

Tuesday, April 18, 2023
County Commission Room
Roosevelt County Courthouse
Portales, New Mexico 88130

The Roosevelt County Commission met in regular business meeting on Tuesday April 18, 2023 at 9:00 a.m. in the County Commission Room with those present being: Commissioner Paul Grider, Commissioner Rodney Savage, Commissioner Tina Dixon, Commissioner Roy Lee Criswell, Commissioner Dennis Lopez, County Manager Amber Hamilton, County Attorney Michael Garcia, Assistant County Manager Liliana Rivera, Clerk Mandi Park, Treasurer Layle Sanchez, Road Superintendent Ricky Lovato, Detention Administrator Shayla Ramsey, MAT Program Coordinator Kris Paulus, Sheriff Javier Sanchez, Chief Deputy Bryan Holmes, GIS Coordinator Johnny Montiel, Assessor Stevin Floyd, Councilwoman Veronica Cordova, Councilman Chad Heflin, Yvette Harrell, Bill Humphries, Megan Hamilton, Cassidy Self, June Merrick, Richard Chambers, Jake Lopez, Kim Perry, Seth Martin, Bill Williams, Dean Jackson, Kaye Green and Eastern New Mexico News Staff Landry Sena.

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

Invocation – Amber Hamilton

Pledge - Commissioner Grider

1. Approval of Agenda: A motion to approve the agenda was made by Commissioner Lopez with a second from Commissioner Dixon. Commissioner Grider-Yes, Commissioner Dixon-Yes, Commissioner Criswell-Yes, Commissioner Savage-Yes, Commissioner Lopez-Yes.

2. Approval of Minutes: A motion to approve the minutes from the April 4, 2023 regular meeting and the April 5, 2023 Dispatch meeting was made by Commissioner Grider with a second from Commissioner Criswell. Commissioner Grider-Yes, Commissioner Dixon-Yes, Commissioner Criswell-Yes, Commissioner Savage-Yes, Commissioner Lopez-Yes.

3. Approval of Accounts Payable and Payroll: A motion to approve the accounts payables and payroll for the month of March was made by Commissioner Lopez with a second from Commissioner Savage. Commissioner Grider-Yes, Commissioner Dixon-Yes, Commissioner Criswell-Yes, Commissioner Savage-Yes, Commissioner Lopez-Yes.

4. Public Requests: There were no public requests.

5. Elected Officials and Department Heads Reports:

Assessor: Mr. Floyd gave an overview of the use of the 1% re-appraisal fees. He stated his office is mandated to re-appraise every property in the county at minimum every six years. His goal is to re-appraise each property in the county within his 4-year term.

Treasurer: Ms. Sanchez stated the New Mexico Taxation and Revenue Department will hold a public auction to sell Roosevelt County properties with delinquent property taxes. That tax sale is tentatively scheduled for Wednesday June 28, 2023. Ms. Sanchez suggested changing the venue from the commission room where the sale has been held in the past, to the Jake Lopez Community Center. She stated the commission room was very tight for the size of the crowd in attendance at last year's tax sale.

Ms. Sanchez gave the cash balance report for the month of February 2023, stating there was a beginning cash balance of \$5,302,328.97 with debits of \$447,102.58 and credits of \$3,704,847.79 leaving an ending balance of \$2,044,588.76 as of February 28, 2023.

Floodplain: Mr. Montiel stated he had made comments and revisions to the floodplain maps during the open public comment period. He stated Dora and Floyd were not included on the maps and were not able to make comments during the comment period. The second public comment period is now underway. The 90-day comment period started on April 5, 2023 and will run through July 4, 2023 followed by a 60-day period for adoption of maps, resolutions, ordinances, etc. Commissioner Lopez stated North Portales was included in the floodplain during the last revision, and should not be included as everything drains to the south.

Manager: Ms. Hamilton stated she and Clerk Park had attended the NMC Regional Legislative Meeting held in Chaves County on April 13th. She forwarded the report provided by NMC to each of the commissioners. She stated an alarming take-away from the meeting was a set of statistics provided by Representative Pettigrew. Rep. Pettigrew stated 71% of the state budget was comprised of only 3 departments, PED, Higher Ed and the Governor. The Governor's budget increased by 82%. PED budget increased by 102% and Higher education spending increased by 150%. Ms. Hamilton noted those increases coupled with decreasing population is not sustainable, "the math just doesn't work." Ms. Hamilton discussed the budget bill, capital projects and funding made available through the administrative office of the courts. She discussed changes to election bills and civil rights bills, as well as law enforcement and detention bills. Ms. Hamilton noted that funding to counties was stripped out of the MAT program bill, but it did require Department of Corrections to provide MAT programs which is positive for the county. Ms. Hamilton discussed changes to the IPRA laws which includes limits to body-worn camera footage that can be released and a level of specificity required when requesting documents. Ms. Hamilton noted changes to tax exemptions could affect revenue. Those will be shared with Treasurers and Assessors through their affiliate leadership. Ms. Hamilton stated the NMC Summer conference is scheduled for the second full week of June in San Juan County.

