

**EDDY COUNTY BOARD OF COMMISSIONERS
MINUTES OF A REGULAR MEETING
February 18, 2020**

Be it remembered that the Eddy County Board of Commissioners held a regular meeting in the Eddy County Administration Complex-Room 211 on February 18, 2020 at 8:30 a.m. Davis called the meeting to order and led the Pledge of Allegiance and the Salute to the New Mexico State flag. Pruitt gave the invocation.

PRESENT:

ERNEST CARLSON	CHAIR, DISTRICT 1
STEVE MCCUTCHEON	VICE-CHAIR, DISTRICT 4
JON HENRY	CHAIR, DISTRICT 2
LARRY WOOD	COMMISSIONER, DISTRICT 3
SUSAN CROCKETT	COMMISSIONER, DISTRICT 5
ALLEN DAVIS	COUNTY MANAGER
CAS TABOR	COUNTY ATTORNEY
ROBIN VAN NATTA	COUNTY CLERK
GEMMA FERGUSON	ASSESSOR
MELISSA WASHBURN	CHIEF ASSESSOR
RHONDA HATCH	ASSESSOR SUPERVISOR
MARK CAGE	SHERIFF
LAURIE PRUITT	TREASURER
BILLY MASSINGILL	WARDEN
GAY WEST	EXECUTIVE ADMIN ASSISTANT
ROBERTA SMITH	FINANCE DIR/ CO-COUNTY MGR
JESSICA STYGAR	ASSISTANT FINANCE DIRECTOR
ROXANN BRANNON	HR DIRECTOR
CAROL HENNINGTON	INFORMATION SYSTEMS DIRECTOR
KEN KEMP	IT DEPT
ROSIE MUNOZ	IT DEPT
WESLEY HOOPER	COMM SVCS DIR/CO-COUNTY MGR
STEVE MCCROSKEY	COUNTY PLANNER
VERONICA PARRAS	HEALTH CARE ADMINISTRATOR
BRIAN STEPHENS	FACILITIES DIRECTOR
JASON BURNS	PUBLIC WORKS MANAGER
JOSHUA MACK	FIRE SRVC DIR/FIRE MARSHALL
CYNTHIA SHARIF	DWI COORDINATOR
MIKE SMITH	CARLSBAD CURRENT ARGUS
STEPHANIE YBABEN	RED ROCKET MEDIA

TIMED AGENDA

8:30 A.M.:

1. **PUBLIC COMMENTS/ANNOUNCEMENTS. (THREE MINUTE TIME LIMIT PER PERSON) (WE REQUEST ALL COMMENTS BE RESPECTFUL AND COURTEOUS IN NATURE):** None.
2. **SERVICE AWARDS:**
 - a. **JUDY PRESSETT, ASSESSOR – 30 YEARS**
 - b. **ANGELA GRANGER – MVD – 5 YEARS**
 - c. **MICHELLE SMITH – CLERK’S OFFICE – 5 YEARS –** Unable to attend.
 - d. **JOSE BANDA, ARTESIA PUBLIC WORKS – 5 YEARS**
 - e. **TRINA LEE, DETENTION – 5 YEARS**
 - f. **URIAH MACIAS, FACILITIES MAINTENANCE – 5 YEARS**

Service award were presented to Pressett, Granger, Banda, Lee and Macias for the years of service with the County.

3. **RETIREMENT PRESENTATIONS:**
 - a. **RONALD D. HARKNESS, FACILITIES MAINTENANCE – 8 YEARS 4 MONTHS:** Unable to attend.

SHORT BREAK FOR PICTURES.

4. **RIVERBLITZ UPDATE – JERI STRONG:** Mary Garwood, Director of Keep Carlsbad Beautiful, updated the Commission on the upcoming Riverblitz in Eddy County. The Committee’s mission was to inspire and educate the public to take action to beautify their community environment, improve recycling and end littering. Illegal dumping was also the current focus. XTO and NWP had sponsored Leadership Eddy County with 1,408 pounds of waste having been collected. Riverblitz, 21 years old, had been held the first Saturday of March each year removing 117 tons of material. The majority of the clean-ups took place out in the County. Mosaic Potash would sponsor lunch this year with community partners sponsoring raffle prizes. She thanked Eddy County for continued support and commended the staff of Eddy County for cooperation and help. A “Carlos the Coyote” contract had been secured and an effort would be made to get that program into the schools this fall. The Commissioners thanked her for her hard work.
5. **ANNUAL REPORT ON COUNTY EXTENSION SERVICES – ALLEN DAVIS:** Woods Houghton, Wayne Shockey and Charlie Fisher updated the Commission on the Extension Services. Houghton stated the 105th year had just completed for the Extension Services noting it was a three-way partnership, one-third County, one-third Federal and one-third State. He noted in the 105 years, there had only been seven Agricultural Agents. He noted every County dollar given to the Extension Service was matched by Federal and State funds. Shockey noted they sponsored an Egg-to-Chick enrichment program for every Fourth Grade Class in Artesia Schools and hoped to expand to the Carlsbad Schools in the

