

Tuesday, August 10, 2021
County Commission Room
Roosevelt County Courthouse
Portales, New Mexico 88130

The Roosevelt County Commission met in regular business meeting on Tuesday August 10, 2021 at 9:00 a.m. in the County Commission Room with those present being: Commissioner Tina Dixon, Commissioner Dennis Lopez, Commissioner Shane Lee, Commissioner Paul Grider, Commissioner Rodney Savage, Attorney Randy Knudson, County Clerk Mandi Park, Chief Deputy Clerk Nath Baca, Treasurer Layle Sanchez, Chief Deputy Assessor Stevin Floyd, GIS Coordinator Johnny Montiel, Special Projects Coordinator Carol Acosta-Flores, Road Supervisor Juan Dominguez, Financial Specialist Liliana Rivera, Human Resources Administrator Debra Olds, Administration Intern Laura Blaeser, Lt. Javier Sanchez, Deputy Martin Williamson, Detention Administrator Justin Porter, Detention Administrative Assistant Beatriz Juarez, Detention Intern Brian Castro, Detention Intern Mario Velasco, Detention Intern Karlos Biscop, DWI Program Coordinator Darla Reed, RCCDC Executive Director Jim Lucero, community members Shonnie Standifer and Angie Smith.

Call to Order - Commissioner Dixon at 9:00 a.m.

Invocation – Shonnie Standifer

Pledge - Commissioner Tina Dixon

1. Approval of Agenda:

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

2. Approval of Minutes:

Motion to approve minutes of the July 27, 2021 regular meeting was made by Commissioner Grider with a second from Commissioner Savage. Commissioner Grider-Yes, Commissioner Dixon-Yes, Commissioner Savage-Yes, Commissioner Lee-Yes, Commissioner Lopez-Yes.

3. Approval of Accounts Payable and Payroll:

A motion to approve accounts payable and payroll from July 1, 2021 through July 31, 2021 was made by Commissioner Lee with a second from Commissioner Lopez. Commissioner Grider-Yes, Commissioner Dixon-Yes, Commissioner Savage-Yes, Commissioner Lee-Yes, Commissioner Lopez-Yes.

4. Public Requests:

Shonnie Standifer stated she and a group of others intend to issue a proclamation and read it from the courthouse steps to proclaim Roosevelt County be dedicated to the Kingdom of God. Ms. Standifer also thanked Commissioner Savage for his service to the Portales School Board and acting as a voice of the people at the school board meeting held on Monday August 9, 2021.

Darla Reed stated she had concerns about the content of the Cannabis Ordinance to be heard further down the agenda. She stated she had not been able to find the full content of the proposed ordinance. Commissioner Dixon stated she was able to pull up the ordinance on the Eastern New Mexico News with guidance from the newspaper staff.

5. Elected Officials/Department Heads Report:

Employee Recognition: Ms. Olds stated our employees are our greatest asset and presented staff with the following years of service awards: Nath Baca, Clerk's Office – 20 years, Deputy Martin Williamson, Sheriff's Office – 5 years, Jason McDonald, Road Department – 5 years, Liliana Rivera, Finance – 3 years, Sgt. Alana Fackler, Detention – 1 year, Beatriz Juarez, Detention – 1 year. Commissioner Dixon presented Ms. Olds, Human Resources, with an award for 5 years of service.

Sheriff's Office: Lt. Javier Sanchez stated Deputy Martin Williamson would be retiring at the end of the month. He stated Deputy Williamson had a total of 45 years of public service in law enforcement. Prior to joining the Roosevelt County Sheriff's Office, Deputy Williamson retired from the air force, followed by 20 years of service to the Clovis Police Department. Lt. Sanchez asked the commission and county attorney to find a way to present Deputy Williamson with his duty weapon upon his retirement. He stated other departments honor retirees in this manner. The commission did not disagree and Mr. Knudson stated he would look into the proper channels for disposition of a duty weapon.

Treasurer: Ms. Sanchez presented the treasurer's report for the month of June 2021. She stated there was a general fund beginning cash balance of \$4,163,688.30, increases (debits) of \$583,530.56, and decreases (credits) of \$750,912.00, ending the general fund cash balance with \$3,951,306.86. Ms. Sanchez also stated the New Mexico Taxation and Revenue Department had been in her office working on the delinquent property tax list. There are currently 16 properties on the delinquent list that will go to auction if the past due taxes are not brought current prior to the sale date. The delinquent property tax sale is tentatively scheduled for Tuesday, September 14, 2021.

