

May 6, 2014
Roosevelt County Courthouse
Portales, New Mexico 88130

The Roosevelt County Commission met in regular business meeting Tuesday, May 6, 2014, at 9:00 a.m. at the Memorial Building 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, Human Resources Director Jena Wilbanks, County Clerk DeAun Searl, Chief Deputy Clerk Stephanie Hicks, Road Superintendent Ricky Lovato, Detention Center Administrator David Casanova, Sheriff Darren Hooker, Under Sheriff Malin Parker, County Attorney Rick Queener, Stan Livengood, Johnny Montiel, John DeShay, Cliff Ruppert, Kenzee Criswell, David Buchholtz, and PNT Staff Writer Lillian Bowe.

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

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

Approve Minutes - Motion to approve the 04-15-2014 Commission Meeting Minutes was made by Commissioner Richard Leal, seconded by Commissioner Jake Lopez, 5 yes votes.

Approve Accounts Payable - Motion to Approve Accounts Payable and Payroll from 04-15-2014 through 05-06-2014 was made by Commissioner Bill Cathey, seconded by Commissioner Jake Lopez, 5 yes votes.

Informational Items - Kenzee Criswell of the Elida FFA presented her 1st place speech in preparation for her next contest.

Resolutions – Ordinances – Proclamations:

- a. Adopt Ordinance 2014-06 Authorizing the Execution and Delivery of a Loan Agreement and Intercept Agreement for the Purpose of Financing the Construction of a New Magistrate Court Building. Motion for approval was made by Commissioner Jake Lopez with a second from Commissioner Scott Burton. 5 yes votes by roll call.
- b. Notice of Intent to Adopt Ordinance 2014-05 An Ordinance Dedicating in Quarterly Installments, An Amount Equal to a Gross Receipts Reported During the Prior Fiscal Year by Persons Engaged in Business in the County to the Newly Created Safety Net Care Pool Fund; and Providing an Effective Date of Transferring. Roosevelt County does not support SB 268, but does support this ordinance to be in compliance with state law. July 1, 1/12th of GRT will replace Indigent Care. Motion for Notice of Intent was made by Commissioner Jake Lopez with a second from Commissioner Richard Leal. 5 yes votes by roll call.
- c. Approve Resolution 2014-25 Opposing the Listing of the Lesser Prairie Chicken as Threatened and Supporting Amendment of the Endangered Species Act of 1973. Motion for approval was made by Commissioner Kendell Buzard with a second from Commissioner Scott Burton. 5 yes votes by roll call.
- d. Approve Resolution 2014-26 to Approve Submission of the CDBG Grant Application for the Construction of the Arise Facility. Motion for approval was made by Commissioner Richard Leal with a second by Commissioner Jake Lopez. 4 yes votes by roll call, with Commissioner Scott Burton abstaining.
- e. Approve Resolution 2014-27 and Proclamation Designating the First Full Week of May as National Correctional Employee Week. Motion for approval was made by Commissioner Scott Burton with a second from Commissioner Bill Cathey. 5 yes votes by roll call.
- f. Approve Resolution 2014-28 Authorizing Emergency Budgetary Adjustments and Revisions. Not to exceed \$175,000 for restoration of Courthouse due to mold. Motion for approval was made by Commissioner Jake Lopez with a second from Commissioner Scott Burton. 5 yes votes by roll call.

Elected Officials:

RCCDC - Roosevelt County Community Development Corporation Director Stan Livengood said they are working on getting the website up and running. They are looking at Elliott Marketing for help in that area.

USDA Wildlife Specialist – Cliff Ruppert reported that he is getting ready for the Roosevelt County Fair. He has received more calls on kills than any other year. Mange on coyotes is 1 in 3, which he believes is due to the dry conditions. The population on predators is down this year. Ruppert stated he has been working at Arch and south to State Line.

Assessor – Not Present

Indigent – Not Present

Treasurer – Not Present

Sheriff - Sheriff Darren Hooker reported his office is getting ready for the summer months. Hooker and Commissioner Burton went to a Crime Stoppers Meeting and learned of a counterfeit ring which is mostly going on within the city.

Detention - Detention Center Administrator David Casanova reported a full house with 143 inmates, 23 are female, 46 from Eddy County, 11 from Colfax County, 2 from Curry County. His office has 2 openings.

Clerk - Early voting started today and moving to the Jake Lopez building has had minimal impact on voting.