Commissioners: Commissioner Lopez was pleased to see an increase to the amount allowed for indigent burial in HB 407.

6. New Business:

A. Lesser Prairie Chicken Communications/Permian Basin: Yvette Harrell and Bill Humphries discussed the benefits of forming a coalition similar to the one Wendell Bostwick put together about a decade ago when the

Lesser Prairie Chicken was originally listed as vulnerable or threatened on the endangered species list. Ms. Harrell stated shared communication with a central point of contact would be helpful in getting accurate information out to all stakeholders. She stated a digital drop box could be utilized to share information. She also stated there are more than 12 thousand animals on the endangered list and knowing what is going on with those other species could be helpful in fighting the listing of the Lesser Prairie Chicken. Mr. Humphries urged everyone to “look closely at how a listing will affect the tax base.” Enhanced communication would make stakeholders aware of when public comment periods were open as well as provide them with the biological data required in responding to the comment period. Commissioner Savage applauded their efforts in providing accurate information. Mr. Humphries thanked Commissioner Dixon for her help in getting NM Fish and Wildlife to speak to the group regarding the map of the listing, stating it takes everyone. Chaves County Manager Bill Williams stated it is the intent of his county to file suit against the listing of the Lesser Prairie Chicken. Commissioner Criswell thanked Mr. Williams stating his district is right in the heart of the listing map. He stated each of his neighbors and constituents would be affected. It will affect their livelihood. He asked if others would be involved? Mr. Williams stated regardless of who joins the suit, everyone needs to be involved and informed. He stated it is a shared effort. Chaves County will need the help of Roosevelt, Lea and other counties, municipalities and industry. No action was taken.

B. Request for Consideration to Allow Lessees of the Roosevelt County Fairgrounds to Permit Alcohol Sales in Accordance with Approved Resolution 2019-28:

Megan Hamilton spoke in favor of allowing lessees of the fairgrounds to obtain permits to sell and serve alcohol at their events. She stated her bigger hope is to attract additional events to Roosevelt County utilizing the multiple venues available on the fairgrounds to host barrel races, roping events, and similar. She would also like to encourage wine growers to hold a wine and cheese festival stating it is a great venue to hold this type of event since it is fully fenced with multiple entrances. Commissioner Savage expressed concern, stating alcohol has no place at the fair. Megan agreed, stating she was seeking permission for individual lessees to be allowed to permit alcohol sales at those events. Attorney Garcia stated the commission only governs private lessees. Commissioner Savage asked if each permit would need to come to the commission for approval. Megan stated, with other venues, it is handled administratively by the city manager, and she felt it could be handled the same way for the fairgrounds in her interpretation of resolution 2019-28. Commissioner Lopez stated he has attended many events where Enchantment Vineyards was the permit holder allowing consumption of alcohol and they were very professional and well regulated. Megan discussed the requirements of licensed servers, security and oversight and how any license holder would not risk their license or reputation allowing anyone to not comply with all rules and regulations. Commissioner Dixon made a motion to allow lessees for the fairgrounds to permit alcohol sales and consumption at the fairgrounds, with a second by Commissioner Criswell. Commissioner Grider-No, Commissioner Dixon-Yes, Commissioner Criswell-Yes, Commissioner Savage-No, Commissioner Lopez-Yes.

C. Request for Approval of FY24 Fire Protection Fund Application for Arch Volunteer Fire District:

Ms. Rivera presented the applications for both Arch and Milnesand, stating these are the annual applications and are very similar to prior years. Commissioner Lopez made a motion to approve the FY24 application for Arch with a second by Commissioner Dixon. Commissioner Grider-Yes, Commissioner Dixon-Yes, Commissioner Criswell-Yes, Commissioner Savage-Yes, Commissioner Lopez-Yes.

D. Request for Approval of FY24 Fire Protection Fund Application for Milnesand Volunteer Fire District:

Ms. Rivera asked for approval of the same for Milnesand. Commissioner Grider made a motion to approve the FY24 application for Milnesand with a second by Commissioner Savage. Commissioner Grider-Yes, Commissioner Dixon-Yes, Commissioner Criswell-Yes, Commissioner Savage-Yes, Commissioner Lopez-Yes.

E. Request Approval for the Treasurer to Transfer \$2,500,000.00 into General Fund Reserve:

Ms. Sanchez stated it would be beneficial to take advantage of a higher interest rate in the money market account and asked for approval to transfer funds to the General Fund Reserve. Commissioner Savage made a motion to allow the treasurer to transfer \$2,500,000.00 from the general fund to the General Fund Reserve, with a second by commissioner Lopez. Commissioner Grider-Yes, Commissioner Dixon-Yes, Commissioner Criswell-Yes, Commissioner Savage-Yes, Commissioner Lopez-Yes.

