

October 15, 2013
Roosevelt County Courthouse
Portales, New Mexico 88130

The Roosevelt County Commission met in regular business meeting Tuesday, October 15, 2013, at 9:00 a.m. in the Commissioner's Room in the Courthouse with those present being: Commissioners Bill Cathey, Richard Leal, Jake Lopez, Kendell Buzard and Scott Burton; County Manager Charlene Webb; Administrative Assistant Jena Wilbanks; County Clerk Donna Carpenter; Chief Deputy Janet Collins; County Attorney Rick Queener; Assessor Kenner Carrasco; Chief Deputy Assessor Stevin Floyd; Treasurer Nancy Belcher; Honorable Judge Donna Mower; Sheriff Darren Hooker; Sherriff Deputy Shawn Gore; Road Superintendent Ricky Lovato; Indigent Administrator Vicki Aguilar; USDA Wildlife Specialist Cliff Rupert; Portales City Manager Doug Redman; County Lobbyist Mike Miller; Infinity Wind Power Jonathan Koehn; Modrall Spering Attorney Daniel Alsop; Landowner Dee Brown; ASA Architect Ted Shelton; Greg Neal Representing the Concerned Citizens of Quay, Curry and Roosevelt Counties and PNT Staff Writer Eric Norwood.

Commissioner Cathey called the meeting to order at 9:00 a.m.

Janet Collins gave an Invocation and Commissioner Cathey led the Pledge of Allegiance and the Salute to the Flag of New Mexico.

Commissioner Cathey stated that the Roosevelt County Fair Queen Krista Avery had sent a picture and a thank you to the county for supporting her.

Motion to Change the Order of the Agenda was made by Commissioner Cathey with a second by Commissioner Lopez. 5 yes votes.

Motion to Approve the Agenda with the Changes was made by Commissioner Lopez with a second by Commissioner Buzard. 5 yes votes.

Motion to Approve Minutes of the September 17, 2013 Regular Meeting was made by Commissioner Buzard with a second by Commissioner Burton. 5 yes votes.

Motion to Approve Accounts Payable and Payroll from September 17, 2013 through October 15, 2013 was made by Commissioner Buzard with a second by Commissioner Lopez. 5 yes votes.

Resolutions—Ordinances—Proclamations

Motion to Approve Proclamation from the Ninth Judicial District Court Proclaiming November 1st, 2013 as "Celebrate Pro Bono Day" was made by Commissioner Lopez with a second made by Commissioner Burton. 5 yes votes. Honorable Judge Donna Mower stated that this is to highlight "Ask-a-Lawyer" event so that the residents of Roosevelt and Curry County receive answers to civil issues. This event will be held at the YAM Theater on November 1, 2013 from 2-4 p.m.

Motion to approve Resolution 2014-02 Authorizing Budgetary Adjustments and Revisions was made by Commissioner Buzard with a second by Commissioner Leal. 5 yes votes by roll call. This is to allocate funds to the second half of the Total Assessment Solutions Contract from the Assessor's because the contract spanned over two fiscal years and was not included in this year's budget. There is no increase to the budget.

Motion to approve Resolution 2014-03 Authorizing Budgetary Adjustments and Revisions was made by Commissioner Burton with a second by Commissioner Lopez. 5 yes votes by roll call. This is to allocate funds from CDWM and ODWM grants that the Sheriff's Office handles in which the County desires to increase the applicable expenditure in the amount of \$3,983.00 and the revenue in the amount of \$5,252.00. This is to allocate funds to match payments and is reimbursable to the county.

Motion to approve Resolution 2014-04 Designating the Polling Places for the 2014 Primary and General Elections was made by Commissioner Buzard with a second by Commissioner Lopez. 5 yes votes by roll call. County Clerk Donna Carpenter stated that this is done each election cycle designating polling places for the primary and general election in Roosevelt County which complies with the provisions of NMSA 1978, Section1-3-7. The Voting Convenience Center has been extended to all polling places within the county

Motion to approve Resolution 2014-05 Supporting the 2014 Legislative Priorities of the New Mexico Association of Counties was made by Commissioner Buzard with a second by Commissioner Lopez. 5 yes votes by roll call. The priorities include Delinquent Property Tax Payments; Delinquent Property Tax List; Notice of Liens; Medicaid Benefits Suspension; County Correctional Facility Gross Receipts tax; Property Tax Equity and Real Property Sales Disclosure. Several of the department heads spoke about how the priorities will affect their departments. Commissioner Lopez stated that he will keep everyone's comments in mind when he attends the Association of Counties Meetings. Lobbyist Mike Miller stated that he would discuss these items as the legislative session approaches.

