



**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, FEBRUARY 17, 2022  
CHAVES COUNTY ADMINISTRATIVE CENTER – JOSEPH R SKEEN BUILDING  
#1 ST. MARY'S PLACE, ROSWELL, NM 88203**

**CALL TO ORDER**

Chairman Cavin called the meeting to order at 9:00 am.

**PLEDGE OF ALLEGIANCE**

Commissioner Dana led the pledge and Commissioner Bilberry led in prayer.

**DETERMINATION OF QUORUM**

Those present were Commissioners Cavin, Bilberry, Ezzell, Dana, and Taylor.

Also present were County Manager, Bill Williams, Public Services Director, Mac Rogers, County Attorney, Stan Riggs, Facility Maintenance Director, Scott Massey, Road Tech Supervisor, Angelo Gurule, IT Director, Alfredo Garcia, Chief Financial Officer, Anabel Barraza, County Clerk, Cindy Fuller, County Treasurer, Charlotte Gurule, Planning and Zoning Director, Louis Jaramillo, Sheriff, Mike Herrington, media, staff, and guests.

**APPROVAL OF MINUTES**

MOTION MADE TO: APPROVE THE MINUTES FROM THE MEETING HELD ON JANUARY 13, 2022  
MOTION MADE BY: COMMISSIONER DANA  
SECOND MADE BY: COMMISSIONER TAYLOR  
IN FAVOR: COMMISSIONERS CAVIN, BILBERRY, EZZELL, DANA AND TAYLOR  
OPPOSED: NONE

**PRESENTATION – CHAVES COUNTY FISCAL YEAR 2021 AUDIT**

*Presenter: Anabel Barraza, Chaves County Chief Financial Officer  
Shawn Mortensen, CPA, Audit Manager, Jaramillo Accounting Group*

Ms. Barraza stated that one of her favorite quotes is, "if everyone is moving forward then success takes care of itself". They had two different audits, the first one was a required audit, the second was a federal audit the County fell under due to going over the threshold of expending federal dollars. This was due to the Cares Act Grant. Ms. Barraza thanked the Commission, Department heads, Elected Officials, the County Manager, Chaves County employees, and her staff.

Shawn Mortensen stated this is his fifth year to audit Chaves County and he has always been impressed with the County. Mr. Mortensen presented the annual comprehensive financial report and pointed out that the County received the Certificate of Achievement for Excellence in Financial Reporting for its comprehensive annual financial report for the fiscal year ended June 30, 2020. Mr. Mortensen stated the Accounting Firm gave an unmodified "clean" opinion which is the highest assurance an entity can receive on their financial statements. He jumped to the Financial Highlights section to discuss comparative information showing a summary of each year side by side. The total net position, assets, and liabilities, in 2020 was \$161,285,392.00, 2021 was \$171,362,855.00. The next table shows the changes in net position or revenues and expenditures. Revenues for 2020 were 43.5 million and 2021 was 42.9 million. Expenses

decreased, 2020 was 37.9 million and 2021 was 32.8 million. The overall change in net position for 2020 was \$5.5 million and 2021 was just over \$10 million.

Mr. Mortensen went to the Statement of Net Position to discuss the overall government wide financials on a full accrual. This shows the overall position of the County. Total current assets are almost \$50 million while the total current liabilities are \$9.5 million. The ratio of current assets to current liabilities is excellent for the County. He stated the County has always been very strong financially. The next area of review was the Statement of Activities. The changes in net position are just over \$10 million in the positive. Major funds were looked at next on a modified accrual including the general fund, county road, indigent hospital claims, detention construction fund, and other capital projects.

Mr. Mortensen pointed out the Summary of Significant Accounting Policies and asked if there were any questions. There were no comments or questions from the Commissioners at this time. He stated because the County does an annual comprehensive report there is also a statistical section that presents the last prior ten years of financial results for the County. He proceeded to the Compliance Section and reviewed the Internal Auditor's Report which includes Internal Control Over Financial Reporting. The Accounting Firm does not express an opinion on the effectiveness of County's internal control. They did, however, identify a deficiency in internal control described in the accompanying Schedule of Findings and Questioned Costs as item 2021-001 that they consider to be a significant deficiency. He stated this is the first finding in five years and it was a unique circumstance. He pointed out that the results of their test show no instances of non-compliance or other matters that are required to be reported under government auditing standards.

