

Tuesday, January 12, 2021
Jake Lopez Community Building
Roosevelt County Fairgrounds
Portales, New Mexico 88130

The Roosevelt County Commission met in regular business meeting on Tuesday January 12, 2021 at 9:00 a.m. in the Jake Lopez Community Building with those present being: Commissioner Paul Grider, Commissioner Rodney Savage, Commissioner Lewis Shane Lee, Commissioner Dennis Lopez, Commissioner Tina Dixon, County Manager Amber Hamilton, County Attorney Randy Knudson, County Clerk Mandi Park, Chief Deputy Clerk Nath Baca, Special Projects Coordinator Carol Acosta-Flores, Road Superintendent Ricky Lovato, Detention Administrator Justin Porter, County Treasurer Layle Sanchez, Angie Smith.

Call to Order - Commissioner Dixon at 9:00 a.m.
Invocation - County Manager Hamilton
Pledge - Commissioner Lee

Elect Chairman for 2021:

Motion to elect Commissioner Dixon as Chairperson for 2021 was made by Commissioner Lee with a second by Commissioner Grider. Commissioner Grider-Yes, Commissioner Lee-Yes, Commissioner Dixon-Yes, Commissioner Savage-Yes, Commissioner Lopez-Yes.

Elect Vice-Chairman for 2021:

Motion to elect Commissioner Lee as Vice-Chairperson for 2021 was made by Commissioner Grider with a second by Commissioner Dixon. Commissioner Grider-Yes, Commissioner Lee-Yes, Commissioner Dixon-Yes, Commissioner Savage-Yes, Commissioner Lopez-Yes.

Approval of Agenda:

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

Approval of Minutes:

Motion to approve minutes of the December 15, 2020 regular meeting was made by Commissioner Lee with a second from Commissioner Grider. Commissioner Grider-Yes, Commissioner Lee-Yes, Commissioner Dixon-Yes, Commissioner Savage-Yes, Commissioner Lopez-Yes.

Public Requests: NONE

Elected Officials/Department Heads Report:

Clerk: Clerk Park thanked Chief Deputy Baca for serving as Clerk the last few months. She noted that the opening in the clerk's office has been posted and interviews have started. She stated the school bond election will be an all-mail election and ballots will go out to voters in the Floyd and Portales School Districts on January 19th and will be received back by February 16th. She also stated they will be participating in the NMC Legislative conference, including a class in redistricting as a result of the 2020 census.

Treasurer: Treasurer Sanchez reported a general fund beginning cash balance of \$3,035,21.14, debits of \$ 2,236,213.32, credits of \$ 2,459,611.45, and an ending cash balance of \$ 2,811,923.01.

Detention: Detention Administrator Porter thanked the commission for touring the facility in December. He stated the current count was 56 detainees, with 9 females and 47 males and 7 of those being from out of county. He reported for the month of December, there were 54 bookings and 59 releases. He also stated that they had billed a total of \$19,572.50 for the month. They had made 3 trips to transport 8 detainees. Administrator Porter stated 2 guards had completed the academy and there are currently 3 in training. They are continuing to follow Covid-19 protocols and in the 2 most recent rounds of testing no detainees have tested positive. For the quarterly restrictive housing report, Mr. Porter stated that there were no detainees on restrictive housing for the 2nd Quarter of FY21.

Indigent Healthcare: A motion was made by Commissioner Lee to go into indigent meeting, with a second by Commissioner Grider. With 5 yes votes, the commission went into indigent meeting at 9:13. Ms. Acosta-Flores reported 14 claims had been submitted in the amount of \$2695.45. She recommended approval of 13 of the claims stating she had not received an application from the patient on the remaining claim. A motion was made by Commissioner Lee to come out of indigent meeting with a second by Commissioner Lopez. With 5 yes votes the indigent meeting was closed at 9:14. Commissioner Lopez made a motion to approve 13 claims totaling \$2,566.45 as recommended, with a second from Commissioner Dixon. Commissioner Grider-Yes, Commissioner Lee-Yes, Commissioner Dixon-Yes, Commissioner Savage-Yes, Commissioner Lopez-Yes.

Roads: Road Superintendent Lovato stated 2 crews are working on 7 miles of the Sagamore project which should be complete by the end of the month with the remaining 4 miles complete by the end of February or early March. Other crews are working on their regular routes.