Motion to approve Resolution 2014-06 Relating to the Proposed Industrial Revenue Bonds Entitled Roosevelt County, New Mexico Taxable Industrial Revenue Bonds (Roosevelt Wind Ranch Project), Series 2013, and Declaring the intent of Roosevelt County to Issue Such Industrial Revenue Bonds in an Aggregate Principal Amount up to \$430,000,000 in Connection with a Proposed Project Located Within the Boundaries of Roosevelt County, New Mexico, for the Purpose of Inducing Roosevelt Wind Ranch, LLC to Develop the Project Site and to Construct and Install the Project was made by Commissioner Leal with a second by Commissioner Burton. 5 yes votes by roll call. This is for the Industrial Revenue Bond Act which authorizes the County to issue IRBs and to acquire projects as defined in the act. Attorney Daniel Alsup and Infinity Wind Representative Jonathan Koehn gave a presentation and answered questions. Mr. Alsup explained that this will not affect tax rates in the County or any revenues. The declaration of intent allows Infinity Wind to begin purchasing equipment and indicates that the commission is willing to go forward with the project. At this time it is not binding and the county pays none of the legal fees. The Elida and Dora School Districts and Roosevelt County will receive payment in lieu of taxes.

Informational Items:

Rob Burpo, financial advisor for the county, gave a talk regarding Roosevelt County Investments. He stated that the Feds were tying up Government Bonds to keep interest rates low. The county is at 2.96% maturity level for 5 years. Mr. Burpo suggested that the county take half of the money and put into a Ladder System to offset the volatility of the market fluctuation. Treasurer Nancy Belcher agrees with this.

Commissioner Cathey called for a ten minute break at 10:10 a.m. The meeting reconvened at 10:20 a.m.

New Business

Motion was made to Table the Request from Portales City Council regarding Roosevelt County Assist in Funding the Feasibility Study for the Family Entertainment Center by Commissioner Leal with a second by Commissioner Buzard. 5 yes votes. The county had considered a study previously but the county budget is currently tight.

Motion to Approve Architectural Plans and Cost Estimate for the Magistrate Court Project was made by Commissioner Buzard with a second by Commissioner Lopez. 5 yes votes. Ted Shelton presented the plans for the Roosevelt County Magistrate Court. The project total is \$3,338,257.00 which includes 400 feet of street development, 80 parking spaces, utility extensions, and a new Magistrate Court building of 10,821 gross square feet to be constructed adjacent to and connected to the existing Roosevelt County Detention Center on County-owned property. It also includes renovations inside the Detention Center to accommodate a secure passageway for transferring inmates, and revisions to an adjacent Police Administration office suite. He also presented the layout of the building.

Motion to Approve Support of a New Safe Water Yield Study for the Canadian River Water Basin and Ute Lake was made by Commissioner Burton with a second by Commissioner Buzard. 4 yes votes. Commissioner Lopez voted no. Greg Neal gave a presentation to the Commission about the Pipeline Project for the Canadian River Water Basin and Ute Lake. Mr. Neal is asking that the Roosevelt County Commission support the Ute Water Commission by requesting and directing an independent study of the Canadian River Basin and Ute Lake, specifically for its ability to supply 24,000 acre feet per year in a consistent and sustainable way. He stated that the 1994 Whipple Water Yield Study was out of date. The County has a seat on the Ute Water Commission. The cost of the study is unclear. The study should take from 4-6 months.

Motion to go into Indigent Meeting at 11:06 a.m. was made by Commissioner Leal with a second by Commissioner Burton. 5 yes votes.

Indigent Administrator Vicki Aguilar stated that the claimant, who was disapproved at our September 17, 2013 Quarterly Indigent Meeting for failing to furnish documentation to prove indigence, has requested an appeal on September 24, 2013 and has complied and furnished the required documentation. The Claimant meets eligibility criteria for the Roosevelt General Hospital claim for \$3,560.70. Mrs. Aguilar recommends approval.

Motion to come out of Indigent Meeting at 11:07 a.m. was made by Commissioner Buzard with a second by Commissioner Burton. 5 yes votes.

Motion to Approve ICH Appeal Request for Roosevelt General Hospital Claim was made by Commissioner Lopez with a second by Commissioner Leal. 5 yes votes.

Motion to Approve Medical Co-Pay Policy for Roosevelt County Inmates was made by Commissioner Burton with a second by Commissioner Buzard. 5 yes votes. County Attorney Rick Queener has looked at this and it will help offset some of the medical expenses.