Mr. Mortensen stated the next report was on Compliance For Each Major Federal Program. This was referred to by Anabel as the second audit that the County was subjected to. This report is required when they perform a single audit or an audit in compliance with the uniform guidance. The County, primarily due to the Cares Act Funds, expended over \$750,000.00 in federal money and this triggered the second audit. They audited the Cares Act Funds and in their opinion the County complied, in all material respects, with the types of compliance requirements that could have a direct and material effect on each of its other major federal programs for the year ended June 30, 2021. There were no findings in this audit. The COVID-19 relief fund was a major program and that is why the threshold of \$750,000.00 was exceeded.

On the Schedule of Findings, there was a complaint that was made and alleged time sheet fraud and personal use of County vehicle. Managements response to the finding was they concur with the finding and the Sheriff's Office will periodically use their GPS reporting to audit the shifts for their accuracy on dailies and odometers. The Sheriff's Office is already implementing daily debriefings to look at vehicle usage and time sheets. There will also be more trainings to detect fraud and prevent it. The Finance Department will also work with the Sheriff's Office to audit their transport reports monthly as another internal control. The steps have already been taken to remedy the situation. This is the first finding for Chaves County in the five years he has been doing the audit.

There were not any questions for Mr. Mortensen from the Commissioners. Ms. Barraza thanked Mr. Mortensen for all their hard work to get this accomplished. Commissioner Cavin stated that one finding says a lot about our Department Heads and County Managers, Bill, and Stan. Everybody is doing an amazing job. He thanked Mr. Mortensen for doing such a thorough audit. We do have a lot of funds coming through Chaves County and we will be good stewards of the taxpayers' dollars. Ms. Barraza thanked everyone for all their support and continued work on this. Sheriff Herrington asked if he could share and make a comment. He stated this was self-reported by him. They found this individual to be defrauding the department and the County of funds. He reported this, it wasn't a finding, he reported it as soon as they found it to be happening. He also wanted them to know that that individual was arrested and is now facing felony charges. When you're dealing with individuals there can be things happen that you don't always know about until you do an investigation and when we do find it, we act upon it immediately. This is not an ongoing problem it is something that the individual did. He stated

with the Commissioners, taxpayer money, the GPS system they have, and the camera system, and other things the Commission has provided for them they have been able to really monitor and hold people accountable across the board. He wanted them to know this is something they do not tolerate.

#### **PRESENTATION – CHAVES COUNTY FLOOD COMMISSIONER**

*Presenter: Timothy Jennings, Chaves County Flood Commissioner, 2716 N. Penn, #48*

Mr. Jennings stated Dick and his wife both got COVID, they are recovering well. Dick was hoping to be back on Wednesday and pour some concrete at Penasco for the project they have up there that was washed out in the hundred-year storm. They were ready on Wednesday, and it got delayed by the concrete people. They will get this done and then move on down the river to the next problem that was created in that storm. The storm on the Penasco River was probably the largest amount of water that's ever been reported to come through there. There's a gauge on the Dunken/Pinon Road and that was the largest amount ever recorded on that gauge. They have a significant number of old tires that came down from Alamogordo from someone who dumped them. There is a little cave that has started on the Hondo River that they will get fixed. Someone broke a pipe they had covering a drainage ditch by the Boys and Girls Club and they are working to fix this right away. They have some people working on the Howard Ranch.

They made Diversion 3 twelve feet wider and three or four feet taller and that was going along well until the water truck broke down. As soon as that gets fixed, they will finish wetting and packing and adding gravel. From the topography out there, it is still possible to have a rain and flood parts of Roswell. This does not alleviate all the problem. It's still a problem for the Rocky Dam not having a gate. A dam would be very helpful and would save us a lot. We have requested and requested from the Corps of Engineers for a gate to be put on Rocky Dam.

He appreciates their agenda item on requesting for the gates and for 380. The traffic level is there for a four lane. They are remodeling the UFO Museum and that's something to look at. There are about 650 visitors a day for every day of the year. This might also play a roll if we ever decide to do something with Hangar 84 and have another visiting spot.

#### **UPDATE ON THE ROSWELL CHAMBER OF COMMERCE**

*Presenter: Andrea Moore, President and CEO of the Roswell Chamber of Commerce*

Ms. Moore stated they have been very busy. Their next issue of the Roswell Now magazine will be hitting mailboxes at the end of February or the first week in March. They are thrilled to announce they are bringing back the Rise with Roswell breakfast which will be taking place on March 24<sup>th</sup> at the Fairgrounds. Doors open at 6:00 am, Tim Moffett, agricultural comedian will be speaking. They have not been able to have this event for the last two years. Tickets are \$25.00 per person or \$500.00 per table. They are looking for additional sponsors. Breakfast will be provided by Cerritos. They are also bringing back Fourth of July fireworks to Roswell and have secured Coffey Anderson who is a country western singer. They are hoping for the fireworks to start around 9:30 pm and have secured Cielo Grande for the event. The concert and fireworks will be free to the entire community. They are also looking for sponsors for this event.

