

Tuesday, September 19, 2023
County Commission Room
Roosevelt County Courthouse
Portales, New Mexico 88130

The Roosevelt County Commission met in regular business meeting on Tuesday September 19, 2023 at 9:00 a.m. in the County Commission Room with those present being: Commissioner Paul Grider, Commissioner Tina Dixon, Commissioner Roy Lee Criswell, Commissioner Rodney Savage - by zoom, Commissioner Dennis Lopez - by zoom, County Manager Amber Hamilton, County Attorney Michael Garcia by zoom, Clerk Mandi Park, Deputy Clerk Lisa Gonzales, Assessor Stevin Floyd, Special Projects Coordinator Carol Acosta-Flores, Special Projects Coordinator Karla Weems, Assistant County Manager Liliana Rivera, Chief Deputy Sheriff Bryan Holmes, Detention Administrator Shayla Ramsey, Milnesand Fire Chief Russell Bilbrey, ENMU Chancellor Dr. James Johnston, and community members Lloyd McCargish, Shonnie Standifer, Angie Smith, Larry Marker, Logan Brown and Dru Runyan.

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 Dixon, with a second from Commissioner Criswell. Commissioner Grider-Yes, Commissioner Dixon-Yes, Commissioner Criswell-Yes, Commissioner Savage-Yes.

2. Approval of Minutes: A motion to approve the minutes from the September 5, 2023 regular and September 8, 2023 special meeting was made by Commissioner Dixon, with a second from Commissioner Grider. Commissioner Grider-Yes, Commissioner Dixon-Yes, Commissioner Criswell-Yes, Commissioner Savage-Yes.

3. Approval of Accounts Payable and Payroll: A motion to approve the payables and payroll for the month of August 2023 was made by Commissioner Grider with a second from Commissioner Dixon. Commissioner Lopez joined the meeting remotely at this point. Commissioner Grider-Yes, Commissioner Dixon-Yes, Commissioner Criswell-Yes, Commissioner Savage-Yes, Commissioner Lopez-Yes.

4. Informational Items: Presentation for Fall 2023 Update by ENMU Chancellor Dr. James Johnston. Dr. Johnston stated ENMU is growing system wide. He said the Ruidoso campus enrollment is up 7%; the Roswell campus enrollment is up by 8% and the Portales campus is up by 5.7%. He stated he was asked when he first came to ENMU if he would focus on getting students back on campus. He was happy to report first time freshman enrollment is up 14% system wide. Transfers are up 16% and face to face enrollment on the Portales campus is up 19.7% over last year. Dr. Johnston stated 638 students were welcomed to campus on move-in day at the beginning of the fall semester. Dr. Johnston also talked about an ENMU initiative called One ENMU; which is an effort to make all programs available to all students regardless of which campus they attend. It also connects the campuses to the communities through internships and available jobs for students and graduates. He stated leadership is working to secure paid internships within the state for more students to encourage graduates to stay in the state after graduation. Commissioner Lopez stated he has heard only positive feedback since Dr. Johnston came to Eastern. Commissioners thanked Dr. Johnston for his presentation and for his efforts to bring ENMU and the community together.

5. Public Requests: Angie Smith spoke in support of the proposed ordinance, stating the ordinance would give the Sheriff's Office stable footing in refusing to enforce unconstitutional orders.

6. Elected Officials and Department Heads Reports:

Commissioners: Commissioners Lopez asked if it would be possible to get the agenda packet items out earlier, giving a jumpstart to preparing for a meeting. He also asked if Ms. Rivera was able to prepare a packet and an agenda? Ms. Hamilton stated there is succession planning in place and Ms. Rivera is completely capable and ready to serve as necessary. She also stated it would be possible to get packet items out sooner, but there are often items not available until the last minute. Often items must be reviewed by legal counsel prior to being sent out. Commissioners Criswell agreed, more time to prepare would be beneficial. Commissioners Dixon and Criswell also provided administration and the road department with a list of road concerns following recent rains. Ms. Hamilton stated SRR W was repaired yesterday, crews are currently on SRR Y and are working from SRR 18 to SRR 25 today. SRR12 to NM 206 is next on the list. SRR AC was bladed yesterday. They will be getting to roads SRR 24, SRR 25, SRR 26, and SRR 27 as well as damage to roads in the panhandle and Sundale Valley Road soon. Commissioner Criswell asked about the expected delivery time on the backhoe. Ms. Hamilton stated the John Deere would take 3 months or more. The CAT could be delivered more immediate, as soon as the end of next week per the salesman. She stated there is an option to use ARPA funds to cover the purchase, which Ms. Rivera will address with the budget adjustment. Ms. Hamilton stated the parts for the chip box should be delivered by Thursday.