Detention: Mr. Porter stated the facility count stands at 59 with 46 male detainees and 13 female detainees. One detainee is from out of the county. For the month of July there were 57 booking and 51 releases. There were 3 transports to Department of Corrections, including 5 female transports and 4 males transported. 3 officers graduated the training academy. Mr. Porter stated that on the 19th of July the state supreme court mandated that in custody detainees again appear in person in court. They did give some discretion to local judges to allow detainees to appear remotely. Mr. Porter expressed concern over detainees risking exposure and spreading the virus within the facility, to the detention staff, and to the transport and court officials. He stated the detention affiliate and NMDOH are working on protocols and best practices to maintain the safe and clean environment that his staff and the detainee population have worked hard to achieve. He stated they are

continuing to test on a regular basis and are maintaining the enhanced protocols. He stated they have hosted a vaccination clinic and about 20% of the detainee population and 30% of the staff chose to participate. Mr. Porter also stated they have a walk-through scheduled with a vendor for the security camera system upgrade.

Road: Mr. Dominguez stated the road department has received approval to begin the Sundale Valley Road project, which they will start as soon as they finish up the current project on South Roosevelt Road 16. They will continue with South Roosevelt Road 19. They are patching, shredding, helping prepare the fairground for the fair, and blades are out in their districts.

Commission: Commissioner Lee stated he had been contacted by Ms. Shirley on Road U ½ about obtaining and easement for an unused portion of a corner near the highway intersection. Mr. Knudson suggested that Commissioner Lee advise her to seek a legal opinion from a private attorney rather than through the county in order to avoid a conflict of interest. The other commissioners did not give any reports or input on items not contained in the agenda.

6. Old Business:

A. Discussion and Consideration of Meeting Time Change: Commissioner Savage stated that he felt the county as a whole would benefit from having well informed citizens. He stated a 9:00 am meeting time does limit the involvement of people who work during the day, educators and students. He stated he would be in favor of a temporary time change to see if there was an increase in participation. Commissioner Lopez stated this has come up other times over the years and he feels consistency is important, if a change is agreed upon, he did not want to see some mornings and some evenings. That inconsistency would not be beneficial in increasing participation. Commissioner Lee thanked the staff who did answer the survey, and stated he had a few calls on the subject, most were in favor of the meeting time remaining at 9:00 am. Commissioners Lopez, Dixon and Grider had very few calls on the subject, and no complaints about the current meeting time. Commissioner Dixon made a motion to change the meeting time to Tuesday evening at 6:00 pm on the 2nd and 4th Tuesday of each month, with a second by commissioner Savage. Commissioner Grider-No, Commissioner Dixon-Yes, Commissioner Savage-Yes, Commissioner Lee-No, Commissioner Lopez-No. With a vote of 2-3, the motion failed.

7. New Business:

A. Presentation of 2023-2027 ICIP and Discussion on the ICIP Working Document: Ms. Acosta-Flores explained the Infrastructure and Capital Improvement Plan is a 5 -year plan, and that it is necessary to have well thought-out capital projects on the list in order to prioritize the list and to seek funding for the projects. She also stated in general the top 5 projects on the priority list are the projects considered for funding. She stated it is a working document and asked the commissioners to review it and make suggestions. She said she will be working with the Road Superintendent to add a Road Improvement Project 2027 to the list. Ms. Acosta-Flores also said additional phases may be added to projects. Many of the road department and detention center projects are completed in phases. No action taken.

B. Discussion and Consideration of Submitting a Written Response regarding the Lesser Prairie Chicken on Behalf of the Commission: Commissioner Dixon explained there is some discussion of changing the level of the lesser prairie chicken from threatened to endangered. This change would add restrictions on the county and residents in areas of lesser prairie chicken habitats, making it more difficult to maintain roads, build fences, build and maintain wind turbines, etc. Commissioner Savage stated he had worked for the BLM and evaluated the lesser prairie chicken habitat. He stated the method of evaluation was skewed towards preservation. He stated the fluctuation in population could be attributed as much to weather conditions as habitat or disruptions of habitat. He also stated that farmers and ranchers are good stewards of the land. After some discussion commissioners agreed, they would like to see the lesser prairie chicken remain at the least restrictive rating. Commissioner Lee made a motion to allow Ms. Dixon to draft a letter on behalf of the commission to keep the lesser prairie chicken at the status of threatened, with a second from Commissioner Savage. Commissioner Grider-Yes, Commissioner Dixon-Yes, Commissioner Savage-Yes, Commissioner Lee-Yes, Commissioner Lopez-Yes.