Tomorrow is the grand re-opening for McDonald's south at 10:00 am. They have started a Meet and Greet series at the Chamber since we are in an election cycle. They have had two of the Governor candidates so far. Tonight, they will host four of the Municipal candidates beginning at 4:00 pm. They have reached out to every candidate and are more than happy to host everyone. Tomorrow at 5:30 they will be hosting Jay Block, Governor candidate, for a meet and greet. Thursday, 24<sup>th</sup>, Rebecca Dow is the last of the Governor candidates and will be at the Chamber for lunch. They have extended an invitation to Governor Michelle Lujan Grisham as well. They have reached out to other candidates and any candidate can contact the Chamber to set something up. They want to keep the community informed. The Chamber is fiscally sound, paying their bills, and paying the staff.

## **UPDATE ON THE ECONOMIC DEVELOPMENT CORPORATION**

*Presenter: Mike Espiritu, President*

Mike Espiritu stated last Saturday was the groundbreaking for Ascent Aviation. He thanked those that were there. This would not have happened without Senator Jennings asking for the money. Because of the Commissioners work and the work Bill has done, this project is moving forward. He handed out a flyer on the certification program at ENMU-R. This will help people enter the workforce and provides great skills for people to be successful. They have an industry day set up with Hagerman schools as well as all the school districts for a community career connections event. RISD held an opportunity fair. There are a number of students throughout Roswell that have been dropped from the rolls for chronic absentees. At the end of the day, it's about getting the kids back in school and graduated. This affects all levels, and the number of students is in the three digits. He appreciates the Sheriff reaching out to the young people. The Roswell Police Department is doing the same thing as well. They just had an industry day with NMMI. This school is not only a four-year high school but a two-year junior college. Not all the students go on to the junior college and their roll is to help guide the young people with a career path. They will do this every month and have industry partners that are helping talk to the young people.

They are working on the certified sites program at the Air Center and are finishing up the last pieces of it. This puts forty-four plus acres, shovel ready for us bringing in an attractive company to that area. This will be the second certified site and they hope to do more but there is a cost. He pointed out the agenda item to make 380 four lanes. This is a public safety issue and an economic development issue. He has been nominated and selected as the new Chairman of Board of Trustees at ENMMC.

Commissioner Ezzell thanked Mr. Espiritu for the wonderful job he did organizing the Ascent event. Commissioner Taylor thanked him as well. Commissioner Cavin stated there are a lot of great things happening here. He asked if Admiral's warehouse is almost finished. Mr. Espiritu stated they should be in operation by early summer. Commissioner Cavin congratulated him on his new position at the local hospital.

## **UPDATE ON THE NMSU COOPERATIVE EXTENSION OFFICE**

*Presenter: Andrea Stapp, Extension 4-H Agent*

Ms. Stapp stated 2021 was definitely a year of transition for their office. Shanon Wooten retired and was replaced by Tamara Shubert. Troy Thompson moved on and was replaced by Andrew Garnett. Tamara introduced herself as the new FCS Agent and stated she is excited to be back. Ms. Stapp stated they got creative last year, conducted soil temps, and attended a lot of meetings. They receive a lot of horticulture questions, have gardening programs, a kitchen creations program, strong bones classes, and they made some healthy kids fitness challenge videos as well as held cooking and nutrition classes. The 4H clubs were able to meet by zoom. They had 190 youth enrolled last year as well as 20 adults, which is a decrease from prior years. They had 4H Council which was able to lead an officer training to teach parliamentary procedure. They held workshops on jewelry, leather, braiding, crocheting, and sewing, and those projects were submitted at the Fair. They started shooting sports in March. For Fairs they had 128 youth show 334 livestock. They had 17 participate in the horse show and rodeo. They took on a new project of running the ice cream parlor at the Eastern New Mexico state fair. This was a success and they made around \$2,400.00 after expenses.

Commissioner Dana welcomed Tamara and Drew Garnett. She appreciates the shooting sports. Commissioner Cavin stated these programs area a cornerstone to our community and crucial to our nation.