7. New Business:

A. Discussion and Update on Continued Public Service Negotiations with the City of Portales:

Commissioner Dixon stated she and Commissioner Criswell had met with the city and she had spoken to Councilor Hefflin regarding the sticking point of post-arraignment detention costs. She stated the county could be responsible for the cost of transportation if no detention facility within the county was available to city. Commissioner Dixon asked who would be responsible for paying the daily rate of housing if a detainee was transported out of county. Attorney Garcia stated he would research that, and asked Commissioner Dixon for the statute related to transportation costs so that he could review that as well. Commissioner Dixon stated she does not want to put a price on people. It comes down to who pays for what services, including Fire and EMS to county residents and housing for detainees on municipal charges. The county has an established rate of \$154.00 per day per detainee, which is charged to other counties who send detainees to Roosevelt County. The

city was notified months ago that they would be charged that rate beginning August 1, 2023. The County pays the city for sewer, water and garbage for the detention center. No action was necessary.

8. Resolutions – Ordinances – Proclamations:

A. Consideration of Resolution 2023-39 1st Quarter FY24 Budget Adjustment: Ms. Rivera stated the resolution covers adjustment for expenses from the ARPA funds totaling \$169,000.00, as well as expenses to the software and IT budget and building maintenance budget. Ms. Hamilton stated the staff recommendation is to move forward with the CAT backhoe instead of waiting the 3+ months for delivery of the John Deere backhoe. Commissioner Grider made a motion to approve the resolution with a second from Commissioner Lopez. Commissioner Grider-Yes, Commissioner Dixon-Yes, Commissioner Criswell-Yes, Commissioner Savage-Yes, Commissioner Lopez-Yes.

B. Discussion and Possible Action Responding to Executive Action in Violation of State and Federal Constitutional Civil Rights: Commissioner Grider asked Mr. Garcia to explain the intent of the proposed ordinance. Mr. Garcia stated the proposed ordinance which is based on the Enabling Act of 1910, would state the county will not enforce any order that is contrary to the US Constitution or the Constitution of the State of New Mexico. This is in direct response to the governor's public health order that is essentially a ban on open or concealed carry of firearms by law abiding citizens in Bernalillo County. Commissioner Savage stated there are similar ordinances being circulated among other counties. He stated he had shared one such ordinance from Sandoval County with Ms. Hamilton and Mr. Garcia. Commissioner Savage requested the county move forward with the notice of intent to adopt an ordinance, to push back against tyranny. Commissioner Savage made a motion to approve the resolution with a second from Commissioner Grider. Commissioner Grider-Yes, Commissioner Dixon-Yes, Commissioner Criswell-Yes, Commissioner Savage-Yes, Commissioner Lopez-Yes. Mr. Garcia stated he has spoken to the Sandoval County Attorney and the circulating ordinance did not originate in Sandoval County, but there are counties considering similar ordinances.

9. Contracts – Agreements – Procurements:

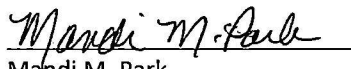
A. Request for Approval of Grant Agreement Amendment No. 1 for Contract Number D19649/1 with NM Department of Transportation: Ms. Acosta-Flores stated the grant agreement amendment is for the data base reporting system. She stated reporting would now be required on a quarterly basis instead of monthly as in the past. Commissioner Grider made a motion to approve the amendment, with a second by Commissioner Dixon. Commissioner Grider-Yes, Commissioner Dixon-Yes, Commissioner Criswell-Yes, Commissioner Savage-Yes, Commissioner Lopez-Yes.

B. Request for Approval of NM Department of Finance and Administration Fund 93100 Capital Appropriation Project Agreement for \$100,000 for the Purchase of Heavy Equipment at the Road Department: Ms. Acosta-Flores stated the funds would be used for an asphalt hot box, a jumping jack, a plate compactor, and a tow-behind air compressor for the road department. Commissioner Grider made a motion to approve the agreement with a second by Commissioner Criswell. Commissioner Grider-Yes, Commissioner Criswell-Yes, Commissioner Dixon-Yes, Commissioner Savage-Yes, Commissioner Lopez-Yes.


10. Media Communication: there was no media present.

11. Adjourn: The meeting was adjourned at 9:47 a.m.

ATTEST:


Mandi M. Park
County Clerk

BOARD OF ROOSEVELT
COUNTY COMMISSIONERS


Paul Grider
Commission Chair