future. McCutcheon noted the emphasis on Agriculture. Carlson stated their Ag programs had a lifetime impact on young people. Crockett inquired if Houghton was working on his replacement with him responding the University did that. He stated his last day would be April 30. Fisher stated she was previously the Extension Home Economist, now called Family and Consumer Sciences, and had enjoyed working with youth in 4-H, adult programs and senior citizens on health and wellness issues. Houghton noted people in Agriculture had the number one suicide rate in the nation and the Department was presenting a mental health first-aid for adults working with youth in May in Artesia. The Annual Report was recorded as Timed Exhibit item 5.

6. PUBLIC HEARING – 2019 EDDY COUNTY FREEHOLDERS BOARD RECOMMENDATIONS:

VACATE ALL OR CERTAIN PORTIONS OF THE FOLLOWING ROADS:

EACH ROAD WILL BE CONSIDERED, DISCUSSED AND ACTED UPON SEPARATELY

- a. **OPEN:** At 8:56 a.m. Crockett moved, seconded by McCutcheon to open the public hearing. Voting yes: Henry, Wood, Crockett, McCutcheon and Carlson. Passed 5-0.

John Waters, Member of the Freeholders Board and Jason Burns presented the following recommendations:

- i. ***BALLARD RANCH ROAD, CR 420 – JCT 418 W. & N.**
- b. **STAFF COMMENTS.** Waters reported the Land Owner had requested the portion of the road which went to a private residence be vacated. Burns stated they had not received any objections
- c. **PUBLIC COMMENT. THREE MINUTE TIME LIMIT PER PERSON:**
None.
- d. **COMMISSIONERS COMMENTS/QUESTIONS:** None.
- e. **COUNTY ATTORNEY COMMENTS/QUESTIONS:** None
- f. **ENTERTAIN MOTION AND SECOND FROM THE BOARD:**
McCutcheon moved, seconded by Henry to vacate the portion of Ballard Ranch Road as requested.
- g. **FINAL COMMISSIONERS COMMENTS/QUESTIONS:** None.
- h. **BOARD ACTION:**
Voting yes: Henry, Wood, Crockett, McCutcheon and Carlson.
Passed 5-0.
- ii. ***HARROUN ROAD, CR 745 – JCT 720 – N/E TO HARROUN FARM:**
- b. **STAFF COMMENTS.** Waters reported the Land Owner had requested the portion of the road which went to a private residence be vacated. Burns stated they had not received any objections.

- c. **PUBLIC COMMENT. THREE MINUTE TIME LIMIT PER PERSON:**
None.
 - d. **COMMISSIONERS COMMENTS/QUESTIONS:** The Board questioned if this action would increase traffic on other roads in the area. Burns stated the section had been blocked since the 2014 flood.
 - e. **COUNTY ATTORNEY COMMENTS/QUESTIONS:** Tabor noted all the roads up to be vacated would have to be sent to DFA for approval.
 - f. **ENTERTAIN MOTION AND SECOND FROM THE BOARD:** Crockett moved, seconded by McCutcheon to vacate the portion of Harroun as requested.
 - g. **FINAL COMMISSIONERS COMMENTS/QUESTIONS:** None.
 - h. **BOARD ACTION:**
Voting yes: Henry, Wood, Crockett, McCutcheon and Carlson.
Passed 5-0.
- iii. ***CLOUDY LANE, CR 760 – JCT 748 W. TO 758:**
- b. **STAFF COMMENTS.** Waters reported road served no real purpose there were no houses or businesses and surrounding roads could be used to access major thorough fares. Burns stated they had not received any objections.
 - c. **PUBLIC COMMENT. THREE MINUTE TIME LIMIT PER PERSON:**
None.
 - d. **COMMISSIONERS COMMENTS/QUESTIONS:** None.
 - e. **COUNTY ATTORNEY COMMENTS/QUESTIONS:** None.
 - f. **ENTERTAIN MOTION AND SECOND FROM THE BOARD:**
McCutcheon moved, seconded by Henry to vacate the portion of Cloudy Lane as requested.
 - g. **FINAL COMMISSIONERS COMMENTS/QUESTIONS:** None.
 - h. **BOARD ACTION:**
Voting yes: Henry, Wood, Crockett, McCutcheon and Carlson.
Passed 5-0.
- iv. ***BOLTON ROAD, CR 59 – JCT 57 N:**
- b. **STAFF COMMENTS.** Waters reported the land surrounding the portion of the road was farm land and owned by the same family. They had requested the vacation.
 - c. **PUBLIC COMMENT. THREE MINUTE TIME LIMIT PER PERSON:**
None.
 - d. **COMMISSIONERS COMMENTS/QUESTIONS:** Henry stated the farmer had issues with people using the area and not cleaning up. He wanted to gate the road to keep unauthorized people out.
 - e. **COUNTY ATTORNEY COMMENTS/QUESTIONS:** None.
 - f. **ENTERTAIN MOTION AND SECOND FROM THE BOARD:**
McCutcheon moved, seconded by Henry to vacate the portion of Bolton Road as requested.
 - g. **FINAL COMMISSIONERS COMMENTS/QUESTIONS:** None.