**AGENDA ITEMS  
PUBLIC HEARINGS**

**1. CASE Z-2021-7 – VARIANCE TO THE REQUIRED SETBACKS IN AG-RES DISTRICT**

*Presenter: Louis Jaramillo, Planning and Zoning Director*

Mr. Jaramillo stated this case is to approve or deny a variance of 60-feet to the required 80-foot residential setback requirement from the Half-Section Line per Article VII. This request also includes a variance to the 40-foot Road Setback requirement from the Half-Section Line per Article III. Commissioner Cavin opened the public hearing for public comment.

IN FAVOR: Daniel Moreno, 573 E. Comanche Rd., Dexter, NM  
Dan Reynolds, Renew Electric, 207 Squirrel Ave, Cloudcroft, NM  
No one online

OPPOSED: No one in the Chamber  
No one online

Commissioner Cavin closed the public hearing from public comment. There was no further discussion or questions from the Commissioners.

MOTION MADE TO: APPROVE THE VARIANCE FOR CASE Z-2021-7 SUBJECT TO THE FINDINGS OF FACT  
MOTION MADE BY: COMMISSIONER EZZELL  
SECOND MADE BY: COMMISSIONER TAYLOR  
IN FAVOR: COMMISSIONERS CAVIN, BILBERRY, EZZELL, DANA, AND TAYLOR  
OPPOSED: NONE

**AGREEMENTS AND RESOLUTIONS**

**2.RESOLUTION R-22-006 – APPROVAL OF DWI GRANT AND DISTRIBUTION APPLICATION FOR FY 23**

*Presenter: Elly Hollon, DWI Coordinator*

Ms. Hollon stated the Chaves County DWI Program would like approval to submit the FY 23 Local DWI Grant and Distribution application. The estimated distribution amount for FY 23 is \$463,048.00. The Chaves County DWI Program is requesting under the competitive grant in the amount of \$52,500.00. This amount will fund a full-time treatment provider. The application will fund the project year July 1, 2022, through June 30, 2023. Staff recommends approval.

Further discussion from the Commission:

Commissioner Taylor stated he will abstain from voting on this item as well as agenda item #12 because his wife works with the DWI program.

MOTION MADE TO: APPROVE RESOLUTION R-22-006  
MOTION MADE BY: COMMISSIONER DANA  
SECOND MADE BY: COMMISSIONER BILBERRY  
IN FAVOR: COMMISSIONERS CAVIN, BILBERRY, EZZELL, AND DANA  
OPPOSED: NONE  
ABSTAIN: COMMISSIONER TAYLOR

**3. RESOLUTION R-22-007 – OPPOSING THE 2021 ADOPTED NEW MEXICO CONGRESSIONAL DISTRICTS**

*Presenter: Bill Williams, Chaves County Manager*

Mr. Williams stated this resolution opposes the 2021 adopted State of New Mexico Congressional Districts, as they do not meet the requirements of the Redistricting Act, failing to meet the communities of interest criterion. Staff recommends approval. Mr. Williams read the resolution out loud. There was no further discussion or questions from the Commission.

MOTION MADE TO: APPROVE RESOLUTION R-22-007  
MOTION MADE BY: COMMISSIONER BILBERRY  
SECOND MADE BY: COMMISSIONER TAYLOR  
IN FAVOR: COMMISSIONERS CAVIN, BILBERRY, EZZELL, DANA AND TAYLOR  
OPPOSED: NONE

**4. RESOLUTION R-22-008 – OPPOSING US SENATE BILL 2980**

*Presenter: Bill Williams, Chaves County Manager*

Mr. Williams stated this resolution opposes US Senate Bill 2980, the Wildlife-Livestock Conflict Resolution Act. S2980 allows for donation, only in New Mexico, of US Forest Service grazing permits which once donated are permanently retired. This appears to be another attempt to remove beneficial uses of Federal Lands for the production of food, fiber, timber and minerals so that they can be more easily set aside to achieve the Administrations 30x30 conservation goals. Staff recommends approval. Mr. Williams read the resolution out loud. There was no further discussion or questions from the Commission.