Road - Road Superintendent Ricky Lovato reported that the Road Department is still busy with routine maintenance and crushing tumbleweeds. They are moving sand and cleaning cattle guards. Budget is tight with the cost of moving sand. It is estimated they will move 3,000-4,000 loads of sand.

Risk Management - HR Director Jena Wilbanks informed us of the Annual Medical Testing going on Thursday. The screening has been moved to the Jake Lopez Building.

County Manager - County Manager Charlene Webb reported that the Courthouse has been moved to the Jake Lopez Building. Williamson Restoration is at the Courthouse working on the mold issues. They have removed minimal asbestos and are on task for being finished Sunday, May 11th. We should have possession of the Courthouse on Monday May 12th.

County Government Day Recap - Valencia Elementary participated in County Government Month. Administrative Assistant Laci Taylor presented a slide show of the pictures taken that day and gave a brief overview of what the students participated in. Road Dept. vendor Wagner provided hot dogs, chips and sodas for the students. McDonalds provided free food coupons to the students.

Fire Departments/County Fire & EMS Association - Not Present

Commissioners - Commissioner Jake Lopez had a meeting in Taos where they talked about the Summer Conference in Deming. Counties are still debating on Senate Bill 268. Commissioner Kendell Buzard and County Manager Charlene Webb had a conference call with Curry, Eddy and Chaves counties regarding the Lesser Prairie Chickens. These counties are deciding if they want to file suit against the federal government and if so what is the best avenue.

Old Business:

- a. Approve Road Viewer Committee Recommendation - To open the 1.5 miles of Roosevelt County Private Drive, in Section 11 & 12 of Township 6 S, Range 32 E. Recommending naming the driveway South Roosevelt Road 30 ½. Motion for approval was made by Commissioner Bill Cathey with a second from Commissioner Scott Burton. 5 yes votes,
- b. Appoint Representative to the NM/AZ Coalition of Counties Board - Function: Represent the county with endangered species, land rights and more, where there will be quarterly meetings taking place in NM and AZ. County Attorney Rick Queener was asked if he would like the appointment. Queener will be getting together a price bid for his work on this board. The bid will be itemized by travel vs. teleconference, or whether the meeting is in state or out of state. Only 1 person can be appointed for voting privileges. The appointment has been tabled until further information is obtained.

New Business:

- a. Action Regarding Proposed New Rule – Definition of Waters in the U.S. Under the Clean Water Act - Under the new rule, it seeks to define waters under federal jurisdiction and potentially increases the number of county-owned ditches under federal jurisdiction. County Manager Charlene Webb will do more research on the imposed new regulations and tax issues. It will be reviewed by the commission and submitted prior to July 21st.

Contracts – Agreements – Procurements:

- a. Approval of Agreement for Inmate Confinement between Lea County and Roosevelt County for the purpose of housing Roosevelt County detainees in Lea County - Motion to approve was made by Commissioner Kendell Buzard with a second from Commissioner Scott Burton. 5 yes votes.
- b. Approve memorandum of Understanding between Roosevelt County and Nationwide Title Clearing Inc. for the Purpose of Filing Documents Electronically - This is the same contract that we currently have with Simplifile. Motion to approve was made by Commissioner Kendell Buzard with a second from Jake Lopez. 5 yes votes
- c. Approve Application with the New Mexico Local Government Accreditation Program Adult Detention Professional Standards Council - Detention Center Administrator David Casanova said the cost of the

application is \$1,000, which is in his budget. This Accreditation is a great benefit to the Detention Center as well as the county. Motion to approve was made by Commissioner Jake Lopez with a second from Commissioner Scott Burton. 5 yes votes.

Executive Session - Motion was made at 10:39 a.m. to go into Executive Session to discuss personnel matters and limited litigation by Commissioner Jake Lopez with a second by Commissioner Richard Leal. 5 yes votes by roll call. Motion was made at 12:10 p.m. to adjourn from Executive session by Commissioner Jake Lopez with a second by Commissioner Richard Leal. 5 yes votes by roll call.

Any Action Required from Executive Session – Motion was made by Commissioner Scott Burton with a second by Bill Cathey to considering litigation on the Lesser Prairie Chicken. 5 yes votes by roll call.

Media Communication - None.

Adjourn - Meeting adjourned at 12:11 p.m.

ATTEST:

BOARD OF ROOSEVELT
COUNTY COMMISSIONERS

DeAun D. Searl
County Clerk

Kendell Buzard
Commission Chairman