h. BOARD ACTION:

Voting yes: Henry, Wood, Crockett, McCutcheon and Carlson.
Passed 5-0.

***RETAIN THE FOLLOWING ROAD SECTIONS ON COUNTY INVENTORY AND SCHEDULE FOR ROUTINE MAINTENANCE:**

- i. **BUCKEYE ROAD, CR 239 – JCT 238**
- ii. **DOUGLAS FIR ROAD, CR 407 – JCT – US 285 – SW TO GAS PLANT**
- iii. **JONES STREET, CR 427 – JCT SR 524-W**
- iv. **GRAY OAK ROAD, CR 403 – JCT 401 NW TO LEE RANCH**
- v. **OLD POST, CR 607 – JCT 605 NE TO RESIDENT**
- vi. **N. HALDEMAN ROAD, CR 115B – JCT SR 229 N. TO CR 115**
- vii. **STANDARD ROAD, CR 213 – JCT US 82 S.**
- viii. **ROBERSON ROAD, CR 710 – JCT JUAN PABLOS RDS**

THESE ROADS MAY BE CONSIDERED, DISCUSSED AND ACTED UPON AS ONE ITEM

- b. **STAFF COMMENTS:** Waters stated the Freeholders Board had determined the roads listed above should be kept on the County Inventory. Burns stated they would entertain any questions the Board had concerning the list to be kept on inventory.
- c. **PUBLIC COMMENT. THREE MINUTE TIME LIMIT PER PERSON:**
None.
- d. **COMMISSIONERS COMMENTS/QUESTIONS:** None.
- e. **COUNTY ATTORNEY COMMENTS/QUESTIONS:** None.
- f. **ENTERTAIN MOTION AND SECOND FROM THE BOARD:** Henry moved, seconded by McCutcheon to retain the roads listed above i. - viii. on county inventory and county maintenance.
- g. **FINAL COMMISSIONERS COMMENTS/QUESTIONS:** None.
- h. **BOARD ACTION:** Voting yes: Henry, Wood, McCutcheon and Carlson. Passed 4-0. **COMMISSIONER CROCKETT STEPPED OUT OF THE MEETING.**
- i. ***ADJOURN HEARING:** At 9:26 a.m. Henry moved, seconded by McCutcheon to adjourn the hearing. Voting yes: Henry, Wood, McCutcheon and Carlson. Passed 4-0.

TRAILING AGENDA:

1. APPROVE:

- a. ***COMMISSION MEETING MINUTES FOR JANUARY 28, 2020:** McCutcheon moved, seconded by Henry to approve the Commission Meeting Minutes for January 28, 2020. Voting yes: Henry, Wood, McCutcheon and Carlson. Passed 4-0.
- b. ***COMMISSION MEETING MINUTES FOR FEBRUARY 6, 2020:** Henry moved, seconded by McCutcheon to approve the Commission Meeting

Minutes for February 6, 2020. Voting yes: Henry, Wood, McCutcheon and Carlson. Passed 4-0.

