

April 15, 2014
Roosevelt County Courthouse
Portales, New Mexico 88130

The Roosevelt County Commission met in regular business meeting Tuesday, April 15, 2014, at 9:00 a.m. in the Commissioner's Room in the Courthouse with those present being: Commissioner Kendell Buzard, Commissioner Bill Cathey, Commissioner Richard Leal, Commissioner Jake Lopez, Commissioner Scott Burton, County Manager Charlene Webb, Administrative Assistant Laci Taylor, Indigent Health Care Administrator Mandi Park, County Clerk DeAun Searl, Chief Deputy Clerk Stephanie Hicks, Treasurer Nancy Belcher, Assessor Kenner Carassco, Chief Deputy Stevin Floyd, Road Superintendent Ricky Lovato, Detention Center Administrator David Casanova, Sheriff Darren Hooker, Lieutenant Shawn Gore, Sergeant Mark Morrison, K-9 Fram, County Attorney Rick Queener, RCCDC Director Stan Livengood, PNT Staff Writer Lillian Bowe, Amber Hamilton, Leigh Ana Eugene, EPCOG Sandy Chancey, Larry Smith.

Call to Order - Kendell Buzard at 9:00 a.m.
Invocation - Commissioner Bill Cathey
Pledge - Sheriff Darren Hooker

Approve Agenda - Motion to approve agenda was made by Commissioner Jake Lopez, seconded by Commissioner Scott Burton, 5 yes votes.

Approve Minutes - Motion to approve the 03-18-2014 Commission Meeting Minutes was made by Commissioner Bill Cathey, seconded by Commissioner Jake Lopez, 5 yes votes.

Approve Accounts Payable - Motion to Approve Accounts Payable and Payroll from 03-19-2014 through 04-15-2014 was made by Commissioner Jake Lopez, seconded by Commissioner Scott Burton, 5 yes votes.

Informational Items - Class of '58 Larry Smith reported that the Class of '58 committee for the veterans memorial has been resolved. A permanent committee has been selected comprised of the director of the Chamber of Commerce, Karl Terry, Larry Smith and one other person. The monies from the Class of '58 have been transferred. There are 180 places for pavers costing \$125.00 each and all but 30 are filled.

Elected Officials:

RCCDC - Roosevelt County Community Development Corporation Director Stan Livengood reported Sunland Peanut sold for an extra 6 million dollars. Sandia National Labs gave a presentation at ENMU stressing the importance of developing from within. Steak-N-Shake, a franchise chain, is interested in starting a business in Portales or Clovis.

Assessor - Assessor Kenner Carassco reported that his office is in the middle of the protest period which is 30 days long. Due to an issue within Tyler, the transient notice of value went out with the regular Notice of Values. Livestock values are down due to the rates from Santa Fe.

Indigent - Motion was made at 9:13 a.m. to go into Indigent Meeting by Commissioner Bill Cathey with a second from Commissioner Scott Burton. 5 yes votes. Indigent Health Care Administrator Mandi Park reported receiving 60 applications, 21 to approve, 24 not qualified, and 15 pending completion. Roosevelt General Hospital at \$20,721.56, Plains Regional has 6 resolved and 2 denied. Motion to adjourn from Indigent Meeting was made by Commissioner Jake Lopez with a second from Commissioner Bill Cathey. 5 yes votes. Motion to approve IHC Quarterly Report and Claims was made by Commissioner Bill Cathey with a second from Commissioner Jake Lopez. 5 yes votes.

Treasurer - Treasurer Nancy Belcher reported that taxes will be delinquent May 10th and that her office is busy collecting taxes. The investments did not perform as well as last month.

Sheriff - Sheriff Darren Hooker reported his office did respond to the car crash at the state line on Monday. The state police worked the scene with many assets working together. The meeting then adjourned to the hallway for a demonstration of the new K-9 Fram. Fram is a Labrador Retriever who is trained to sniff and track. The demonstration was successful and informative.

Detention - Detention Center Administrator David Casanova reported 141 inmates, 21 are female, 56 from Eddy County, 1 from Chaves County, 14 from Colfax County, 1 from Curry County. His office is fully staffed. The bunk bed project is complete with the exception of Pod 5 which should be complete by next week. The K-9 unit has been working the detention center as needed with great success.

Clerk - County Clerk DeAun Searl reported Phase 1 implementation of IRIS is going smooth and her office is well underway getting prepared for the election.

Road - Road Superintendent Ricky Lovato reported that the Road Department is still busy with routine maintenance and tumbleweed problems. The road department will help fight fires but from a safe distance and each unit does have a fire kit with respirators and wild land gear.

Risk Management - Commissioner Richard Leal asked about the prescription Card Program, Mandi Park reported that the cards should be here next week and that she is planning a press release for the program.