MOTION MADE TO: APPROVE RESOLUTION R-22-008  
MOTION MADE BY: COMMISSIONER BILBERRY  
SECOND MADE BY: COMMISSIONER EZZELL  
IN FAVOR: COMMISSIONERS CAVIN, BILBERRY, EZZELL, DANA AND TAYLOR  
OPPOSED: NONE

**5. RESOLUTION R-22-009 – OPPOSING HOUSE BILL 36**

*Presenter: Bill Williams, Chaves County Manager*

Mr. Williams stated this resolution opposes House Bill 36, currently being considered in the New Mexico Legislature. House Bill 36 proposes to amend the Natural Heritage Act by providing means to fund acquisitions of land and other interests in land. Providing funding for acquisitions of land as proposed would substantially reduce revenues available for state and local governments, education, and infrastructure and would significantly impact the already tenuous position of the New Mexico economy. Additionally, the terminology "other interests in land" is vague and ambiguous leaving individuals an opportunity to utilize the term subjectively for purposes not in the interest of the public. Finally, the true purpose of this bill appears to be a means to fill the Governor's Executive Order to place 30% of New Mexico's lands and waters into permanent conservation status by the year 2030. Staff recommends approval. Mr. Williams read the resolution out loud.

Further discussion from the Commission: Commissioner Ezzell pointed out this is consistent with the County Comprehensive Plan which provides that there be no net loss of private property.

MOTION MADE TO: APPROVE RESOLUTION R-22-009  
MOTION MADE BY: COMMISSIONER EZZELL  
SECOND MADE BY: COMMISSIONER BILBERRY  
IN FAVOR: COMMISSIONERS CAVIN, BILBERRY, EZZELL, DANA AND TAYLOR  
OPPOSED: NONE

**6. RESOLUTION R-22-010 – DECLARING THE INTENT OF CHAVES COUNTY TO ISSUE INDUSTRIAL REVENUE BONDS ON BEHALF OF NEXTERA ENERGY RESOURCES LLC**

*Presenter: Bill Williams, Chaves County Manager*

Mr. Williams stated Resolution R-22-010, if approved, would begin the process whereby Chaves County would issue 24-year industrial revenue bonds in an amount up to \$50,000,000.00 on behalf of Nextera Energy Resources, LLC, for a proposed solar farm in Chaves County. Chaves County is currently finalizing the PILOT, (payment in lieu of taxes), funds which would be paid over the entire life of the bonds. No bonds shall be issued until the County Commission approves an ordinance authorizing the issuance of the bonds. This resolution is commonly referred to as an "inducement resolution" and in no way obligates the County to any further action unless approved by the County Commission. Staff is requesting permission to publish for a public hearing as required to issue IRB's. Staff recommends approval.

Stan Riggs stated this is the beginning of the process and there have been a couple of changes that have been made. Mr. Williams pointed out that these are not 30-year bonds because they negotiated that they would end at the same time as the original bonds of the original Chaves County Solar Project.

There was no further discussion or questions from the Commission.

MOTION MADE TO: APPROVE RESOLUTION R-22-010 AND GRANT PERMISSION TO PUBLISH FOR A PUBLIC HEARING  
MOTION MADE BY: COMMISSIONER EZZELL  
SECOND MADE BY: COMMISSIONER BILBERRY  
IN FAVOR: CAVIN, BILBERRY, EZZELL, DANA AND TAYLOR  
OPPOSED: NONE

**7. RESOLUTION R-22-011 – OPPOSING WITHDRAWAL OF 2020 RULE FOR WOTUS**

*Presenter: Bill Williams, Chaves County Manager*

Mr. Williams stated Resolution R-22-011 opposes the withdrawal of the 2020 Navigable Water Protection Rule and the revised definition of Waters of the United States (WOTUS) because it expands jurisdiction beyond the Clean Water Act's constitutional limits, eliminates long standing agricultural exemptions and interferes with the County's ability to provide for public safety by building and maintaining roads and roadside ditches, flood control channels, drainage conveyances, and culverts not associated with naturally occurring bodies of water. Staff recommends approval. Mr. Williams read the resolution out loud.

MOTION MADE TO: APPROVE RESOLUTION R-22-011  
MOTION MADE BY: COMMISSIONER BILBERRY  
SECOND MADE BY: COMMISSIONER EZZELL  
IN FAVOR: COMMISSIONERS CAVIN, BILBERRY, EZZELL, DANA AND TAYLOR  
OPPOSED: NONE

Further discussion from the Commission: Commissioner Cavin stated in their NACO meetings in Washington DC, Public Lands committee and Ag committee, they put together a resolution in opposition to what these new regulations and definitions of our waters are and it passed unanimously from the NACO Board. There is national opposition to these changes in WOTUS. We should not be trying to regulate from the top down but from the bottom up. People from federal offices should not try to dictate. The Sackett case is before the Supreme Court and will be important.