Manager: Manager Hamilton stated the need for a special meeting to approve the minutes of this meeting right away so the newly elected chair and vice chair could be added as signatory authority on bank accounts prior to the next payroll and accounts payable cycle. That meeting will be scheduled for Friday January 15, 2021. Ms. Hamilton gave an update on the status of the hail damage insurance claims, vehicle repairs and roof repairs. She notified the commissioners that registration is open for the NMC Legislative Conference and encouraged participation in the virtual events. She stated that the 60-day

session opens on January 19th at noon, and that she had spoken with our legislators and had made them aware of the county's legislative and capital outlay priorities for the upcoming session. Ms. Hamilton also gave an update on the Covid-19 gating criteria, stating that she is watching it closely. She gave an update on economic development.

Commissioners: Commissioner Lopez asked if Tim from NMDOT had been replaced, and asked if he and Amber could schedule an introduction when a replacement had been hired. He also asked Ms. Hamilton to send a thank you once the striping was finished on the recent DOT project was complete. He welcomed Commissioner Savage.

Commissioner Lee congratulated Commissioner Dixon on being elected to serve as Chairperson for 2021, and the first female chair for Roosevelt County.

Old Business:

- A. **Annual Report of Detention Center Inspection on December 15, 2020:** Commissioners Dixon, Hunton, Lee and Grider along with Lieutenant Layher, Lieutenant Ramsey, and Administrator Porter conducted the annual inspection of the Detention Center. Commissioner Dixon stated she was particularly impressed with the cleanliness and the smooth operation of the facility as well as the technology/security upgrades. Commissioner Lee thanked Administrator Porter for the tour and commended him on all of the recent upgrades to the kitchen and laundry.

New Business:

- A. **Ratification of Matthew Hunton Signatory Authority for January 1 – 12, 2021 Accounts Payable:** Commissioner Lee made a motion to approve Matthew Hunton as signatory authority for January 1-12, 2021 accounts payable, with a second from Commissioner Grider. Commissioner Grider-Yes, Commissioner Lee-Yes, Commissioner Dixon-Yes, Commissioner Savage-Yes, Commissioner Lopez-Yes.
- B. **Discussion and Possible Action to add both Chairman and Vice-Chairman as Authorized Signatory Officials for Bank Accounts with JP Stone Community Bank, with Authorization to Sign Checks or Orders for the Payment of Money, Withdraw or Transfer Funds on Deposits with Financial Institution. If Financial Institution Accepts this Power with a Multiple Signature Limitation, Domestic Government Unit Agrees to Waive a Multiple Signature Requirement for Any Withdraw in a Format that Does Not Allow Financial Institution an Opportunity to Examine Signatures and Number of Signatures Required:** Commissioner Lopez made a motion to approve adding the Chair and Vice-chair as signatory officials for bank accounts as stated in the agenda, with a second by Commissioner Savage. Commissioner Grider-Yes, Commissioner Lee-Yes, Commissioner Dixon-Yes, Commissioner Savage-Yes, Commissioner Lopez-Yes.
- C. **Discussion of Insurance Premiums for 2021 and Selection of Deductible Amounts:** Ms. Hamilton stated there were no significant changes to the premiums from the previous year with the exception of a requirement for a contribution for land use. Commissioner Lee made a motion to approve the insurance premiums and selection of deductible amounts as presented, with a second by Commissioner Dixon. Commissioner Grider-Yes, Commissioner Lee-Yes, Commissioner Dixon-Yes, Commissioner Savage-Yes, Commissioner Lopez-Yes.
- D. **Discussion and Possible Action to Approve 2021 Roosevelt County Committee Assignments:** Ms. Hamilton presented a draft of committee and board representation assignments, noting that she had replaced Commissioner Hunton with Commissioner Savage on the Finance Board and the Land Use Committee. She asked for volunteers for someone to replace Commissioner Hunton on the Local Growth Management Committee and as an alternate on the NMCA Pool Board. Commissioner Lee will serve on LGMC and Commissioner Dixon will serve as the alternate on NMCA. Commissioner Dixon made a motion to approve the Roosevelt County Committee Assignments as presented with noted changes. Commissioner Lopez seconded the motion. Commissioner Grider-Yes, Commissioner Lee-Yes, Commissioner Dixon-Yes, Commissioner Savage-Yes, Commissioner Lopez-Yes.

