

December 18, 2018
County Commission Room
Roosevelt County Courthouse
Portales, New Mexico 88130

The Roosevelt County Commission met in regular business meeting Tuesday, December 18, 2018, at 9:00 a.m. in the County Commission Room in the Roosevelt County Courthouse with those present being: Commissioner Paul Grider, Commissioner Gene Creighton, Commissioner Dennis Lopez, Commissioner Lewis Shane Lee, Commissioner Matthew Hunton, County Manager Amber Hamilton, County Attorney Randy Knudson, Clerk Stephanie Hicks, Chief Deputy Clerk Nath Baca, Treasurer Layle Sanchez, Assessor George Beggs, Chief Deputy Assessor Stevin Floyd, Special Projects Coordinator Carol Acosta-Flores, Human Resources Administrator Debra Olds, Administrative Assistant Rita Jones, Sheriff Malin Parker, Lieutenant Javier Sanchez, Deputy David Meeks, RCDC Administrator Justin Porter, GIS Technician Johnny Montiel, Road Superintendent Ricky Lovato, Tina Dixon, Ursula Parker, David Hunton, RCCDC Bill Hendrickson, Darla Reed DWI Programs, White Rock Crushing Robert Maldonado, Xcel Energy - David Essex and Bruce Gomm, Invenergy - Julia Kimmerly and Doug Setliffe.

Call to Order - Chairman Paul Grider at 9:00 a.m.
Invocation - Commissioner Gene Creighton
Pledge - Commissioner Paul Grider

Approval of Agenda:

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

Approval of Minutes:

Motion to approve minutes of the November 20 regular meeting and workshop was made by Commissioner Grider with a second from Commissioner Lee. Commissioner Grider-Yes, Commissioner Creighton-Yes, Commissioner Lee-Yes, Commissioner Hunton-Yes, Commissioner Lopez-Yes.

Approval of Accounts Payable and Payroll:

Motion to approve accounts payable and payroll from November 1-November 30, 2018 was made by Commissioner Creighton with a second from Commissioner Lopez. Commissioner Grider-Yes, Commissioner Creighton-Yes, Commissioner Lee-Yes, Commissioner Hunton-Yes, Commissioner Lopez-Yes.

Requests: NONE

Informational Items:

- a. **Xcel Energy Sagamore Wind Project Update** - David Essex reported that tentative construction start day will be late summer of 2019. There are 2 phases, 1-construction and 2-hiring (no date for hiring as of yet).
- b. **Roosevelt County DWI Program Update** - Darla Reed reported that prevention, impact on schools and victim impact panel are of few of the programs. She also stated that this program could not function to the effectiveness it does without the support of the commission.

Elected Officials/Department Heads Report:

Clerk: Clerk Hicks reported they have filled the vacant position with a previous employee, Silke Humpe. Also the recount for Representative District 63 went very well. The machines and the poll officials found the exact numbers that were reported during the original election canvass. Clerk Hicks said she had a lot of faith in the tabulators and the officials. She could not have done it without them and the office staff.

Detention: RCDC Administrator Porter reported 80 detainees with 15 being from out of county, 88 bookings and 89 releases for the month of November, of those 5 are in restrictive housing (3 males and 2 female) and \$15,955.00 total billed for the month. Administrator Porter reported on the facility maintenance: new LED lighting has begun along with some painting and refinishing. Also reported, 2 officers have completed the academy training, 4 are in the academy now and 2 are waiting on their background and drug testing for the hiring process.

Healthcare/Indigent Healthcare Meeting: Motion to enter into Indigent Healthcare Meeting was made at 9:14 a.m. by Commissioner Lopez with a second from Commissioner Lee. Commissioner Grider-Yes, Commissioner Lee-Yes, Commissioner Hunton-Yes, Commissioner Lopez-Yes, Commissioner Creighton-Yes.

Special Projects Coordinator Acosta-Flores reported there were 12 claims in the amount of \$10,092.41. Her recommendation is to approve all 12 claims.

Motion to come out of Indigent Meeting at 9:16 a.m. was made by Commissioner Lee with a second from Commissioner Lopez. Commissioner Grider-Yes, Commissioner Lee-Yes, Commissioner Hunton-Yes, Commissioner Lopez-Yes, Commissioner Creighton-Yes.

Motion to approve all 12 claims was made by Commissioner Lopez with a second from Commissioner Grider. Commissioner Grider-Yes, Commissioner Lee-Yes, Commissioner Creighton-Yes, Commissioner Hunton-Yes, Commissioner Lopez-Yes.

Road: Road Superintendent Lovato reported on the mass amount of tumble weeds they have taken care of. With the Homeland Security Disaster Funds they have completed over 75% of the scope of work. Commissioner Lee thanked Superintendent Lovato and his crew for working weekends and overtime to take care of the county roads and the residents.