- c. ***EXPENSE APPROVAL REPORT FOR JANUARY 2020:** Henry moved, seconded by McCutcheon to approve the Expense Report for January 2020. Voting yes: Henry, Wood, McCutcheon and Carlson. Passed 4-0. The Expense Report for January 2020 was recorded as Exhibit 1.c.
 - d. ***PURCHASE CARD APPROVAL LIST FOR JANUARY 2020:** McCutcheon moved, seconded by Henry to approve the Purchase Card List for January 2020. Voting yes: Henry, Wood, McCutcheon and Carlson. Passed 4-0. The Purchase Card List for January 2020 was recorded as Exhibit 1.d.
2. ***SET CANVASS MEETING FOR ARTESIA MUNICIPAL ELECTION – ROBIN/DARLENE:** Van Natta explained the process and listed available dates for the Boards consideration. Henry moved, seconded by McCutcheon to set a canvass meeting for the Artesia Municipal Election on March 9, 2020 at 8:30 a.m. in the Commission Chambers. Voting yes: Henry, Wood, Crockett, McCutcheon and Carlson. Passed 5-0.
3. ***APPROVE/DISAPPROVE – TWO (2) INDIGENT BURIALS – VERONICA PARRAS:** Crockett moved, seconded by McCutcheon to approve two indigent burials. Voting yes: Henry, Wood, Crockett, McCutcheon and Carlson. Passed 5-0.
4. ***POSITION RECLASSIFICATION FOR FACILITIES MAINTENANCE – BRIAN STEPHENS:** Stephens stated these reclassifications would streamline work, improve management and build a good solid team for the future. Henry moved, seconded by McCutcheon to approve the position reclassification for Facilities Maintenance. Voting yes: Henry, Wood, Crockett, McCutcheon and Carlson. Passed 5-0.
5. ***RESOLUTION AND AGREEMENT CONSENT AGENDA:** Since all of the items listed below have been distributed to the commissioners in advance for review and are of a routine and non-controversial nature, they will be enacted by a single motion. Any commissioner or the county manager may remove an item from this resolution and agreement consent agenda if separate discussion is desired. Any item so removed shall be placed on the trailing agenda immediately following the approval of this resolution and agreement consent agenda or later, at a specific time or place on the trailing agenda.
- a. **RESOLUTIONS:**
 - i. **R-20-09; DISPOSAL, REMOVAL, OR REVISE ITEMS IN THE EDDY COUNTY INVENTORY/ASSETS – JESSICA STYGAR.**
 - ii. **R-20-16; RESOLUTION FOR THE PARTICIPATION IN THE LGTPF PROGRAM – WESLEY HOOPER.**

- iii. R-20-17; DONATION OF AN ALLMAND NIGHT-LIGHT PRO LIGHT TOWER TO THE CITY OF CARLSBAD – CYNTHIA SHARIF.
- iv. R-20-18; INDIGENT MEDICAL/HOSPITAL CLAIMS REPORT – VERONICA PARRAS.

b. AGREEMENTS:

- i. A-20-08; FISCAL YEAR 2021 LOCAL DWI PROGRAM GRANT AND DISTRIBUTION FUNDING APPLICATION – CYNTHIA G. SHARIF.
- ii. A-20-12; SERVICE AGREEMENT WITH SPARKS OFFICE SUPPLIES FOR COPIER IN ARTESIA OFFICE – GEMMA FERGUSON.
- iii. A-20-14; LEASE AGREEMENT OF COMMERCIAL VACANT LANDS WITH KS INDUSTRIES, LLC – ALLEN DAVIS.
- iv. A-20-15; USDA, FOREST GRANT 18-LE-11030800-005 – SHERIFF MARK CAGE.
- v. A-20-16; TDS RIGHT OF ENTRY & EQUIPMENT INSTALLATION AGREEMENT – BRIAN STEPHENS.
- vi. A-20-17; RADIO COMMUNICATION TOWER SITE MAINTENANCE AGREEMENT – JOSHUA MACK.
- vii. A-20-18; MOU EXTENSION AGREEMENT TO A-16-112; MOU FOR THE PROVISION OF SCHOOL RESOURCE OFFICERS IN THE CARLSBAD MUNICIPAL SCHOOLS – ALLEN DAVIS.

Crockett moved, seconded by McCutcheon to approve the Resolution/Agreement Consent Agenda as presented. Voting yes: Henry, Wood, Crockett, McCutcheon and Carlson. Passed 5-0. R-20-09, R-20-16 through R-20-18 were recorded as Exhibits 5.a.i-iv and A-20-08, A-20-12, A-20-14 through A-20-18 were recorded as Exhibits 5.b.i-vii., respectively.

