

Monday, November 9, 2020
Virtual Meeting

The Roosevelt County Commission met in virtual format for a regular business meeting on Monday November 9, 2020, at 9:00 a.m. with those present being: Commissioner Paul Grider, Commissioner Tina Dixon, Commissioner Dennis Lopez, Commissioner Matthew Hunton, Commissioner Shane Lee, County Manager Amber Hamilton, County Attorney Randy Knudson, Interim County Clerk Nath Baca, County Service Specialist Mandi Park, Special Projects Coordinator Carol Acosta-Flores, Sheriff Malin Parker, Lieutenant Javier Sanchez, RCDC Administrator Justin Porter, County Treasurer Layle Sanchez, Financial Specialist Liliana Rivera, Road Superintendent Ricky Lovato. Libertarian Party Chair Ginger Grider came to the Commission room for the meeting at 10:48 am, but did not stay since the meeting was being held in a virtual format.

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

Approval of Agenda:

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

Approval of Minutes:

Motion to approve minutes of the October 6, 2020 regular meeting was made by Commissioner Dixon with a second from Commissioner Grider. Commissioner Dixon-Yes, Commissioner Lopez-Yes, Commissioner Grider-Yes, Commissioner Lee-Yes, Commissioner Hunton-Yes.

Approval of Accounts Payable/Payroll:

Motion to approve accounts payable and payroll for the month of October 1 - 31, 2020 was made by Commissioner Lee with a second from Commissioner Hunton. Commissioner Dixon-Yes, Commissioner Lopez-Yes, Commissioner Grider-Yes, Commissioner Lee-Yes, Commissioner Hunton-Yes.

Public Requests: NONE

Elected Officials/Department Heads Report:

Detention: Facility count is 65 (52 males and 13 females) with 14 being from out of county, 79 bookings and 73 releases for the month of October 2020, and \$25,125.00 total billed to Union County. There are 3 Officers/Cadets in academy training and 1 recent graduate.

Finance: Ms. Rivera gave a report on the 1st Quarter which ended September 30, 2020. She stated that all departments are within budget.

Healthcare: Ms. Acosta Flores asked the board to go into Indigent Healthcare Meeting.

Recess - Board of Commission: 9:18 a.m.

Indigent Healthcare Meeting: A motion to convene Indigent Healthcare meeting was made by Commissioner Lopez with a second by Commissioner Hunton. Commissioner Dixon-Yes, Commissioner Lopez-Yes, Commissioner Grider-Yes, Commissioner Lee-Yes, Commissioner Hunton-Yes.

Ms. Flores reported that 13 indigent claims had been filed. She asked that the board approve 11 of the claims and deny 2 claims, both of which were not filed in a timely manner. The claims recommended for approval totaling \$7701.56. 10 claims were from RGH and the other was from the City of Portales Ambulance.

Adjourn Indigent Healthcare meeting: 9:22 a.m.

Reconvene - Board of Commission: Motion to reconvene Board of Commission was made by Commissioner Lee with a second from Commissioner Grider. Commissioner Dixon-Yes, Commissioner Lopez-Yes, Commissioner Grider-Yes, Commissioner Lee-Yes, Commissioner Hunton-Yes.

A motion to approve the indigent healthcare claims as presented was made by Commissioner Hunton with a second from Commissioner Grider. Commissioner Dixon-Yes, Commissioner Lopez-Yes, Commissioner Grider-Yes, Commissioner Lee-Yes, Commissioner Hunton-Yes.

Road: Road Superintendent Lovato reported his department is working on building roads and doing routine maintenance. He stated they are currently working in the Vans Subdivision on Capital Outlay. He reported that School Bus and LGRF projects are complete. He also stated that there are 2 open positions in the Road Department. Commissioner Lee asked about the roads used for the wind project. Mr. Lovato stated those roads will be addressed further down the agenda.

Treasurer: Ms. Sanchez reported that tax collection is going smoothly.

Manager: Manager Hamilton reported that she had a follow-up call with New Mexico Taxation and Revenue Department regarding county equalization revenue. That revenue will be down by \$420,000.00. Census 2020 is now complete. Roosevelt County had a self-response rate of 54% and is projected to have a 72.87% adjusted self-response rate.