Manager: Manager Hamilton reported that the NMAC Legislative Conference is January 16-17 and Feb 15th will be Counties Day at the Legislature. She then recognized Commissioner Gene Creighton for his 12 years of service with the county. For all his hard work in his district and for the people of the district. He has made a

great impact on District 4. Commissioner Creighton was presented a plaque from the county and applause in much appreciation from the people at the meeting.

Commissioners: Commissioner Lee stated how appreciative he is to Commissioner Creighton for helping and guiding him through his time as a commissioner.

New Business:

- a. **Request for Approval of Quick Easement Agreement:** GIS Technician Montiel reported this was for address 820 Quincy, including 2 separate easements, both streets that make up this address. Motion to approve was made by Commissioner Lopez with a second from Commissioner Hunton. Commissioner Grider-Yes, Commissioner Creighton-Yes, Commissioner Lee-Yes, Commissioner Hunton-Yes, Commissioner Lopez-Yes.
- b. **Roosevelt County Board of Finance Meeting:** Motion to go into Board of Finance meeting was made at 9:29 a.m. by Commissioner Creighton with a second from Commissioner Lee. Commissioner Grider - Yes, Commissioner Creighton-Yes, Commissioner Lee-Yes, Commissioner Hunton-Yes, Commissioner Lopez-Yes.

Treasurer Sanchez requested a move of 1.2 mil from the general fund into a Moreton Money Market Account in their 2nd tier. This money would still be available, but earning at a higher interest, with no penalty for moving it in or out. Also, requested a move of \$153,000 of restricted monies to a Moreton CD Account. This is for money that can be left longer. It is not as attainable, however would draw at a much higher interest depending on how long it is left in CD form.

Motion to come out of Board of Finance Meeting was made at 9:32 a.m. by Commissioner Lopez with a second from Commissioner Grider. Commissioner Grider-Yes, Commissioner Creighton-Yes, Commissioner Lee-Yes, Commissioner Hunton-Yes, Commissioner Lopez-Yes.
- c. **Request for Approval for Treasurer to move up to \$1,200,000 of General Fund Monies to Moreton Money Market Account:** Motion to approve was made by Commissioner Lee with a second from Commissioner Creighton. Commissioner Grider-Yes, Commissioner Creighton-Yes, Commissioner Lee-Yes, Commissioner Hunton-Yes, Commissioner Lopez-Yes.
- d. **Request for Approval for Treasurer to move \$153,000 of Restricted Fund Monies to Moreton CD Account:** Motion to approve was made by Commissioner Lopez with a second from Commissioner Creighton. Commissioner Grider-Yes, Commissioner Creighton-Yes, Commissioner Lee-Yes, Commissioner Hunton-Yes, Commissioner Lopez-Yes.
- e. **Discussion of Portales Armory Utilization and Sheriff's Office Location:** Manager Hamilton reported that a short term lease agreement is an option at \$1,000 a month for 3-4 months, depending on the need. She reported that last communication with the city was they would be out of the building that the sheriff's office would be moving to by the end of February 2019. Which would give the sheriff's office about 30 days to move. Another option that was presented was a long term (still short term) agreement of about 2 years. Sheriff Parker asked the commission if they were interested in purchasing the building and Commissioner Hunton said he didn't think the county had any need for the building. The commission instructed Manager Hamilton to get an agreement for 3-4 months.
- f. **Request for Approval of Roosevelt County Windmill Museum Steering Committee:** Administration will appoint 5 people to this committee, which is a requirement for New Mexico Tourism. Motion to approve was made by Commissioner Hunton with a second from Commissioner Lee. Commissioner Grider-Yes, Commissioner Creighton-Yes, Commissioner Lee-Yes, Commissioner Hunton-Yes, Commissioner Lopez-Yes.
- g. **Discussion and Request for Approval of 2019 Capital Outlay Request Listing:** Manager Hamilton reminded the commission of the top 5 priority list. There was no discussion or changes.
- h. **Discussion of Insurance Premiums for 2019 and Selection of Deductible Amounts:** Manager Hamilton suggested the following deductibles: Law Enforcement \$25,000, Multi-Line Liability \$5,000, and Multi-Line First Party Automobile and Property \$2,500. Motion to approve was made by Commissioner Lee with a second from Commissioner Grider. Commissioner Grider-Yes, Commissioner Creighton-Yes, Commissioner Lee-Yes, Commissioner Hunton-Yes, Commissioner Lopez-Yes.

