

April 2, 2019
County Commission Room
Roosevelt County Courthouse
Portales, New Mexico 88130

The Roosevelt County Commission met in regular business meeting Tuesday, April 2, 2019, at 9:00 a.m. in the County Commission Room in the Roosevelt County Courthouse with those present being: Commissioner Paul Grider, Commissioner Tina Dixon, Commissioner Lewis Shane Lee, Commissioner Matthew Hunton, Commissioner Dennis Lopez, County Manager Amber Hamilton, Special Projects Coordinator Carol Acosta-Flores, County Attorney Randy Knudson, Chief Deputy Clerk Nath Baca, County Services Specialist Mandi Park, Treasurer Layle Sanchez, GIS Technician Johnny Montiel, Sheriff Malin Parker, Assessor George Beggs, Chief Deputy Assessor Stevin Floyd, RDCD Administrator Justin Porter, Roosevelt County Community Development Corp (RCCDC) Director Bill Hendrickson, Clarence Smith, Wesley Pool, Dicky Massey, Ursula Parker, Larry Levacy, Leslie Rector, Diane Ventura, Damon Terry, Pastor Gary Piepkorn, Pastor Elizabeth Kirkwood, Toni Whitecotton, Jane Martin, Leon Nall, Howard Hutchins, Director New Mexico/Arizona Coalition of Counties via telephone conference and Eastern New Mexico News Staff Writer David Grieder.

Call to Order - Chairman Lee at 9:00 a.m.
Invocation – Pastor Kirkwood
Pledge - Commissioner Lee

Approval of Agenda:

Motion to approve agenda was made by Commissioner Grider with a second from Commissioner Hunton. Commissioner Grider-Yes, Commissioner Dixon-Yes, Commissioner Lee-Yes, Commissioner Hunton-Yes, Commissioner Lopez-Yes.

Approval of Minutes:

Motion to approve amended minutes to correct spelling of Mr. Durward Dixon's name and to add Mr. Kircher's request of possible part time employee in the March 19, 2019 regular meeting and Fleet Workshop was made by Commissioner Dixon with a second from Commissioner Lee. Commissioner Grider-Yes, Commissioner Dixon-Yes, Commissioner Lee-Yes, Commissioner Hunton-Yes, Commissioner Lopez-Yes.

Public Requests: None

Informational Items:

Diane Ventura with Senator Martin Heinrich's Office spoke on working with Damon Terry, Superintendent Floyd School District, in applying for Federal Impact Aid #7002. This one has to do with real property. There is a long list of criteria to meet. In order to qualify Mr. Terry needs documentation pertaining to two acquisitions which were done in 1968 and 1987 resulting in the Melrose Bombing Range. The problem is acquiring the necessary documents. Hiring an abstract company would cost around \$15,000. The district would have to re-apply annually but would be eligible for recurring funding. The Public Education Department would get 75% and the Floyd School District would get 25%.

New Business:

- a. **Discussion Regarding Proposed Easement Agreement from Roosevelt County Water Cooperative and Roosevelt County Road Policy:** Wesley Pool, Attorney drafted an easement for the Water Cooperative so that they have the needed appropriate legal status to perform work in county road right of ways. Currently no easement is on record. Mr. Pool is open to work on the language of the drafted easement with Attorney Knudson so as not to subvert road policy ordinance and to comply with county policy.
- b. **Discussion and possible Action Regarding Roosevelt County Contribution of NM/AZ Coalition of Counties Intervening in Waters of the US:** Mr. Hutchins, Director, New Mexico/Arizona Coalition of Counties stated that the foundation has offered to represent or intervene for the county in the lawsuit. There would be no attorney fees. The only fee would be a filing cost of \$75.00. The 2015 Rule is still in effect and the 2016 Rule is in the rule making process. Commission will need to notify the coalition as soon as possible. Mr. Nall stated that his opinion is to stay on top of this. Motion to participate in lawsuit was made by Commissioner Grider with a second from Commissioner Dixon. Commissioner Grider-Yes, Commissioner Dixon-Yes, Commissioner Lee-Yes, Commissioner Hunton-Yes, Commissioner Lopez-Yes.