Resolutions – Proclamations – Ordinances:

- A. **Consideration of Resolution 2021-01 Compliance with New Mexico Open Meetings Act:** Ms. Hamilton noted that the resolution was very similar to previous resolutions pertaining to the Open Meetings Act with changes to address attendance and participation following Covid-19 guidelines. Commissioner Lee made a motion to approve Resolution 2021-01 as presented. Commissioner Savage seconded the motion. Commissioner Grider-Yes, Commissioner Lee-Yes, Commissioner Dixon-Yes, Commissioner Savage-Yes, Commissioner Lopez-Yes.
- B. **Consideration of Resolution 2021-02 Public Participation at Roosevelt County Commission Meetings:** This resolution was not changed from prior years. Commissioner Grider made a motion to approve Resolution 2021-02 as presented. Commissioner Lee seconded the motion. Commissioner Grider-Yes, Commissioner Lee-Yes, Commissioner Dixon-Yes, Commissioner Savage-Yes, Commissioner Lopez-Yes.
- C. **Consideration of Resolution 2021-03 Delegation of Authority to the County Manager for Disbursement of Vendor Checks:** This resolution is also very similar to prior years, with the exception of the Environment Department being added as a vendor for debt service payments. Commissioner Lopez made a motion to approve Resolution 2021-03 as presented. Commissioner Savage seconded the motion. Commissioner Grider-Yes, Commissioner Lee-Yes, Commissioner Dixon-Yes, Commissioner Savage-Yes, Commissioner Lopez-Yes.
- D. **Consideration of Resolution 2021-04 Delegation of Authority to the County Manager to Enter into Certain Contracts and Settlement Agreements:** This resolution has not changed from previous years. Commissioner Grider made a motion to approve Resolution 2021-04 as presented. Commissioner Lee

seconded the motion. Commissioner Grider-Yes, Commissioner Lee-Yes, Commissioner Dixon-Yes, Commissioner Savage-Yes, Commissioner Lopez-Yes.

- E. Consideration of Resolution 2021-05 Declaring an Exceptional Drought and Fire Danger Emergency in Roosevelt County:** The previous version of this resolution is expiring; this version has been amended to allow for some agricultural burning. Commissioner Lee made a motion to approve Resolution 2021-05 as presented. Commissioner Grider seconded the motion. Commissioner Grider-Yes, Commissioner Lee-Yes, Commissioner Dixon-Yes, Commissioner Savage-Yes, Commissioner Lopez-Yes.
- F. Consideration of Resolution 2021-06 Setting Fees, Rates, and Costs for Roosevelt County:** This resolution is a renewal of the 2019 resolution, with minor modifications as suggested by the department heads. Commissioner Lee made a motion to approve Resolution 2021-06 as presented. Commissioner Dixon seconded the motion. Commissioner Grider-Yes, Commissioner Lee-Yes, Commissioner Dixon-Yes, Commissioner Savage-Yes, Commissioner Lopez-Yes.
- G. Consideration of Resolution 2021-07 Authorizing the Assignment of Authorized Officer(s) and Agent(s):** This resolution is necessary for the agreement with the New Mexico Environment Department. Commissioner Lopez made a motion to approve Resolution 2021-07 as presented. Commissioner Savage seconded the motion. Commissioner Grider-Yes, Commissioner Lee-Yes, Commissioner Dixon-Yes, Commissioner Savage-Yes, Commissioner Lopez-Yes.
- H. Consideration of Resolution 2021-08 In Support of Life – Angie Smith:** Ms. Smith spoke about the necessity for the County to make a formal declaration in support of life. She stated she had been working on this issue since Senate Bill 51 was narrowly defeated in 2019. She stated that many more individuals were affected by abortion than just the unborn child. She gave examples of available resources for pregnant women and others affected by abortion. Commissioner Lopez stated he had received calls and emails in support of this resolution and thanked Ms. Smith for speaking in support of the resolution. She stated that she believed that a bill similar to SB51 would be introduced in the 60-day session and asked that Roosevelt County pass this resolution in support of life in an effort to defeat any proposed legislation that may be introduced in the 2021 legislative session. Commissioner Savage made a motion to approve Resolution 2021-08 as presented. Commissioner Dixon seconded the motion. Commissioner Grider-Yes, Commissioner Lee-Yes, Commissioner Dixon-Yes, Commissioner Savage-Yes, Commissioner Lopez-Yes.
- I. Consideration of Ordinance 2021-01 An Ordinance Relating to the Promotion of the Ethical Conduct of Public Officials within Roosevelt County and Addressing Interference by County Commissioners or Other Elected Officials:** Commissioner Lee made a motion to go into public hearing, with a second from Commissioner Grider. With 5 yes votes, public hearing opened at 10:09. Commissioner Dixon asked if anyone would like to speak, in support of or opposition to, the proposed ordinance. There was no public comment. Public hearing was closed at 10:10 with a motion from Commissioner Lee, a second by Commissioner Grider and 5 yes votes. Commissioner Dixon stated she would like to see some amendments to section 7. Mr. Knudson stated that making further amendments would require publication of another Notice of Ordinance to inform the public of the proposed changes to the ordinance and allow for another public hearing. After discussion among the members of the board, Commissioner Grider made a motion to approve the ordinance as presented in the Notice of Ordinance which was published for the required two weeks prior to the meeting. Commissioner Lee seconded the motion. Commissioner Grider-Yes, Commissioner Lee-Yes, Commissioner Dixon-No, Commissioner Savage-Yes, Commissioner Lopez-Yes. With one descending vote, the motion passed.
- J. Consideration of Ordinance 2021-02 Considering a Tax Rebate of a Part of Property Tax Due From Low-Income Taxpayers:** Commissioner Lee made a motion to go into public hearing, with a second from Commissioner Lopez, and 5 yes votes, public hearing began at 10:22. Treasurer Sanchez spoke in opposition to the ordinance stating that it would be more of a detriment to the county than a benefit to the individual tax payer. Manager Hamilton also spoke against the ordinance stating it was a state requirement for the Commission to consider, but it was not planned for or budgeted and the potential financial impacts could prove detrimental. Commissioner Lee made a motion to end the public hearing with a second by Commissioner Lopez and 5 yes votes, public hearing ended at 10:26. After some discussion the ordinance died for lack of a motion.