Resolutions - Ordinances - Proclamations:

- a. **Consideration of Resolution 2018-40 Authorizing the City of Portales to Submit an Application to the Department of Finance and Administration, Local Government Division, to Participate in the Local DWI Grant and Distribution Program:** Motion to approve was made by Commissioner Lopez with a second from Commissioner Lee. Commissioner Grider-Yes, Commissioner Creighton-Yes, Commissioner Lee-Yes, Commissioner Hunton-Yes, Commissioner Lopez-Yes.
- b. **Consideration of Resolution 2018-41 Land Acquisition Budget Adjustment:** Motion to approve was made by Commissioner Lee with a second from Commissioner Lopez. Commissioner Grider-Yes, Commissioner Creighton-Yes, Commissioner Lee-Yes, Commissioner Hunton-Yes, Commissioner Lopez-Yes.
- c. **Public Hearing Regarding Ordinance 2018-03:** Motion to go into Public Hearing was made at 10:03 a.m. by Commissioner Lee with a second from Commissioner Grider. Commissioner Grider-Yes, Commissioner Creighton-Yes, Commissioner Lee-Yes, Commissioner Hunton-Yes, Commissioner Lopez-Yes.

No public input

Motion to come out of Public Hearing was made at 10:04 a.m. by Commissioner Lopez with a second from Commissioner Hunton. Commissioner Grider-Yes, Commissioner Creighton-Yes, Commissioner Lee-Yes, Commissioner Hunton-Yes, Commissioner Lopez-Yes.

- d. **Consideration of Ordinance 2018-03 Amending the Roosevelt County Personnel Ordinance:** Motion to approve was made by Commissioner Lopez with a second from Commissioner Hunton. Commissioner Grider-Yes, Commissioner Creighton-Yes, Commissioner Lee-Yes, Commissioner Hunton-Yes, Commissioner Lopez-Yes.
- e. **Public Hearing Regarding Ordinance 2018-04:** Motion to go into Public Hearing was made at 10:06 a.m. by Commissioner Hunton with a second from Commissioner Lopez. Commissioner Grider-Yes, Commissioner Creighton-Yes, Commissioner Lee-Yes, Commissioner Hunton-Yes, Commissioner Lopez-Yes.
 1. Treasurer Sanchez ask for clarification on a few sections

Motion to come out of Public Hearing was made at 10:24 a.m. by Commissioner Lee with a second from Commissioner Hunton. Commissioner Grider-Yes, Commissioner Creighton-Yes, Commissioner Lee-Yes, Commissioner Hunton-Yes, Commissioner Lopez-Yes.
- f. **Consideration of Ordinance 2018-04 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 was made by Commissioner Lee with a second from Commissioner Hunton. Commissioner Grider-Yes, Commissioner Creighton-Yes, Commissioner Lee-Yes, Commissioner Hunton-Yes, Commissioner Lopez-Yes.
- g. **Request for Approval of Notice of Intent for consideration of Ordinance 2019-01 Considering a Tax Rebate of a Part of Property Tax Due from Low-Income Taxpayers:** Motion to approve was made by Commissioner Lopez with a second from Commissioner Grider. Commissioner Grider-Yes, Commissioner Creighton-Yes, Commissioner Lee-Yes, Commissioner Hunton-Yes, Commissioner Lopez-Yes.

At 10:32 a.m. Chairman Grider called for a 10 minute break. Meeting resumed at 10:42 a.m.

Contracts-Agreements-Procurements:

- a. **Request for Approval of Lease Contract with CAT Financial for Five Motorgraders:** Superintendent Lovato said the motorgraders are good for 7000 hours/5 years at a lease price of \$2798.85 each. This equipment would be delivered in March, if the commission so approves. Motion to approve was made by Commissioner Hunton with a second from Commissioner Lee. Commissioner Grider-Yes, Commissioner Creighton-Yes, Commissioner Lee-Yes, Commissioner Hunton-Yes, Commissioner Lopez-Yes.
- b. **Consideration of Procurement of CAT Walk-n-Roll Attachments for Motorgraders:** Manager Hamilton stated the dollar amount for the lease would not be cost effective for the county. At the end of the lease we would have spent upwards of \$10,000 additional in finance charges vs. outright buying the equipment. It was her recommendation to purchase the 5 attachments. Motion to approve this purchase was made by Commissioner Lee with a second from Commissioner Lopez. Commissioner Grider-Yes, Commissioner Creighton-Yes, Commissioner Lee-Yes, Commissioner Hunton-Yes, Commissioner Lopez-Yes.
- c. **Request for Approval of Contract with the State of New Mexico for Driver Monitoring Services:** Human Resources Administrator Olds said currently it costs the county \$135 per person to monitor the driver's license of those employees allowed to drive any of the county fleet vehicles. Monitoring through the Motor Vehicle Division, which is a state entity, will cost \$0. Motion to approve was made by Commissioner Hunton with a second from Commissioner Lopez. Commissioner Grider-Yes, Commissioner Creighton-Yes, Commissioner Lee-Yes, Commissioner Hunton-Yes, Commissioner Lopez-Yes.
- d. **Request for Approval of Grant Submission by the Sheriff's Office on Behalf of Roosevelt County for ENDWI and STEP Grants to the Traffic Safety Division:** Lieutenant Sanchez stated this grant helps support the 100 Days and Nights and the school zones, to name a few. The grant is worth \$10,282. Motion to approve was made by Commissioner Lopez with a second from Commissioner Lee. Commissioner Grider-Yes, Commissioner Creighton-Yes, Commissioner Lee-Yes, Commissioner Hunton-Yes, Commissioner Lopez-Yes.