**8. RESOLUTION R-22-012 – REQUESTING THE US ARMY CORPS OF ENGINEERS DESIGN AND CONSTRUCT A GATE ON THE ROCKY DAM**

*Presenter: Bill Williams, Chaves County Manager*

Mr. Williams stated this resolution requests that the Army Corps of Engineers install a gate on the Rocky Dam to greatly improve public safety and reduce the likelihood of a reoccurrence of a flood event such as the one witnessed in 2021. Staff recommends approval. Mr. Williams read the resolution out loud.

MOTION MADE TO: APPROVE RESOLUTION R-22-012  
MOTION MADE BY: COMMISSIONER TAYLOR  
SECOND MADE BY: COMMISSIONER BILBERRY  
IN FAVOR: CAVIN, BILBERRY, EZZELL, DANA AND TAYLOR  
OPPOSED: NONE

**9. RESOLUTION R-22-013 – SUPPORTING FUNDING FOR US-380 AND FOUR-LANE DESIGN**

*Presenter: Bill Williams, Chaves County Manager*

Mr. Williams stated this resolution supports the proposed \$46 million dollars in funding for the design, construction, and acquisition of rights of way for US-380 from mile marker 158, (Roswell), to the Texas State Line. Additionally, it is requested that US-380 be designed as a four-lane highway with any additional funding provided for its completion. Mr. Williams read the resolution out loud. Staff recommends approval.

Further discussion from the Commission: Commission Cavin stated there has been a lot of great work on this by our Legislators over the years. The funding is coming from the federal government. We have unanimous support on both sides of the aisle and the Governor's Office.

MOTION MADE TO: APPROVE RESOLUTION R-22-013  
MOTION MADE BY: COMMISSIONER BILBERRY  
SECOND MADE BY: COMMISSIONER EZZELL  
IN FAVOR: CAVIN, BILBERRY, EZZELL, DANA AND TAYLOR  
OPPOSED: NONE

**10. RESOLUTION R-22-014 – ACCEPTANCE AND APPROVAL OF FY 21 AUDIT**

*Presenter: Anabel Barraza, Chief Financial Officer*

Ms. Barraza stated the Local Government Division's new requirement pursuant to Section 2.2.2.10M (4) NMAC with regard to the Acceptance and Approval of Audits requires the Governing Body to acknowledge and accept the Fiscal Year 2021 audit. Staff recommends approval. There was no further discussion or questions from the Commission.

MOTION MADE TO: APPROVE RESOLUTION R-22-014  
MOTION MADE BY: COMMISSIONER EZZELL  
SECOND MADE BY: COMMISSIONER BILBERRY  
IN FAVOR: CAVIN, BILBERRY, EZZELL, DANA AND TAYLOR  
OPPOSED: NONE

**11. RESOLUTION R-22-015 - SUPPORTING HOUSE BILL 181 AND SENATE BILL 186 REQUIRING THE STATE OF NEW MEXICO TO MAKE PILT PAYMENTS**

*Presenter: Mac Rogers, Public Services Director*

Mr. Rogers stated this resolution supports House Bill 181 and Senate Bill 186 being considered in the New Mexico Legislature. Either of these bills would require PILT payments to local public bodies when the State of New Mexico acquires land through direct purchase or eminent domain. State and Federal lands are currently tax-exempt, removed from the property tax rolls. Chaves County and other local public bodies rely on revenue generated by taxes on private property. Staff recommends approval. Mr. Rogers read the resolution out loud.

Further discussion from the Commission: Commissioner Ezzell asked if they would like to stick with the language in the comprehensive plan or ask for PILT? Passing this lessens our stand in the comprehensive plan. If we pass this, they will think they can acquire land and throw a little money at the County PILT.

MOTION MADE TO: TABLE RESOLUTION R-22-015  
MOTION MADE BY: COMMISSIONER EZZELL  
SECOND MADE BY: COMMISSIONER BILBERRY  
IN FAVOR: CAVIN, BILBERRY, EZZELL, DANA AND TAYLOR  
OPPOSED: NONE

**ITB'S/RFP'S**

**12. RFP-21-3 – DWI PROGRAM SERVICES FOR CHAVES COUNTY**

*Presenter: Sandra Rodriguez, Purchasing Director*

Ms. Rodriguez stated the County solicited for five different components under the RFP, Jailed Based Treatment Program, Domestic Violence Prevention, DWI Screener, DWI Treatment, and DWI Prevention Educator. Chaves County received one proposal for each component. All proposals were reviewed and found responsive. If awarded, a contract will be negotiated and brought back before Commission at the next meeting. Contract terms would run from July 1, 2022, to June 30, 2023, with the option to renew for up to three additional one-year terms. Staff recommends award be made to Roswell WINGS for L.I.F.E., The Roswell Refuge, Anaya Counseling and Consulting Services, Serenity Counseling, and Diane Taylor, Prevention Specialist.