Resolutions – Ordinances – Proclamations:

- a. **Public Hearing Regarding Ordinance 2019-02:** Motion to enter into Public Hearing was made at 9:40 a.m. by Commissioner Grider with a second from Commissioner Hunton. Commissioner Grider-Yes, Commissioner Dixon-Yes, Commissioner Lee-Yes, Commissioner Hunton-Yes, Commissioner Lopez-Yes.

Treasurer Sanchez asked about changing some wording in the ordinance. The terms "Department Head" and "Elected Officials" are used intermittently throughout the ordinance. In her understanding it unclear if they are one and the same. Manager Hamilton stated that the term "public servant" is now used and is more uniform. Section 7 - Elected Officials Duties is the only place where elected officials are listed. Attorney Knudson stated that Section 7 - Elected Officials Duties states "The County Assessor, Clerk, Sheriff, and Treasurer shall advise the Board of County Commissions through the County Manager on all matters concerning their respective offices, to include suggestions and recommendations for more efficient administration of County finances, government, or other

functions" was written to establish protocol and ensure a proper chain of command is followed. Commissioner Dixon stated that it is taking authority from the elected official and giving it to the County Manager; and elected officials need to hang on to what elected officials are elected to do. Sheriff Parker stated he felt he should be able to go to talk to any commissioner as an elected official. He feels it is an infringement on "we the people". County Attorney Knudson stated that in Section 6 - Standards of Conduct c. 4 "...dialogue between employees and Board members may be necessary." Treasurer Sanchez stated she is going to refrain from signing her ethics statement at this time. Commissioner Dixon stated it is written for big city, it's overbearing, to big, too much. Ordinance needs to read "amended ordinance". It is the opinion of Commissioner Hunton and Commissioner Lopez that the ordinance was created to deal with ethical issues should they arise not for day to day business. Treasurer Sanchez thanked everyone for listening.

Motion to come out of Public Hearing was made at 10:02 a.m. by Commissioner Lopez with a second from Commissioner Hunton. Commissioner Grider-Yes, Commissioner Dixon-Yes, Commissioner Lee-Yes, Commissioner Hunton-Yes, Commissioner Lopez-Yes.

- b. Consideration of Ordinance 2019-02 Relating to the Promotion of the Ethical Conduct of Public Officials within Roosevelt County and Addressing Interference by County Commissioners and Other Elected Officials: Motion to adopt Ordinance 2019-02 which amends Ordinance 2018-04 was made by Commissioner Hunton with a second by Commissioner Grider. Commissioner Grider-Yes, Commissioner Dixon-Abstained, Commissioner Lee-Yes, Commissioner Hunton-Yes, Commissioner Lopez-Yes.
- c. Consideration of Resolution 2019-15 Authorizing the Prepayment of Property Taxes: Motion to approve was made by Commissioner Hunton with a second from Commissioner Dixon. Commissioner Grider-Yes, Commissioner Dixon-Yes, Commissioner Lee-Yes, Commissioner Hunton-Yes, Commissioner Lopez-Yes.

Contracts – Agreements – Procurements:

- a. Request for Approval of Contract Renewal for Crushed Caliche with White Rock Crushing LLC: Motion to approve was made by Commissioner Grider with a second by Commissioner Lopez. Commissioner Grider-Yes, Commissioner Dixon-Yes, Commissioner Lee-Yes, Commissioner Hunton-Yes, Commissioner Lopez-Yes.

Elected Officials/Department Heads Reports:

Detention: RCDC Administrator Porter reported 84 detainees (21 females and 63 males) with 14 being from out of county, 96 bookings and 95 releases for the month of March and \$36,020.00 total billed for the month. There are 5 detainees ready for transport to Department of Corrections. Maintenance is continuing to work on LED lighting in the kitchen and ceiling tiles are being replaced. A new Case Manager is in place and they have completed training and OJT. Work Detail and Escort officer positions have been filled. Work details will be picking up again soon weather permitting.