Motion to Approve Volunteer Firefighters Adjusted Qualification PERA Report for Arch Volunteer Fire and Ambulance Department was made by Commissioner Cathey with a second by Commissioner Leal. 5 yes votes. It will help with PERA

Old Business:

Motion to Appoint Road Viewers to View Proposed Closure of Portion of North Roosevelt Road B and North Roosevelt Road 1 was made by Commissioner Buzard with a second by Commissioner Leal. 5 yes votes. Road Superintendent Ricky Lovato stated that he had looked at the roads in question and would like county residents to view the road also. Commissioner Leal appointed William Cicero and Cliff Niece. Commissioner Cathey appointed Bobby Gresham. Kendall Buzard appointed Jeff Essary as an alternate.

Contracts—Agreements—Procurements:

Motion to approve Memorandum of Understanding between Roosevelt County and Corporation Service Company for Electronic Recording in the Clerk's Office was made by Commissioner Buzard with a second by Commissioner Burton. 5 yes votes. There is no cost to the county for this. County Clerk stated they currently have one company that does e-filing of documents and requests have been made for another. The staff has the ability to accept or reject the documents.

Motion to Approve Agreement for Inmate Health Care Services between Roosevelt County and Correctional Healthcare Companies, Inc. was made by Commissioner Burton with a second by Commissioner Buzard. 5 yes votes. The bid was previously accepted.

Motion to Approve Contract between Roosevelt County and Stephens Construction and Ready Mix, Inc for Hauling of Road Materials was made by Commissioner Leal with a second by Commissioner Buzard. 5 yes votes. Road Superintendent Ricky Lovato stated that this contract is in place and he would like to renew it. It is for delivering road materials.

Motion to Approve Award Bid 2013-07 for Banking Services was made by Commissioner Buzard with a second by Commissioner Burton. 5 yes votes. County Manager Webb stated that there were three responses to the bid. James Polk Stone Community Bank meet the criteria and the county is currently doing business with them.

Elected Officials/Department Heads Reports:

- a. USDA Wildlife Specialist Cliff Ruppert stated that he is currently working with 24-26 cooperators. Mr. Ruppert reported there have been many inquiries concerning Prairie Dogs. He is working with several large Prairie Dog towns. Eight wild pigs have been killed in Roosevelt County with no reports of any more.
- b. Assessor Kenner Carrasco stated that the office has done abstracts and tax roll and turned them over to Nancy. They have gone online with all the records and the staff is working at data entry to get most of the information in. They are using Sidwell Mapping System online.
- c. Indigent Administrator Vicki Aguilar attended a Health Care Affiliate Fall Workshop in Ruidoso October 1st regarding legislative strategy, plans of action and ideas for alternative solutions to address Human Services Department's proposed redirect of counties 2nd 1/8 GRT. The affiliate and NMAC is working on a resolution that opposes redirecting the County local Option 2nd 1/8 GRT increment away from county government and distributing it into counties other than the one in which it is generated. The affiliate also discussed changes to individual County Indigent Programs due to the Affordable Care Act beginning January 1, 2014.
- d. Treasurer Nancy Belcher reported that they are sending out 15,000 different parcels of tax bills. The investments did have an increase. She invited the Commissioners to the Chile Cook off for the October Luncheon.
- e. Sheriff Darren Hooker Reported that one deputy is attending academy and the Sheriff's office will be going to Utah to pickup an inmate.
- f. County Clerk Donna Carpenter reported that Early Absentee voting is available to all who reside in either the Dora School District or Hospital District 5. The term for the Hospital board is five years. Election Day is November 5, 2013 at the Jake Lopez Community Building for Hospital District 5 and at Dora School for the Dora Bond Question.
- g. Road Superintendent Ricky Lovato stated that the crew is working on routine maintenance, pot holes and finishing with shredding for the year. They plan to chip seal South Roosevelt Road 6 East of Hwy 88.
- h. Commissioners; Commissioner Lopez reported that he had attended a meeting in Truth or Consequences. Commissioner Buzard had attended a meeting in Tucumcari concerning reintroducing wolves into the wild. Commissioner Cathey went to a meeting in Utah concerning transfer title of Federal Lands to States. He is planning to go to an energy conference in Clovis this afternoon.


Executive Session

The Motion was made to go into Executive Session at 11:37 a.m. for the purpose of threatened or pending litigation was made by Commissioner Leal with a second by Commissioner Burton. 5 yes votes by roll call. Motion to come out of Executive Session at 12:15 p.m. was made by Commissioner Buzard with a second by Commissioner Leal. 5 yes votes.

No Action was taken.


Meeting adjourned at 12:16 a.m.

ATTEST:


Donna J. Carpenter
County Clerk



BOARD OF ROOSEVELT
COUNTY COMMISSIONERS


Bill Cathey
Commission Chairman