Further discussion from the Commission: Commissioner Taylor will abstain from discussion or voting as his wife works with the DWI program.

MOTION MADE TO: APPROVE RFP 21-3  
MOTION MADE BY: COMMISSIONER DANA  
SECOND MADE BY: COMMISSIONER BILBERRY  
IN FAVOR: COMMISSIONERS CAVIN, BILBERRY, EZZELL, AND DANA  
OPPOSED: NONE  
ABSTAIN: COMMISSIONER TAYLOR



**OTHER BUSINESS**

**13. 2022 COMMISSION COMMITTEE ASSIGNMENTS**

*Presenter: Bill Williams, Chaves County Manager*

Mr. Williams stated each year the Board of Commissioners are appointed to serve on standing committees. The appointments run from January 1 to December 31 of each year. The following is a list of the committees on which the Commissioners must serve: Finance/Investment, Road, Detention, Facilities, Fire, NMC Legislative, NACO Legislative, IHC, DWI, Extraterritorial Zoning Authority (ETZ), Chaves County Lands, Economic Development Planning, Southeastern NM Economic Development District (SNMEDD), Coalition of Arizona/New Mexico Counties, Special Projects, and Chamber. Approval is requested for the appointments of Commissioners to the 2022 Commission Committees. A tentative list is included of assignments. There was no further discussion or questions from the Commission.

MOTION MADE TO: APPROVE 2022 COMMISSION COMMITTEE ASSIGNMENTS  
MOTION MADE BY: COMMISSIONER BILBERRY  
SECOND MADE BY: COMMISSIONER EZZELL  
IN FAVOR: COMMISSIONERS CAVIN, BILBERRY, EZZELL, DANA, AND TAYLOR  
OPPOSED: NONE

**14. 2022 CHAVES COUNTY ANNUAL ROAD HEARING APPLICATIONS AND APPOINTMENT OF FREEHOLDERS**

*Presenter: Mac Rogers, Public Services Director*

Mr. Rogers stated they received seven applications by the February 4<sup>th</sup> deadline. Four of the requests are maintenance status change requests and three are road vacation requests. Three Freeholders must be appointed to view the road requests and make a report thereof to the Board of County Commissioners. The following individuals have been nominated by staff: Joel Smith, Roswell, NM, Paul Pappas, Roswell, NM, Andrea Stapp, Roswell, NM, and Sean Benedict, Roswell, NM as an alternate. Staff recommends approval.

There was no further discussion or questions from the Commission.

MOTION MADE TO: APPROVE ROAD HEARING APPLICATIONS AND APPOINTMENT OF FREEHOLDERS  
MOTION MADE BY: COMMISSIONER DANA  
SECOND MADE BY: COMMISSIONER EZZELL  
IN FAVOR: COMMISSIONERS CAVIN, BILBERRY, EZZELL, DANA, AND TAYLOR  
OPPOSED: NONE

**APPROVAL OF CHECKS**

MOTION MADE TO: APPROVE CHECKS IN THE AMOUNT OF \$1,882,672.03  
MOTION MADE BY: COMMISSIONER DANA  
SECOND MADE BY: COMMISSIONER TAYLOR  
IN FAVOR: CAVIN, BILBERRY, EZZELL, DANA AND TAYLOR  
OPPOSED: NONE

**APPROVAL OF REPORTS**

MOTION MADE TO: APPROVE REPORTS FOR THE PERIOD  
MOTION MADE BY: COMMISSIONER DARA  
SECOND MADE BY: COMMISSIONER EZZELL  
IN FAVOR: CAVIN, BILBERRY, EZZELL, DANA AND 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.**

There were no comments from anyone in the chamber or online.

## **MANAGER'S COMMUNICATION**

Mr. Williams stated it's nice to look out and see people from our community joining us today. He thanked Stan for working with all the Attorneys on the Inducement Resolution. It took quite a bit of work. He thanked all the staff and especially the Clerk and the Clerk's Office. They run elections and do a great job of it, and he thanked them for the hard work. He is excited that the Rise with Roswell event is coming back. It's his favorite event of the year. He thanked the Cooperative Extension Service for working so hard to keep our kids interested in the production of food, fiber, timber, and minerals and providing for our future agriculturalists in our community. He is thankful there is an understanding, from what they saw at NACO, of what Waters Of the US represents and how it can adversely affect both our ability to do our jobs as local governments but also for agriculturists doing their jobs.