6. DEPARTMENT UPDATES: Burns updated the Commission on progress made repairing and rebuilding roads and taking care of public concerns. He noted meetings had been held concerning the East By-Pass. See attached Exhibit 6. Hooper updated the Commission on the SE Loop Road. He stated \$12.7M had been secured, noting a budget adjustment of \$2M in match funds could be forthcoming. He had received word that the County would receive \$2.7M in capital outlay funds with a possible \$8M coming if HB2 passed. He would present an agreement on the scope of adjusting the Carter Road pinch point, which would allow passage of two semi's at the same time. Hooper stated he was trying to obtain the CAD files from Pettigrew to send to the consultant for upgrades on the Old-Refinery and 31 intersect, with 31 becoming a four-lane road. A consultant had reviewed the Grandi to Dead Cow Road route to cross the river and would present an estimated cost of construction. All of the easements had been obtained but one. Davis stated to change the route would set the County back 18 months. Hooper stated a bridge engineer had seen the area and felt \$9M may be the cost for the bridge. McCutcheon added that an estimate mentioned at the Task Force meeting had been between \$200-\$500 per square foot of bridge. Hooper felt the Arizona consulting group was well-

experienced with low water crossings and bridges. Carlson inquired of the legal cost to obtain the CAD drawings from Pettigrew, as opposed to getting another engineering firm to bring it up to that point. Tabor stated that option had been talked about. Hooper stated the County had a two-year timeframe on spending the \$11.7M from the State. Starting over might cause the loss of those funds. Carlson liked McCutcheon's idea of looking at the cost of crossing to Grandi and inquired how many times a year water would overflow a low-water crossing there. Hooper stated the Army Corp of Engineers would have to review that, as they would require that a certain amount of water flow through there at all times without restriction. Carlson noted the low-water crossing on Hidalgo had held up good. Joshua Mack updated the Commission on the radio system and thanked the Commission for approving the maintenance contract with Motorola. A training meeting had been held. The medical director contract had been put in place. Budgets had been worked on and Chiefs had been developing their five-year plans. A possible meeting with the Loving Mayor could be held the first part of March about the future of their fire station. Two brush trucks had been delivered recently. Tankers were in production with 12-14 months' timeframe to their completion. He commended Stephens for the department's work and getting the maintenance issues addressed. Sheriff Cage thanked all for those attending his reception in Santa Fe. He had had a citizen question him about usage of the department's Chargers. He stated they were for highway use and off-road vehicles were used on dirt roads. His department had been full-staffed recently but two were let go. He noted that call volume and citations written had been up. Speaking as President of NM Counties, he stated the mantra in Santa Fe had been spend-spend-spend, tax-tax-tax and control-control-control, and he felt the wishes of Eddy, Lea and Chaves counties were being ignored. He updated on Legislative bills in progress. He would attend the national NACO meeting in DC in the future.

7. ***TRAVEL REQUEST CONSENT AGENDA:** since all of the items listed below have been distributed to the commissioners in advance for review and are of a routine and non-controversial nature, they will be enacted by a single motion. Any commissioner or the county manager may remove an item from this travel request consent agenda if separate discussion is desired. Any item so removed shall be placed on the trailing agenda immediately following this travel request consent agenda or later, at a specific time or place on the trailing agenda.

PRIOR: NONE.

FUTURE:

- a. **FREDDY COTA AND DAVID LOONEY TO ATTEND FIRE HOUSE WORLD IN LAS VEGAS, NV FROM FEBRUARY 23 THRU FEBRUARY 27, 2020.**
- b. **JARED ROSTRO AND TISHA TUPPER TO ATTEND 2020 OFFENDER WATCH SYMPOSIUM IN NEW ORLEANS, LA FROM APRIL 4 THRU APRIL 9, 2020.**
- c. **JERRY FANNING TO ATTEND ENERGY AND ENVIRONMENT SYMPOSIUM IN RIFLE, CO FROM APRIL 14 THRU APRIL 17, 2020.**

d. ERIC MORAN TO ATTEND NASRO IN DALLAS, TX FROM JULY 4 THRU JULY 10, 2020.

Crockett requested 7.a be pulled for discussion. Crockett moved, seconded by McCutcheon to approve the Travel Consent Agenda pulling item 7.a. for discussion. Voting yes: Henry, Wood, Crockett, McCutcheon and Carlson. Passed 5-0.