Hail damage claims and repairs are progressing. The county sustained over \$2 million in damages to vehicles and buildings. Detention, Road and the Sheriff's Office are working with a local repair shop to make repairs to fleet vehicle with the work almost complete. Contracts for repair to facilities have been awarded to Nixon Construction, including the Courthouse, Detention Center roofs. The county is preparing a bid for the replacement of the LaCasa roof.

Commissioners:

Commissioner Lee reported that the wind project near Dora is almost complete with 7 wind towers remaining. He stated the update from the state highway department on the expected completion of NM 206 is to be striped within the next 2 weeks.

Commissioner Lopez asked for an update on the road work on Boston Street. Manager Hamilton will follow-up with the city.

New Business:

Recess - Board of Commission: 9:45 a.m.

Board of Canvass: Motion to convene Board of Canvass was made at 9:45 a.m. by Commissioner Hunton with a second from Commissioner Grider. Commissioner Dixon-Yes, Commissioner Lopez-Yes, Commissioner Grider-Yes, Commissioner Lee-Yes, Commissioner Hunton-Yes.

A. Canvass Board for the 2020 General Election held November 3, 2020:

Ms. Baca reported the voter counts for the election by polling location, stating that there were 6627 ballots cast in total. Election day totals were 119 ballots cast at Dora, 106 ballots cast at Elida, 104 ballots cast at Floyd, 372 ballots cast at the Jake Lopez Community Center, and 631 ballots cast at the Memorial Building. Early voting totals were 3607 early in person at the Clerk's Office, 516 at the Jake Lopez Community Center, and 1173 absentee by mail. Throughout early voting 127 voters utilized the same day voter registration to register and cast a ballot. Roosevelt County currently has 10,800 registered voters; 61% voter turn-out. Ms. Baca noted that the absentee board worked 15 hours to tally votes. She thanked the staff, the poll workers, the people cleaning and sanitizing, and the vendor service technicians who worked to help with the election. Commissioners Lopez and Hunton thanked Ms. Baca for the report and for doing a great job getting through the election.

A motion to accept the canvass as presented was made by Commissioner Lee with a second from Commissioner Grider. Commissioner Dixon-Yes, Commissioner Lopez-Yes, Commissioner Grider-Yes, Commissioner Lee-Yes, Commissioner Hunton-Yes.

Adjourn Board of Canvass: 9:59 a.m.

Reconvene - Board of Commission: Motion to reconvene Board of Commission was made at 9:59 a.m. by Commissioner Lopez with a second from Commissioner Hunton. Commissioner Dixon-Yes, Commissioner Lopez-Yes, Commissioner Grider-Yes, Commissioner Lee-Yes, Commissioner Hunton-Yes.

- B. Discussion Regarding Sheriff's Office Organizational Chart and Frozen Position:** Sheriff Parker asked the Commission to consider lifting the hiring freeze on a transport officer position, stating that he is down 1 transport officer and 2 deputies currently. He also stated that he had to add an officer to provide court security which was an unfunded mandate that adversely affects his department budget. Sheriff Parker also stated that his department was cut by 1 deputy during budget cuts and that position has not yet been replaced. All agreed that public safety should be the highest priority. The commission suggested that filling the two deputy positions may alleviate some of the strain on the department. Sheriff Parker stated that there are not enough qualified candidates to fill the open positions, saying that there are not many people looking to get into law enforcement in the current environment. Sheriff Parker stated that thefts are up, vehicle thefts are up, homicides are up, and his department is down. Lt. Sanchez stated that they have already expended 67% of their overtime budget for the year. Sheriff Parker again stated that pulling a deputy from an investigation to serve as a transport officer puts a strain on the entire department. Commissioner Hunton asked Sheriff Parker to wait until the end of November when an ample amount of property taxes have been collected to make a decision regarding the frozen position. Sheriff Parker asked to hear from each of the Commissioners. Commissioner Hunton reminded everyone that there was no motion and no action proposed. Commissioners Dixon and Lopez expressed agreement asking the Sheriff to wait until November 30.

- C. Consideration of the Proposed 2021 Roosevelt County Calendar:** Manager Hamilton presented the proposed calendar including holidays, paydays and commission meetings. A motion to accept the calendar as presented was made by Commissioner Lee with a second from Commissioner Grider. Commissioner Dixon-Yes, Commissioner Lopez-Yes, Commissioner Grider-Yes, Commissioner Lee-Yes, Commissioner Hunton-Yes.