8. Resolution – Ordinances – Proclamations:

A. Consideration of Resolution 2021-40 Affirming our Resolute Opposition to the Promotion of Race of Sex Stereotyping or Scapegoating and Condemning the Use of Divisive Concept and the Theories That Propagate Such Stereotyping and Scapegoating: Commissioner Lee asked how this resolution is any different than other anti-discrimination laws already in statute. After much discussion, Commissioner Savage made a motion to approve Resolution 2021-40, with a second from Commissioner Grider. Commissioner Grider-Yes, Commissioner Dixon-Yes, Commissioner Savage-Yes, Commissioner Lee-Yes, Commissioner Lopez-No. The motion passed with a vote of 4-1.

B. Request for Approval of Ordinance 2021-03 An Ordinance Regulating the Time, Place and Manner of Cannabis Sales, Manufacturing and Consumption: At 10:15 am Commissioner Lee made a motion to go into public hearing for the purpose of discussion of the proposed ordinance, with a second from Commissioner Grider. Commissioner Grider-Yes, Commissioner Dixon-Yes, Commissioner Savage-Yes, Commissioner Lee-Yes, Commissioner Lopez-Yes. Commissioner Dixon voiced concerns relating to the distance between production and consumption. Commissioner Lee voice concerns about too much governmental controls. Commissioner Lopez stated his constituents will be governed by policy adopted by the municipality; therefore, he would look to the other commissioners for guidance on this issue. Mr. Knudson clarified after September 1, 2021 the law will be in place, and local governments have the right to regulate the time place and manner of sales, manufacturing and consumption. In order to be effective and enforceable, any local ordinance needs to be in place prior to the issuance of permits. Amendments were requested. After much discussion, Commissioner Lee made a motion to adopt Ordinance 2021-03 with the requested amendments. A second was given by Commissioner Dixon. Commissioner Grider-Yes, Commissioner Dixon-Yes, Commissioner Savage-Yes,

Commissioner Lee-Yes, Commissioner Lopez-Yes. Commissioner Dixon made a motion to come out of public hearing at 10:46 am, for the purpose of a vote on the proposed ordinance, with a second by Commissioner Lee. Commissioner Lee restated his motion, Commissioner Dixon restated her second. Commissioner Grider-Yes, Commissioner Dixon-Yes, Commissioner Savage-Yes, Commissioner Lee-Yes, Commissioner Lopez-Yes. With 5 yes votes, Ordinance 2021-03 as amended was adopted.

9. Procurements – Contracts – Agreements:

A. Request for Approval of Funding Agreement 21-ZF9142 with Department of Finance and Administration to Roosevelt County for \$50,000.00 for the MAT Program at the Detention Center Ms. Rivera requested approval of the funding agreement as previously presented. Commissioner Lopez made a motion to approve the funding agreement as presented with a second by Commissioner Lee. Commissioner Grider-Yes, Commissioner Dixon-Yes, Commissioner Savage-Yes, Commissioner Lee-Yes, Commissioner Lopez-Yes.

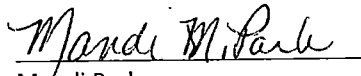
B. Request for Approval of Contract Renewal with Desert West Enterprises LLC for Emulsion Materials: Ms. Rivera asked for approval of the contract renewal. She stated the renewal was a continuation of the same contract with no increase in cost of materials. Commissioner Lee made a motion to approve the contract renewal as presented, with a second from Commissioner Lopez. Commissioner Grider-Yes, Commissioner Dixon-Yes, Commissioner Savage-Yes, Commissioner Lee-Yes, Commissioner Lopez-Yes.

C. Request for Approval of Memorandum of Understanding between the City of Portales and Roosevelt County for the placement of secured lock boxes: Ms. Park explained the MOU between the City and County is for placement of a secured ballot drop box at the Memorial Building. The state legislature mandated the boxes be available to the voter. The other 2 required boxes will be placed on county owned property at the courthouse and at the Jake Lopez Community Center. Commissioner Dixon made a motion to approve the MOU as presented, with a second from Commissioner Savage. Commissioner Grider-Yes, Commissioner Dixon-Yes, Commissioner Savage-Yes, Commissioner Lee-Yes, Commissioner Lopez-Yes.

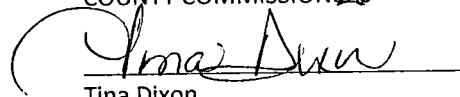
10. Media Communication: There was no media present at the meeting.

11. Adjourn: The meeting was adjourned at 10:52.

ATTEST:


Mahdi Park
County Clerk

BOARD OF ROOSEVELT
COUNTY COMMISSIONERS


Tina Dixon
Commission Chair