County Manager - County Manager Charlene Webb reported that her office had sent out budget requests to all elected officials and department heads. These budget requests are needed to complete the final budget and fulfill the required 2 budget public hearings in May. Manager Webb and Commissioner Buzard attended a Rural Government Work Session on Endangered Species Act with NEPA, National Environmental Protection Act, 15 counties were present. The number of endangered animal and plant species is listed as over 730 and the impact of doing business in an area that has an endangered species were the focus of this meeting.

New Business:

- a. Approve Adjusted Qualification Record for Volunteer Firefighter Service Credit - Manager Webb stated that approval is required to adjust the PERA report for Joe Kirkpatrick of the Arch Volunteer Fire Department. Motion to approve was made by Commissioner Bill Cathey with a second from Commissioner Kendell Buzard. 5 yes votes.
- b. Approve the Revised 2014 Roosevelt County Calendar - Manager Webb stated that the date for the June meeting is in conflict with NMAC meeting. Request to move meeting to June 10, 2014. Motion was made by Commissioner Scott Burton with a second from Commissioner Richard Leal. 5 yes votes.
- c. Approval of Application for membership to the Coalition of AZ/NM Coalition of Counties and appoint the board representative - Manager Webb stated that as a result of the meeting in Socorro pertaining to the Endangered Species Act and NEPA, she recommended submitting the application to join the coalition. Motion to approve was made by Commissioner Bill Cathey with a second from Commissioner Kendell Buzard. 5 yes votes. Motion to table appointment of board representative was made by Commissioner Kendell Buzard with a second from Scott Burton. 5 yes votes.
- d. Approval to dispose of 2005 Ford Expedition - Manager Charlene Webb stated that the vehicle is having mechanical problems. Motion to approve was made by Commissioner Jake Lopez with a second from Richard Leal. 5 yes votes.
- e. Approve recommendation to submit Ronny Fouts CPA to the State Auditor's Office for Approval - Manager Charlene Webb stated Ronnie Fouts has been our auditor in the past and recommends approval. Motion to approve was made by Commissioner Scott Burton with a second from Commissioner Richard Leal. 5 yes votes.
- f. Approve Lodger's Tax Application for Sign at the Fairgrounds - Mandi Park stated approval was needed for a lighted sign to place at the fairground entrance to promote events. Motion to approve was made by Commissioner Bill Cathey with a second from Commissioner Kendell Buzard. 5 yes votes.
- g. Approve New Mexico Clean and Beautiful Grant Application - Mandi Park stated this grant is a tourism type grant for xeriscaping for the windmill project and fencing. Motion to approve was made by Commissioner Jake Lopez with a second from Commissioner Bill Cathey. 5 yes votes.
- h. Approve Project for 2015 CDBG Application - Mandi Park stated that two public input hearings were held one on April 7th with 23 in attendance and another on April 10th with 46 in attendance and 5 projects with needs addressed. The SANE/ARISE project had a plan that was ready to implement. Motion to approve the ARISE project was made by Commissioner Kendell Buzard with a second from Commissioner Bill Cathey. 4 yes votes. Commissioner Scott Burton abstained from voting.
- i. Petition for Road Closing and Appointment of Road Viewers - Manager Charlene Webb stated that her office had received a petition to open 2.4 miles of a county road from B.J. Moore. Motion to appoint Joel Moore, David Craig, David Sanders, and Jeff Essary as road viewers was made by Commissioner Bill Cathey with a second from Commissioner Richard Leal. 5 yes votes.
- j. Approve Vacation of Starkey Subdivision Plat - Manager Charlene Webb stated that due to a claim of exemption being submitted, the Starkey subdivision which was approved in 1968 and has never been utilized as a subdivision, needs to be vacated in order for the owner to sell a portion. Motion to approve was made by Commissioner Richard Leal with a second from Commissioner Bill Cathey. 5 yes votes.

- k. Approve Application for Fiscal Year 2015 County Fire Protection Fund Distribution for Milnesand Volunteer Fire Department - Manager Charlene Webb stated that this is the annual application to be submitted to the State Fire Marshall's office for the county fire protection fund distribution to fund the department in the projected amount of \$117,168.00. Motion to approve was made by Commissioner Bill Cathey with a second from Commissioner Jake Lopez. 5 yes votes.
- l. Approve Application for Fiscal Year 2015 County Fire Protection Fund Distribution for Arch Volunteer Fire Department - Manager Charlene Webb stated that this is the annual application to be submitted to the State Fire Marshall's office for the county fire protection monies to fund the department in the projected amount of \$39,058.00. Motion to approve was made by Commissioner Richard Leal with a second from Commissioner Scott Burton. 5 yes votes.
- m. Retroactive Approval of the Law Enforcement Protection Fund Application - Sheriff Darren Hooker stated that this is the annual application that needs commission approval for the distribution to fund the sheriff's office. Motion to approve was made by Commissioner Richard Leal with a second from Commissioner Scott Burton. 5 yes votes.

