

May 6, 2008
Roosevelt County Courthouse
Portales, New Mexico 88130

The Roosevelt County Commission met in regular session Tuesday May 6, 2008, at 9:00 am in the Commissioner's Room in the Courthouse, with those present being: Commissioners Gene Creighton, Bill Cathey, Paul Grider, Dennis Lopez, and David Sanders, County Manager Charlene Hardin, County Attorney Randy Knudson, County Clerk Janet Collins, Clerk's Chief Deputy Linda Connelly, Deputy Rick Short, Deputy Malin Parker, Detention Lieutenant Don Burdine, Road Superintendent John Bohm, Ricky Lovato, County Treasurer Nancy Belcher, County Assessor Tex Belcher, County Rural Addresser Wayne Victor, Rev. Gary Piepkorn, Fire Chief John Bridges, City Emergency Management Director Keith Wattenbarger, Fair Board President Tim Allison, Ralph and Lynelle Gilman, David Stone, Cliff Neece, Hugh Frank, Chad Lydick, and Portales News-Tribune Reporter Helena Rodriguez, KSEL Radio Reporter Casey Peacock.

Chairman David Sanders called the Meeting to order.

Rev. Gary Piepkorn led an invocation and John Bohm led the Pledge of Allegiance and the Salute to the Flag of the State of New Mexico.

Motion to **Approve Minutes** of the April 1, 2008 Regular Meeting was made by Commissioner Grider with a second by Commissioner Cathey. 5 yes votes.
Motion to **Approve Minutes** of the April 22, 2008 Budget Workshop Meeting was made by Commissioner Creighton with a second by Commissioner Grider. 5 yes votes.
Motion to **Ratify Bills and Payroll** through May 6, 2008 was made by Commissioner Grider with a second by Commissioner Creighton. 5 yes votes.

Public Hearing Gilman Subdivision

Chad Lydick from Lydick Engineers presented the plat and plans for the Gilman Subdivision to the Commission. The subdivision will be west of town on NM 236 in section 21 Township 1 South, Range 34 East. Mr. Lydick has made changes in the access roadway and drainage after a previous public hearing with the city. Commissioner Grider questioned what type of roadway surface would be used for the access. Mr. Lydick explained that it would be double chip seal, or preferably asphalt, if the price was comparable. Each building pad would be elevated along with the access road. The access would be limited to a single driveway onto the highway for safety. Motion to go into Public Hearing was made by Commissioner Lopez at 9:14 with a second by Commissioner Cathey. 5 yes votes. Chairman Sanders asked for any input or questions from the public regarding the subdivision. There was none. Commissioner Grider made a motion to come out of Public hearing with a second by Commissioner Lopez at 9:16. 5 yes votes.

Approve Preliminary Plat Gilman Subdivision

Commissioner Creighton made a motion to approve the Preliminary Plat for the Gilman Subdivision. Commissioner Cathey seconded the motion. 5 yes votes.

Approve Partial Vacation of Southern Hills Subdivision

County Manager Hardin presented a request to vacate 36 lots in the Southern Hills Subdivision. Dedicated streets and alleys were never developed in the affected area. Motion to vacate the lots as shown on the plat was made by Commissioner Grider with a second by Commissioner Lopez. 5 yes votes.

State Forestry Smoking, Firework, Campfire and Open Fire Restrictions- Chief John Bridges

Fire Chief Bridges addressed the Commission regarding the state fire ban and brought to their attention some of the aspects of the restrictions. Open burning, smoking, fireworks, campfires, and open fires are prohibited unless special conditions are met.

Memorandum of Understanding Between 9th Judicial District Attorney's Office and Roosevelt County to provide funding to Plan, Design, Renovate and Equip District Attorney's Office in Portales

Manager Hardin recommended that the MOU be approved to transfer capital outlay funds of \$180,000 in grant money to the county for use in the office renovations. Motion to approve the MOU was made by Commissioner Lopez with a second by Commissioner Creighton. 5 yes votes.

Agreement to Facilitate Video Arraignment Between Administrative Office of the Courts and Roosevelt County.

County Manager Hardin recommended that the Commission renew the yearly agreement for video arraignment with the Administrative Office of the Courts. Motion to approve the agreement was made by Commissioner Grider with a second by Commissioner Lopez. 5 yes votes.

Joint Powers Agreement between Curry County and Roosevelt County to House Juvenile Inmates

Manager Hardin recommended that the County enter into the joint powers agreement with Curry County that raises the daily rate on Juvenile Inmates from \$85 to \$125. Curry County is not currently accepting juveniles but anticipate the facility being available in the future. It was noted that the county is still trying to bill parents for the associated costs and that some money is being collected. A motion to approve the agreement was made by Commissioner Cathey with a second by Commissioner Creighton. 5 yes votes

Joint Powers Agreement between Quay County and Roosevelt County to House Inmates

Manager Hardin recommended that the Commission approve this agreement also as housing space for a juvenile offender is limited. The Quay County Detention Center is not currently accepting juveniles but is working to reopen. A motion to approve the agreement was made by Commissioner Grider with a second by Commissioner Cathey. 5 yes votes.