Contracts – Agreements – Procurements:

- A. Request for Approval of 2022 EMS Fund Act Application for Milnesand Volunteer Fire Department:** Ms. Acosta-Flores requested approval of the 2022 EMS Fund Act Application submitted by the Milnesand Volunteer Fire Department. Commissioner Lee made a motion to approve the request as presented, with a second by Commissioner Dixon. Commissioner Grider-Yes, Commissioner Lee-Yes, Commissioner Dixon-Yes, Commissioner Savage-Yes, Commissioner Lopez-Yes.
- B. Request for Approval of Agreement with State of NM for Capital Outlay Award of \$250,000 20-E2674 to Plan, Design, Construct, Furnish and Equip a Road Maintenance Facility:** Commissioner Grider made a motion to approve the request as presented, with a second by Commissioner Lee. Commissioner Grider-Yes, Commissioner Lee-Yes, Commissioner Dixon-Yes, Commissioner Savage-Yes, Commissioner Lopez-Yes.

Media Communication: None

Executive Session: Motion to go into Executive Session Pursuant to 10-15-1 N.M.S.A. (1978) H (2) limited personnel matters; H (7) attorney-client privileged information pertaining to threatened or pending litigation, specifically the McFarlin vs. Roosevelt County, Hernandez vs. Roosevelt County, Taylor vs. Roosevelt County, Webber vs. Roosevelt County, Natural Chem Holdings, Roosevelt County vs. NMTRD, Arthur vs. Roosevelt County,

Padilla vs. Roosevelt County, National Prescription Opiate Litigation, and to discuss attorney-client privileged information relating to pending or threatened litigation and/or limited personnel matters was made at 10:55 a.m. by Commissioner Dixon with a second by Commissioner Lee. Commissioner Grider-Yes, Commissioner Dixon-Yes, Commissioner Savage-Yes, Commissioner Lee-Yes, Commissioner Lopez-Yes. After a short recess, the executive session began at 11:05 a.m.

Those attending Executive Session were: Commissioner Grider, Commissioner Dixon, Commissioner Lee, Commissioner Savage, Commissioner Lopez, Manager Hamilton and County Attorney Knudson. Commissioner Lopez left the meeting at 11:21 a.m.


Motion to come out of Executive Session was made at 11:34 a.m. by Commissioner Dixon with a second from Commissioner Lee. Commissioner Dixon stated only those items mentioned above were talked about. Commissioner Grider-Yes, Commissioner Dixon-Yes, Commissioner Savage-Yes, Commissioner Lee-Yes. No Action Needed, No Action Taken.

Adjourn: Meeting adjourned at 11:37 a.m.

ATTEST:


Mahdi M. Park
County Clerk

BOARD OF ROOSEVELT
COUNTY COMMISSIONERS


Tina Dixon
Commission Chair

