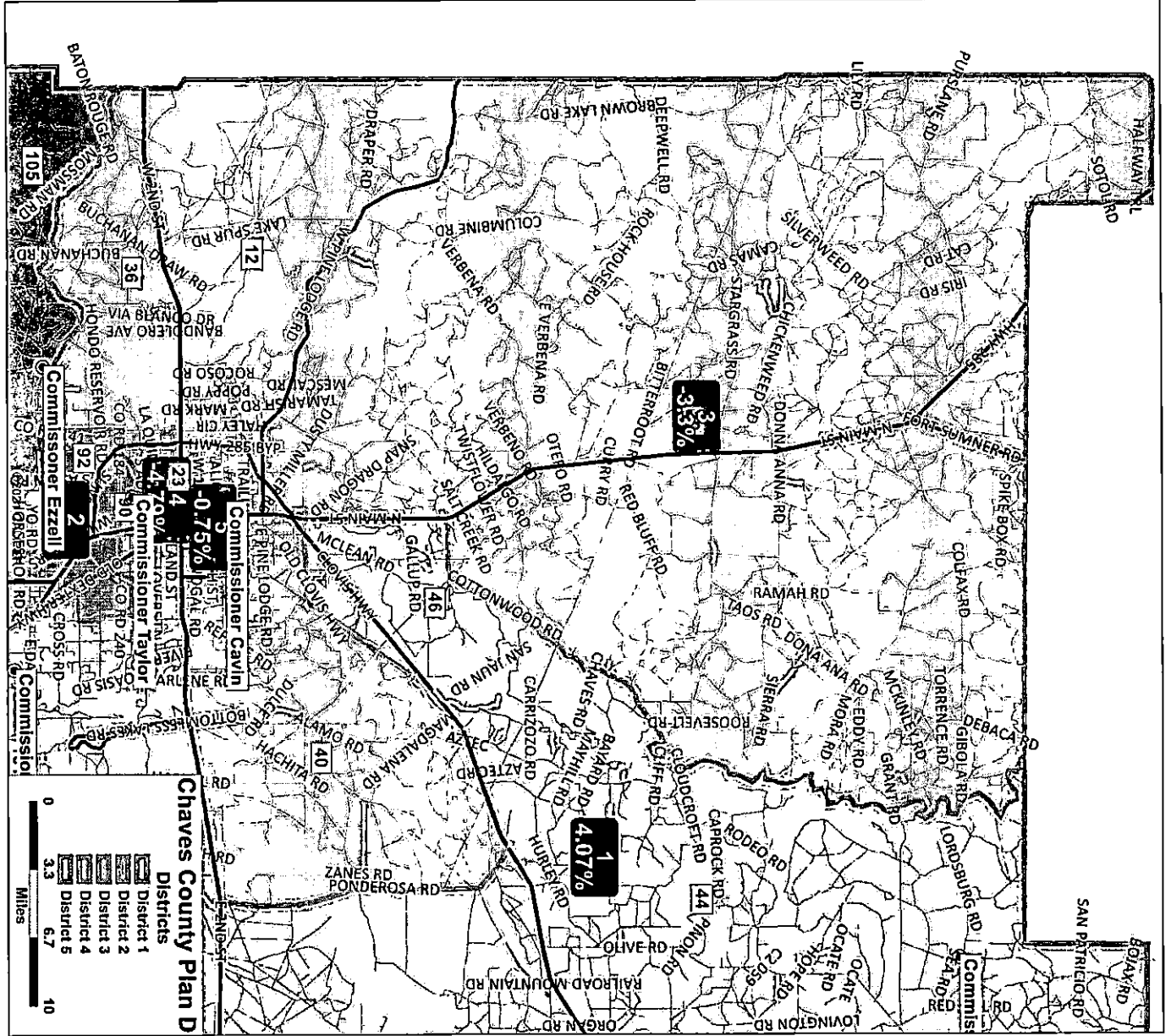
Chaves County Plan D District 2



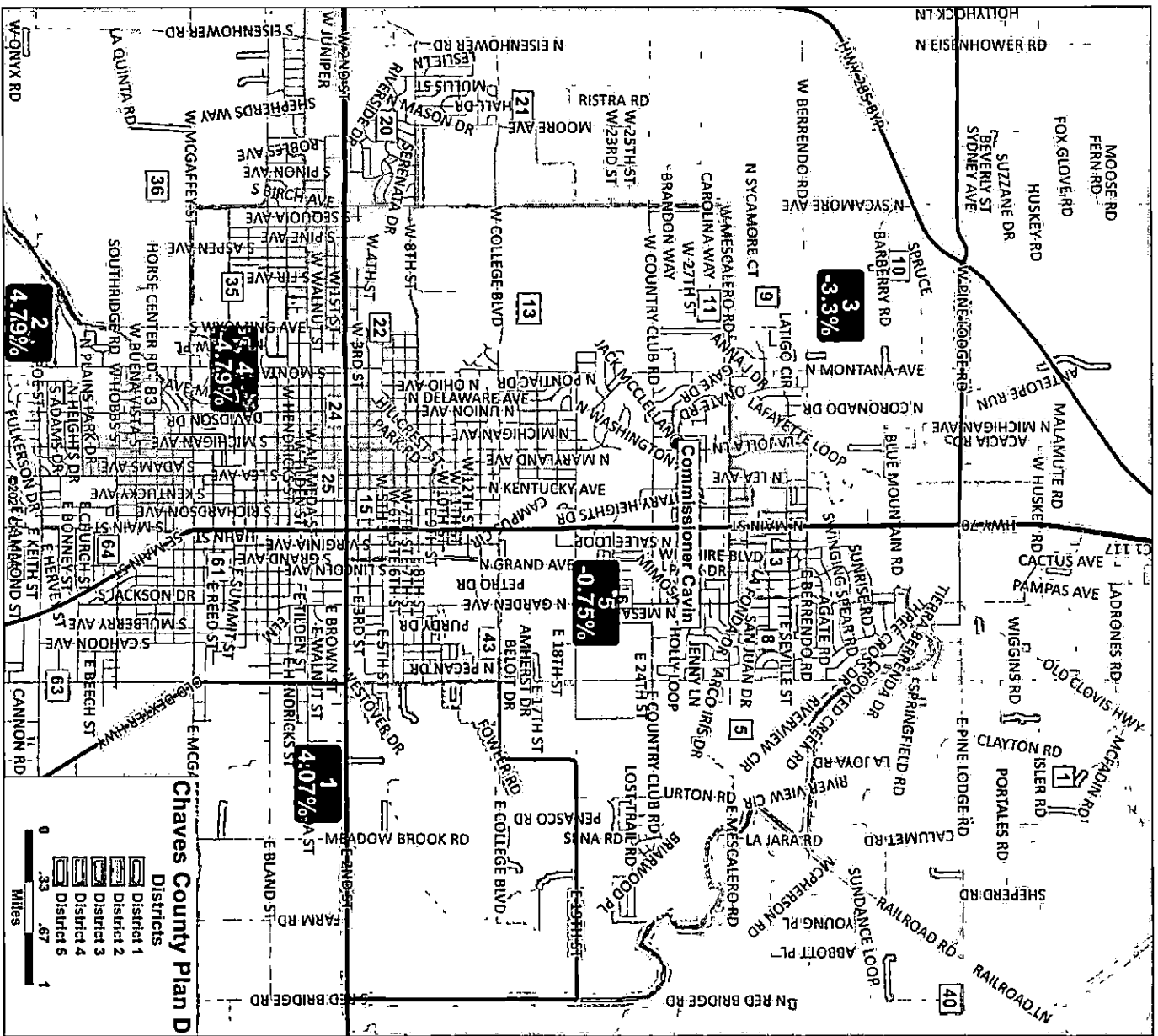
Chaves County Plan D District 2 Roswell Detail



Chaves County Plan D District 3



Chaves County Plan D District 3 Roswell Detail



Chaves County Plan D District 5 Detail