FEMA Community Partner Memorandum of Agreement

Wayne Victor, Rural Addresser for Roosevelt County, has met with FEMA representatives regarding Flood Mapping for the entire county. He reported that there would be a study to map the flood areas and to produce an updated digital flood map. The mapping will be used for planning and flood insurance availability. Commissioner Lopez asked to be included in the process of declaring flood zones for his district. He has had several complaints from his constituents regarding the areas declared as a flood zone. A motion to approve the FEMA Community Partner Memorandum of Agreement for flood mapping and zoning was made by Commissioner Lopez with a second by Commissioner Grider. 5 yes votes.

Resolution 08-08 Supporting HR 5698 to Remove the Inmate Limitations from Medicaid, Medicare and SSI Benefits for Persons in Custody Pending Disposition of Charges.

Manager Hardin recommended the adoption of Resolution 08-08. HR 5698 would prevent the Federal Government from stripping individuals of the Medicare, Medicaid, SSI, and SCHIP benefits prior to being convicted. NMAC strongly urged all the counties to support the bill. Motion to adopt Resolution 08-08 was made by Commissioner Creighton with a second by Commissioner Cathey. 5 yes votes.

Resolution 08-09 Budget Adjustment Allocating Grant Funding to Traffic Grants Fund

The NMDOT awarded Grant funds of \$6,517 to the Sheriff's Office. They are to be divided as \$3,000 to overtime salary and \$3,517 to Commodities. A motion to adopt Resolution 08-09 was made by Commissioner Lopez with a second by Commissioner Creighton. 5 yes votes.

Inmate Work Release

Commissioner Creighton questioned why there are so few inmates working and how more of them could be outside the detention center on work detail. Detention Lieutenant Don Burdine replied that only inmates that have been sentenced to county time are eligible to work. The number is limited to about 5% of the detention population and that the kitchen work and work at the fair grounds and courthouse take all the eligible inmates. County Manager Hardin and Deputy Malin Parker added that the liability of having an inmate that might injury himself or others was a big issue and that Judges were reluctant to have inmates released for work detail.

Consider Sheriff Request to revise Personnel Ordinance

Deputy Malin Parker made a request to the Commission to revise Section 9, subsection D of the personnel ordinance. They request that the 86 hour rule be changed to an 80 hour rule when Grant Money is involved. The 86 hour rule will still be used for regular overtime pay. The revision will need to be brought back to the Commission later.

Elected Officials/Department Heads

Deputy Malin Parker reported that the office had been very busy and had busted 3 meth labs. Deputy Rick Short reported that there had been 76 reports, 39 arrests and over 70 citations in the month of April.

Detention Center Lieutenant Don Burdine reported that he is housing 78 detainees, 9 of which are female.

John Bohm Road Superintendent reported that his crews had been helping to fight grass fires and were willing to help Lea County Fire Fighters if they were in the area.

Manager Charlene Hardin reported that the Lea County Detention center was no longer available for Juvenile Offender housing, county fuel storage tanks would need to be insured, and that the preliminary budget would be presented for adoption May 20.

Commissioner Lopez thanked the other Commissioners and others who participated in the NMAC meeting in Portales.

Commissioner Sanders introduced Mr. David Stone. Mr. Stone made a request from the Portales High School Class of 1958 to place a war memorial on the courthouse lawn. The Commission will investigate the renovation plans by the Mainstreet Committee to see where the memorial could be placed and meet with the Alumni at a later date.

Commissioner Creighton thanked Fire Chief Bridges for his work in the county.

Fair Board President Tim Allison reported that the Fair buildings and grounds are being prepared for this years fair and the board was working toward additional grant money.

Public Input

Fire Chief Bridges reported that the CPR class at the NMAC had been well attended and received and thanked the road department for their help in fighting grass fires.

Keith Wattenbarger reported that a FEMA grant of \$50,000 was a possibility and a meeting to pin point areas of need will be held in September.

Executive Session pursuant to 10-15-1 NMSA 1978 Commissioner Grider made a motion to go into executive session to discuss limited personnel matters at 10:15 am. Commissioner Lopez made a second. 5 yes votes. At 10:47 am, Commissioner Creighton made a motion to come out of executive session with a second by Commissioner Grider.

Action required from Executive Session

No action was taken and none required.

Media Communication

None

Meeting adjourned.

ATTEST:

BOARD OF ROOSEVELT COUNTY
COMMISSIONERS

E. Janet Collins
County Clerk

David C. Sanders
Commission Chairman