Executive Session: Pursuant to 10-15-1 N.M.S.A. (1978)H(2) limited personnel matters and (7) attorney-client privileged information pertaining to threatened or pending litigation, specifically the McFarlin vs. Roosevelt County, Aguilar vs. Roosevelt County, Hernandez vs. Roosevelt County, Parrish vs. Roosevelt County, Burger vs. Roosevelt County, Alonzo vs. Roosevelt County, Natural Chem Holdings.

Motion to go into Executive Session was made at 11:00 a.m. by Commissioner Hunton with a second from Commissioner Creighton. Commissioner Grider-Yes, Commissioner Creighton-Yes, Commissioner Lee-Yes, Commissioner Hunton-Yes, Commissioner Lopez-Yes.

Those attending Executive Session were: Commissioner Grider, Commissioner Lee, Commissioner Hunton, Commissioner Lopez, Manager Hamilton, and County Attorney Knudson. Individually and only for a few minutes RCDC Administrator Porter and Treasurer Sanchez attended.

Motion to come out of Executive Session was made at 11:46 a.m. by Commissioner Hunton with a second from Commissioner Lopez. Commissioner Grider-Yes, Commissioner Creighton-Yes, Commissioner Lee-Yes, Commissioner Hunton-Yes, Commissioner Lopez-Yes.

Commissioner Hunton stated only the items mentioned above were discussed and that no action was taken in the executive session. However, action is needed.

- a. **Any action necessary as a result of the closed executive session:**
 Motion was made by Commissioner Hunton with a second from Commissioner Grider to allow Attorney Knudson to intervene in the Natural Chem Holdings. Commissioner Grider-Yes, Commissioner Creighton-Yes, Commissioner Lee-Yes, Commissioner Hunton-Yes, Commissioner Lopez-Yes.

Media Communication: NONE

Recess: recessed for lunch, resume meeting at RCDC at 1:00 p.m.

Reconvened at 1:00 p.m. at Roosevelt County Detention Center for the Annual Inspection

Annual Commission Detention Center Inspection:

In attendance: Commissioner Grider, Commissioner Creighton, Commissioner Lee, Commissioner Hunton, Commissioner Lopez, Manager Hamilton, Clerk Hicks, RCDC Administrator Porter, Lieutenant Ramsey, Sargent McCay, Officer Gonzales, Public - Glenda Creighton, Tina Dixon, and Darla Reed.

RCDC Administrator Porter took the group through the facility and showed them:

Front 4-Floor and Back 4-Floor - stating the back 4-Floor is the newer part of the facility

Overview of the booking area

Viewed: Special housing for military detainees for military crimes

Kitchen

Day Room 6

Day Room 3 and 4: are used for special management detainees

Day Room 4: facility is working on a remedy to fix the shower floor to keep it from eroding

Day Room 1: max security and restricted housing for males

Day Room 2: some new LED lights

Med Room 1: nurses' office

Med Room 2: exam room

Day Room 11: minimum security, less restrictions for detainees, some new LED lights

Day Room 10: same as 11

Day Room 9: female population

Control Room: Commissioners viewed the room and observed the operations.

Commissioners viewed additional highlighted facility improvements as Maintenance fabricated and installed security doors within Dayroom 1 and the Laundry Room.

Visitation Room: for the public to visit detainees, there is a separate room for attorney visitation

Front Floor Rec Yard: Maintenance dept. fabricated and installed a new top wire cage in the rec yard

Classroom: which contains the library, separate law library, bible studies and meetings, GED program, parenting classes - this room also connects to Magistrate Court

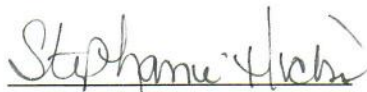
Audio and Video Room: for video arraignments which is cost effective for the county

There are security cameras throughout the facility. Administrator Porter stated the cameras in the day rooms have some privacy standards.

Administrator Porter and Manager Hamilton both stated RCDC is above the curve when it comes to detainee policy. Hard work has been put in to get their accreditation and keeping up with the requirements.

Adjourn: Meeting adjourned at 2:19 p.m.

ATTEST:



Stephanie Hicks
County Clerk



BOARD OF ROOSEVELT
COUNTY COMMISSIONERS



Lewis Shane Lee
Commission Chairman