F. Discussion Regarding the 2023 Roosevelt County Strategic Planning Retreat Recap and Next Steps:

Ms. Hamilton discussed the goals and milestones that were laid out during the retreat. She stated these will be shared with staff and the public so that we will be held accountable to reach those goals and milestones. Ms. Hamilton asked for direction on moving forward with the big goal of mediation with the city. No action was taken. However, Ms. Hamilton was directed to approach the city to participate in mediation to improve communication and negotiation.

7. Contracts – Agreements – Procurements:

A. Presentation of Revised Draft Agreement between Roosevelt County and City of Portales Regarding Portales Communications Center Agreement:

City Councilwoman Cordova gave a brief overview of the changes requested by the city in the communications agreement, including changing the amount back to \$175,000.00. Ms. Cordova stated the newly hired dispatch coordinator will be a stand-alone department head once she has attained all of the necessary certifications. Ms. Hamilton noted additional changes requested by the County. She stated the services already provided will be paid out upon approval of the contract, with the additional services paid when services are rendered. She stated negotiations will continue. Commissioner Dixon made a motion to approve the revised draft agreement, with a second by Commissioner Grider. Commissioner Grider-Yes, Commissioner Dixon-Yes, Commissioner Criswell-Yes, Commissioner Savage-Yes.

B. Request for Approval of Law Enforcement Buyout Contract: Sheriff Sanchez asked for approval of a law enforcement contract buyout to be used as a recruitment tool for qualified law enforcement officers. He also asked that the contract allow for an officer to be released from a contract for exigent circumstances. Ms.

Hamilton stated the approval would be for the concept of a buyout contract. Commissioner Criswell asked if there would be a cap on the amount of a buyout. Commissioner Lopez made a motion to amend agenda item 7b to include the word "Concept" with a second by Commissioner Savage. Commissioner Grider-Yes, Commissioner Dixon-Yes, Commissioner Criswell-Yes, Commissioner Savage-Yes, Commissioner Lopez-Yes. Ms. Hamilton requested a short recess to get the wording of the contract just right. At 10:25 Commissioner Grider recessed the meeting. At 10:47 Commissioner Grider re-convened the meeting with all 5 commissioners present. Commissioner Lopez made a motion to amend the agenda back to its original 7b-wording, with a second by Commissioner Savage. Commissioner Grider-Yes, Commissioner Dixon-Yes, Commissioner Criswell-Yes, Commissioner Savage-Yes, Commissioner Lopez-Yes. Commissioner Lopez made a motion to approve the Law Enforcement Employment Buyout Contract, with a second from Commissioner Savage. Commissioner Grider-Yes, Commissioner Dixon-Yes, Commissioner Criswell-Yes, Commissioner Savage-Yes, Commissioner Lopez-Yes.

C. Request for Approval of Contract for FY23 Financial Audit with Cordova CPA's LLC Upon approval by the office of the State Auditor: Ms. Rivera asked for the approval of the contract with Cordova CPA LLC, she stated it would be contingent upon approval from the Office of the State Auditor. Commissioner Criswell asked how long we can continue to use their firm. Ms. Rivera stated they could be used for a maximum of 8 years due to the amount of the contract. Commissioner Grider made a motion to approve the contract with a second by Commissioner Savage. Commissioner Grider-Yes, Commissioner Dixon-Yes, Commissioner Criswell-Yes, Commissioner Savage-Yes, Commissioner Lopez-Yes.

8. Executive Session: Commissioner Grider made a motion to go into executive session at 10:51 am with a second by Commissioner Dixon. Commissioner Dixon read from the agenda the topics of discussion for the closed session. Commissioner Grider-Yes, Commissioner Dixon-Yes, Commissioner Criswell-Yes, Commissioner Savage-Yes, Commissioner Lopez-Yes. At 11:03 am Commissioner Dixon made a motion to come out of executive session with a second by Commissioner Lopez. Commissioner Grider-Yes, Commissioner Dixon-Yes, Commissioner Criswell-Yes, Commissioner Savage-Yes, Commissioner Lopez-Yes. Commissioner Dixon stated no action was taken in executive session, but action is necessary as a result of the executive session. Commissioner Dixon made a motion to enter into a joint defense agreement with Alliance Defending Freedom (ADF) with Mr. Garcia remaining in charge allowing Ms. Hamilton to have signatory authorization, with a second from Commissioner Criswell. Commissioner Grider-Yes, Commissioner Dixon-Yes, Commissioner Criswell-Yes, Commissioner Savage-Yes, Commissioner Lopez-Abstain.

9. Media Communication: Ms. Sena did not return following the executive session, but had stated she would follow-up with Ms. Hamilton if she had any questions later today.

10. Adjourn: The meeting was adjourned at 11:07 a.m.

ATTEST:


Mandi M. Park
County Clerk

BOARD OF ROOSEVELT
COUNTY COMMISSIONERS


Paul Grider
Commission Chair