Grants/Healthcare/Indigent Healthcare Meeting: Special Projects Coordinator Flores reported that the Homeland Security grant which is for \$750,000 has given the county \$375,000 in May 2018 and will give the balance on completion of inspection which was done on March 27, 2019. She thanked all who helped to get this accomplished. LGRF 2019 CAPS \$422,000, SB \$235,000 has been received. Coop \$375,000 is pending. LGRF 2020 Letters of Intent have been submitted and are waiting on offers. Capital Outlay \$100,000 contract has been received. Certifications have been submitted; 5 of the 6 certifications have come back, (rail, environ, utility, ITS (system engineer) and geologist) waiting on ROW. Notice of award will be issued and will proceed after all certifications are in. The New Mexico Clean & Beautiful grant is due this Friday, April 5, 2019. This is for cleanup of illegal dumping areas. Commissioner Lopez suggested county should consider giving reward for reporting of illegal dumping. CDBG reapplying for the fairgrounds project maybe fencing, maybe through the windmill museum. The first step was submitted on Thursday. SERTPO is in the planning efforts of reclassifying Sundale Valley Road and N RR 3 from a local road to a minor arterial. We have the traffic counts; if passed would qualify for federal funding. COPS is an open grant from the Department of Justice in the amount of \$4842.50 for bullet proof vests for the Sheriff's Office. It is open until August 2020 and they have until then to use it.

Motion to enter into Indigent Healthcare meeting was made at 10:23 a.m. was made by Commissioner Lopez with a second from Commissioner Hunton. Commissioner Grider-Yes, Commissioner Dixon-Yes, Commissioner Lee-Yes, Commissioner Hunton-Yes, Commissioner Lopez-Yes.

Special Projects Coordinator Flores reported there were 29 claims in the amount of \$32,463.38. Her recommendation is to approve 27 of the claims in the amount of 32,126.38.

Motion to come out of Indigent Healthcare meeting at 10:24 a.m. was made by Commissioner Grider with a second from Commissioner Dixon. Commissioner Grider-Yes, Commissioner Dixon-Yes, Commissioner Lee-Yes, Commissioner Hunton-Yes, Commissioner Lopez-Yes.

Motion to approve the 27 recommended claims was made by Commissioner Lopez with a second from Commissioner Hunton. Commissioner Grider-Yes, Commissioner Dixon-Yes, Commissioner Lee-Yes, Commissioner Hunton-Yes, Commissioner Lopez-Yes.

Road: Manager Hamilton reported the road crews are cleaning cattle guards; CAPS wrap up; starting on school bus routes this month. There is 1 blade in each commission district. Inspection of the roads that were completed using grant monies from Homeland Security was done on March 27, 2019. Inspector

Parks was very impressed with the road construction and also with the completed paperwork. He stated the Administrative Office set a new standard with their paperwork; very organized and thorough.

Manager: Manager Hamilton stated the CDBG deadline is prior to Governor taking action. Capital outlay is undetermined at this point. Individual budget meetings are done. She would like to schedule the budget workshops for either the 8th or 16th of April following the commission meeting. There is now a local government liaison from New Mexico Taxation & Revenue Department. There will be a legislative district meeting held in Chaves County on Thursday, April 25, 2019. She would like to know who is going so they can make the necessary registrations. SB437 passed raising minimum wage. This will impact the comprehensive pay plan. SB192 was signed into law and RCDC Administrator Porter is working on implementing it. Commissioner Lopez would like to replace chain link fence at fairgrounds with something more presentable. That would be another separate application from this current CDBG; beautification could be part of phase 3.

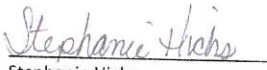
Commissioners:

Commissioner Hunton shared that he and Commissioner Lee were part of a conference call with the Governor. She was open to questions and cleared up a lot of misinformation which was a really good thing. Commissioner Lee stated he received a call from Olivia Inhoff, with the White House, asking for support and to show agreement with President Trump on the trade agreement. Our area is a big export in dairy products and tree nuts.

Media Communication: NONE

Adjourn: Meeting adjourned at 10:45 a.m.

ATTEST:


Stephanie Hicks
County Clerk

BOARD OF ROOSEVELT
COUNTY COMMISSIONERS


Lewis Shane Lee
Commission Chairman