Board of Finance Meeting:

Recess - Board of Commission: 10:42 a.m.

Board of Finance: Motion to convene Board of Finance was made by Commissioner Lee with a second from Commissioner Dixon. Commissioner Dixon-Yes, Commissioner Lopez-Yes, Commissioner Grider-Yes, Commissioner Lee-Yes, Commissioner Hunton-Yes.

Ms. Sanchez stated that investments are maturing helping to stabilize revenue. She also stated that a decline in rates over the next 2 years is expected.

Adjourn Board of Finance: 10:45 a.m.

Reconvene - Board of Commission: Motion to reconvene Board of Commission was made by

Commissioner Hunton with a second from Commissioner Lee. Commissioner Dixon-Yes, Commissioner Lopez-Yes, Commissioner Grider-Yes, Commissioner Lee-Yes, Commissioner Hunton-Yes. No action necessary as a result of the board of finance meeting.

Resolutions - Ordinances - Proclamations:

- A. **Consideration of Resolution 2020-30 Opposing the Recommendation of the New Mexico Civil Rights Commission and urging the Legislature to Provide More Resources to Address Root Causes of Civil Rights Claims Against Local Governments :** After some discussion about basic legal protections for law enforcement and detention officers, and the need to preserve qualified immunity for those officers a motion to approve resolution 2020-30 was made by Commissioner Dixon with a second from Commissioner Grider. Commissioner Dixon-Yes, Commissioner Lopez-Yes, Commissioner Grider-Yes, Commissioner Lee-Yes, Commissioner Hunton-Yes.
- B. **Consideration of Resolution 2020-31 Declaring a Severe Drought and Fire Danger Emergency in Roosevelt County:** Roosevelt County was recently upgraded from Severe to Extreme; therefore, a motion to approve resolution 2020-31 as amended to read "Declaring an Extreme Drought and Fire Danger Emergency in Roosevelt County" was made by Commissioner Lee with a second from Commissioner Hunton. Commissioner Dixon-Yes, Commissioner Lopez-Yes, Commissioner Grider-Yes, Commissioner Lee-Yes, Commissioner Hunton-Yes.
- C. **Consideration of Ordinance 2020-01 Roosevelt County Personnel Ordinance:** Ms. Olds asked the Commission to go into public hearing.

Public Hearing: Motion to convene public hearing was made by Commissioner Hunton with a second from Commissioner Lee. Commissioner Dixon-Yes, Commissioner Lopez-Yes, Commissioner Grider-Yes, Commissioner Lee-Yes, Commissioner Hunton-Yes.

Ms. Olds stated the necessary updates included adding definitions, updating the inclement weather policy, and the drug and alcohol abuse policy as well as changes specific to the Road Department.

Motion to adjourning public hearing was made by Commissioner Lee with a second from Commissioner Hunton. Commissioner Dixon-Yes, Commissioner Lee-Yes, Commissioner Lopez-Yes, Commissioner Grider-Yes. A motion to approve Ordinance 2020-01 Roosevelt County Personnel Ordinance was made by Commissioner Dixon with a second from Commissioner Hunton. Commissioner Dixon-Yes, Commissioner Lopez-Yes, Commissioner Grider-Yes, Commissioner Lee-Yes, Commissioner Hunton-Yes.

- D. **Request for consideration of Publication of Notice of Intent of Ordinance 2020-02 Authorizing Roosevelt County to Enter into a Loan Agreement with the New Mexico Environment Department for a Storm Water Mitigation Project:** Ms. Hamilton stated the annual payment on the loan would be \$17,116.60 over 20 years. She stated the project was necessary to keep storm water from draining on to Lime Street and puddling at the peanut processing facility. She stated this debt service is affordable. A motion to publish the Notice of Intent as presented was made by Commissioner Lopez with a second from Commissioner Hunton. Commissioner Dixon-Yes, Commissioner Lopez-Yes, Commissioner Grider-Yes, Commissioner Lee-Yes, Commissioner Hunton-Yes

Contracts –Agreements – Procurements:

- A. **Request for Approval of Contract Addendum to the Transportation, Road Use, and Road Maintenance Agreement.** Manager Hamilton stated that an additional 11.5 miles of roads have been identified that were not originally included in the contract for reconstruction. Those roads include South Roosevelt Road L from NM 235 one mile north; South Roosevelt Road J from NM 235 to South Roosevelt Road 35; South Roosevelt Road K from South Roosevelt Road 25 ½ to South Roosevelt Road 27 ½. Sagamore will cover the cost of materials and water, Xcel Energy will reimburse the cost of labor and equipment. Roosevelt County Road Department will do the work. Commissioner Lee also requested that each road cut be repaired. Mr. Lovato stated that was part of the original contract and would be done as part of the final assessment. A motion to Approve the Contract Addendum to the Transportation, Road Use and Road Maintenance Agreement was made by Commissioner Dixon with a second by Commissioner Grider. Commissioner Dixon-Yes, Commissioner Lopez-Yes, Commissioner Grider-Yes, Commissioner Lee-Yes, Commissioner Hunton-Yes.
- B. **Request for Ratification of Roosevelt County Small Business Grant Awards in Total Amount of \$59,996.68.** Ms. Acosta Flores requested ratification so that she could release the first round of awards. There have been awards to 6 local applicants including: Holiday Inn, Super 8, Best Western Portales Inn, Sands Motel, Foodbank, and Dawg Houze. There have been 10 new applications received. A motion to approve the Ratification of Roosevelt County Small Business Grant Awards was made by Commissioner Lee with a second from Commissioner Hunton. Commissioner Dixon-Yes, Commissioner Lopez-Yes, Commissioner Grider-Yes, Commissioner Lee-Yes, Commissioner Hunton-Yes
- C. **Request for Approval of Contract Renewal of Banking Services with JP Stone Community Bank.** Ms. Sanchez stated that they have been very pleased with the service provided by JP Stone Community bank. A motion to Approve the Contract Renewal for Banking Services with JP Stone Community Bank was made by Commissioner Grider with a second by Commissioner Lee. Commissioner Dixon-Yes, Commissioner Lopez-Yes, Commissioner Grider-Yes, Commissioner Lee-Yes, Commissioner Hunton-Yes.
- D. **Request for Approval of Grant Agreement for General Election Support with Center for Tech and Civic Life.** Ms. Park requested approval of a grant agreement in the amount of \$15,352.50 for general election support from the Center for Tech and Civic Life. The grant is made available to cover the additional costs

of administering the general election related to the pandemic. A motion to approve the grant agreement as presented was made by Commissioner Lee with a second by Commissioner Dixon. Commissioner Dixon-Yes, Commissioner Lopez-Yes, Commissioner Grider-Yes, Commissioner Lee-Yes, Commissioner Hunton-Yes.

E. Request for Approval of Professional Services Agreement for Planning with Johnny Montiel.

A motion to approve the Professional Services Agreement for Planning with Johnny Montiel was made by Commissioner Hunton with a second by Commissioner Grider. Commissioner Dixon-Yes, Commissioner Lopez-Yes, Commissioner Grider-Yes, Commissioner Lee-Yes, Commissioner Hunton-Yes

Executive Session:

Pursuant to 10-15-1 N.M.S.A. (1978) H (2) limited personnel matters and 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, National Prescription Opiate Litigation, and to discuss attorney-privileged information relating to pending or threatened litigation and/or limited personnel matters.

Commissioner Hunton stated that no action will be taken as a result of the executive session, it is just for informational purposes.

A motion was made to go into executive session at 11:39 by Commissioner Hunton with a second by Commissioner Dixon. Commissioner Dixon-Yes, Commissioner Lopez-Yes, Commissioner Grider-Yes, Commissioner Lee-Yes, Commissioner Hunton-Yes


A motion to come out of executive session at 12:01pm was made by Commissioner Hunton with a second by Commissioner Dixon. Commissioner Dixon-Yes, Commissioner Lopez-Yes, Commissioner Grider-Yes, Commissioner Lee-Yes, Commissioner Hunton-Yes

No action taken; no action necessary.

Media Communication: None

Adjourn: Meeting adjourned at 12:02 p.m.

ATTEST:



Nath Baca
Interim County Clerk

BOARD OF ROOSEVELT
COUNTY COMMISSIONERS



Matthew Hunton
Commission Chairman