Contracts – Agreements – Procurements:

- a. Acceptance of Bid No. 2014-01 for Crushed Caliche - County Manager Charlene Webb stated that her office had received two bids, one from K Barnett and the other from CRT/Gilman Crushing. The low bidder was CRT Crushing at \$3.85 per ton. Motion to approve was made by Commissioner Scott Burton with a second from Commissioner Richard Leal. 5 yes votes.
- b. Approval ATSSA Flagger Instructor Agreement - Manager Charlene Webb stated Juan Dominguez has attended training and has become a certified flagger and a certified flagger instructor. Motion for approval was made by Commissioner Kendell Buzard with a second from Commissioner Bill Cathey. 5 yes votes.

Resolutions – Ordinances – Proclamations:

- a. Approve Resolution and Agreement 2014-19 Approving Participation in the Programs of and Appointing Board Representative and Alternate to the Eastern Plains Council of Governments for Fiscal Year 2014-2015 - Manager Charlene Webb stated this resolution was for annual participation in EPCOG. There is a slight increase in the fees to \$3,582.00. Motion for approval was made by Commissioner Bill Cathey with a second from Commissioner Kendell Buzard. 5 yes votes by roll call. Motion to approve Bill Cathey as representative and Jake Lopez as alternate was made by Commissioner Kendell Buzard with a second from Commissioner Scott Burton. 5 yes votes by roll call.
- b. Approve Resolution 2014-20 Declaring the Intent to Consider Adoption of Ordinance Authorizing Execution and Delivery of Loan Agreement for the Purpose of Construction of the Magistrate Court Building - Manager Charlene Webb stated this resolution of intent is to sell bonds for the loan to construct the Magistrate Court Building and clean up the language in the ordinance for other bonds. Motion for approval was made by Commissioner Richard Leal with a second from Commissioner Bill Cathey. 5 yes votes by roll call.
- c. Approve Resolution 2014-22 Authorizing Budgetary Adjustments and Revisions for Grant Agreement 2016-1192 for the Community Services Center to Purchase and Install Meals Equipment - Manager Charlene Webb stated that this was a resolution to increase the Community Services Center fund. They received a capital outlay appropriation of \$22,400.00. Motion for approval was made by Commissioner Jake Lopez with a second from Commissioner Bill Cathey. 5 yes votes by roll call.
- d. Adoption of Ordinance N 2014-03 An Ordinance concerning Burning Within Roosevelt County and Which allows for the Roosevelt County Commission to Prohibit Burning During Drought Situations by Implementation of Resolution - Manager Charlene Webb stated this ordinance is a revision of the old Burn Ban ordinance. Motion for approval was made by Commissioner Richard Leal with a second from Commissioner Bill Cathey. 5 yes votes by roll call.
- e. Resolution 2014-23 A resolution Declaring a Fire Danger Emergency in Roosevelt County - Manager Charlene Webb stated that this resolution is to implement the Fire Emergency in Roosevelt County. Motion for approval was made by Commissioner Scott Burton with a second from Commissioner Kendell Buzard. 5 yes votes by roll call.
- f. RESOLUTION 2014-24 A Resolution Terminating Emergency Ordinance 2014-02 and Proclamation Limiting Open Burning and Restricting the Use of Fireworks in the Unincorporated Areas of Roosevelt County - Manager Charlene Webb stated this resolution is to terminate the old burn ban. Motion for approval was made by Commissioner Kendell Buzard with a second from Commissioner Scott Burton. 5 yes votes by roll call.
- g. Adoption of Ordinance No. 2014-04 An Ordinance Concerning Fireworks; Certain Restrictions on the Sale or Use of Certain Fireworks Children Under the Age of Sixteen Outside the Physical Presence of a Parent or Adult Guardian; Providing Certain Exceptions for Public Displays of Display Fireworks; Setting Requirements for Storage, Use, Display and Sale of Fireworks; Setting Permit Requirements from Roosevelt County; Setting Penalties for Violations and Setting Guidelines for Declaring Emergencies with Regard to Purchasing and Use of Fireworks - Manager Charlene Webb stated that this ordinance is a revision of the old firework ordinance. Motion for approval was made by Commissioner Jake Lopez with a second from Commissioner Scott Burton. 5 yes votes by roll call.

Executive Session - None

Any Action Required from Executive Session - None

Media Communication - None.

Adjourn - Meeting adjourned at 11:01 a.m.

ATTEST:

BOARD OF ROOSEVELT
COUNTY COMMISSIONERS

DeAun D. Searl
County Clerk

Kendell Buzard
Commission Chairman