## **COMMISSIONERS' COMMUNICATIONS**

### **COMMISSIONER TAYLOR**

Commissioner Taylor thanked Anabel and her staff for another great job. It's good to see we have another good audit report. He stated economic development is our key, and education, and some of the things we see going on, and the possibility of more things at the Air Center are just going to enhance our County, City, and Southeast New Mexico. He stated all residents in Roswell go vote.

### **COMMISSIONER DANA**

Commissioner Dana stated she would like to thank her county family for the beautiful flowers that were sent when her mother passed away. It was a month today. She appreciated it. She thanked Anabel for the audit and stated we were also recognized by New Mexico Counties. The economic development is very important. Without jobs there are no taxes, it's a snowball effect. She appreciates what EDC is doing. She talked with Andrea Moore the other day about the hospital, Eastern. We have a lot of traveling nurses, and she would like for them to receive a welcome packet to tell them what is going on in Chaves County. If they had a connection here maybe they wouldn't feel like they need to leave. We need our healthcare workers and kids to stay here and invest in our community. She's hoping we can partner with the Chamber and the hospitals.

### **COMMISSIONER EZZELL**

Commissioner Ezzell congratulated Anabel and stated they always do a great job. He thanked all Department heads and thanked the entire Chaves County family for the beautiful flowers they sent to his mother's funeral.

### **COMMISSIONER BILBERRY**

Commissioner Bilberry thanked everyone for all their hard work, and he appreciates this family. Chaves County is the gold standard in New Mexico.

### **COMMISSIONER CAVIN**

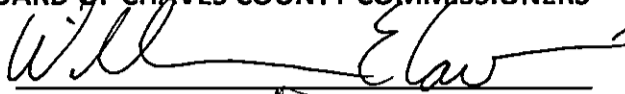
Commissioner Cavin stated he would like to echo everything that has already been said. We are the family of good old boys and good old girls. We work hard to do our best for our constituents and for Chaves County and Southeast New Mexico. We are an amazing family, and he appreciates everything everyone does. He thanked everyone for sitting through all the presentations this morning, he thinks it's important to hear from other entities. It's great to have Andrea, Mike, and Ms. Stapp, as well as Tim Jennings here to give updates.

He thinks it's extremely important that we have a presence in Washington DC with NACO and New Mexico Counties. It's imperative that we have a voice at the table because if not, we'd have a Commissioner from Santa Fe County that would be telling the whole world that what Santa Fe believes is what every other County in this State believes. One voice does not speak for all of New Mexico. They passed some great resolutions to protect water rights and tried to force the federal government to define conservation in the 30x30 deal. In their last meeting they had the Department of Interior and USDA in the meeting, and they've started an atlas for the 30x30 stuff. Their deal was "trust us". How do we trust them?

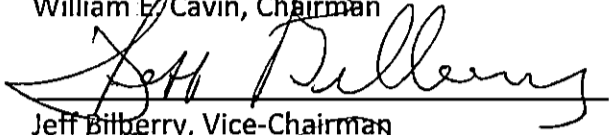
There is going to be a summit in Nebraska in April. There will be a lot of people there and that deal, "just trust us" isn't working. They need to gain our trust, show us what that trust looks like. These guys at the federal level are really good at moving the goal line. At the County level we have the ability to say "whoa", you guys are supposed to be coordinating with us.

The meeting was adjourned at 11:34 am.

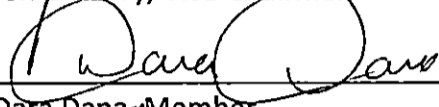
**BOARD OF CHAVES COUNTY COMMISSIONERS**



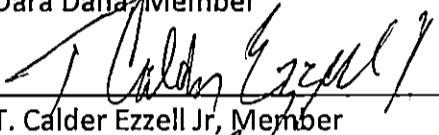
William E. Cavin, Chairman



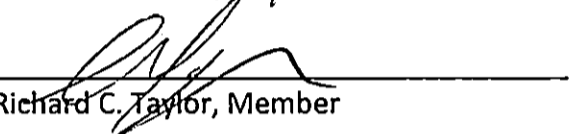
Jeff Bilberry, Vice-Chairman



Dara Dana, Member

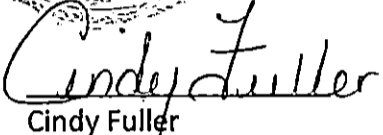


T. Calder Ezzell Jr, Member



Richard C. Taylor, Member





Cindy Fuller