FREDDY COTA AND DAVID LOONEY TO ATTEND FIRE HOUSE WORLD IN LAS VEGAS, NV FROM FEBRUARY 23 THRU FEBRUARY 27, 2020:

Crockett questioned if the training was really beneficial. Mack responded yes, the EMT portion was very helpful and the attendees would bring what they learned back to other departments. Crockett moved, seconded by McCutcheon to approve the Travel request. Voting yes: Henry, Wood, Crockett, McCutcheon and Carlson. Passed 5-0. The Travel Consent Request Agreement was recorded as Exhibits 7.a – 7.d, respectively.

8. EMERGENCY BUSINESS: None.

9. LEGISLATIVE UPDATE: Davis stated Cage gave a good synopsis of the Legislature. He stated all the outcomes were not what were hoped for but the needle had been moved on awareness, recognition and were building on fluency of SE New Mexico issues. He felt with the broad spectrum of all who had attended, the messages had been received. The Lodgers' Tax had passed both the House and Senate and felt it should be put in place. NMDOT had been positive in responses to working with the County. March 19 was the date for NMDOT Commission Meeting in Carlsbad. He would notify all when the venue had been chosen. He thanked the staff who worked on messaging. A Legislative summary from Jerry Fanning would be forthcoming. Carlson inquired of the future meeting with the Governor. Davis stated it had not been confirmed. Cage added that the recreational marijuana issue was dead for this session. He felt DWI had been the issue that stopped it.

10. LEGISLATORS AND ELECTED OFFICIALS' COMMENTS/ANNOUNCEMENTS/UPDATES: None.

11. COUNTY MANAGER'S COMMENTS/ANNOUNCEMENTS/UPDATES: Davis stated the County would be meeting with Industry representatives about matching funds. NMDOT had stated it would fund up to \$10M with matching for the Relief Routes off of 285. Burns had received raw data from the consultants concerning road conditions, etc. A summary would be forthcoming. All statistics for all departments were up. He felt the Courthouse needed attention after his tour and meeting with Judge Gray. Detention's intake was at least 10 per day, 3,000 a month. He thanked all County Departments for their exceptional work.

12. COUNTY COMMISSIONERS' COMMENTS/ANNOUNCEMENTS/UPDATES: Crockett felt the matching funds of the \$10M from NMDOT was an issue that all needed to make happen by helping. She thanked Wes and NMDOT for helping get the Safety Corridor 128 speed limit signs changed to 55 mph. Waters was

successful in getting \$185,500 in JTIP funds for Eddy County. The Solid Waste Advisory Committee meeting was held, focusing on illegal dumping, landfill and permitting issues; she thanked Jason for his contributions. McCutcheon had received a call from a Lea County resident concerning cleaning up the road corridors and accessing NMDOT funds. He spent time with a ND service company who had felt the biggest difference here was that things were not as tidy or clean. He felt a cleaner community, in turn, equaled a safe community. In reference to PSA's, he would like to know prior to budget time how those funds would be spent by those entities. Woods expressed concerns of the speed limits on Highway 82 to 529, orange barrels everywhere with no one working on the highway. He had gotten word that the Governor wanted to have a photo-op with people from Parkland, Florida signing SB5. Henry had agreed with Cage's thoughts on the Sanctuary State Resolution and the Red Flag Law. He was disappointed the SB5 session was not accessible to the public. He wondered how the budget session could end in a deficit with the amount of surplus NM had had. He was disappointed he had never seen a thank-you to the Oil and Gas Industry from the Governor, the industry that had given the State all the funds. Carlson agreed with what Henry said. Carlson referenced a FHWA report received in the past showing that NM was a donor state of funds and not a recipient state for budget highways and roads. He felt an Arrowhead study would be helpful showing which NM counties were donating counties and the amount of funds donated to the State budget along with how much funding was received from the State. Crockett thought NMDOT funds to clean up the roads were available but for three years in a row, an RFP was sent out with no response. MOUs were considered and that information was available for other counties. Shariff stated two off-duty sheriff deputies had worked with and supervised road clean-up crews of citizens working off court-ordered Community Service. This happened each weekend between Artesia and Carlsbad.

13. EXECUTIVE SESSION: THE BOARD MAY GO INTO EXECUTIVE SESSION IN ACCORDANCE WITH THE STATE OF NEW MEXICO OPEN MEETINGS ACT, SECTION 10-15-1-H(2) WHICH AUTHORIZES THE BOARD OF COUNTY COMMISSIONERS TO GO INTO EXECUTIVE SESSION TO DISCUSS:

a. LIMITED PERSONNEL MATTERS

i. DISCUSSION OF COUNTY PERSONNEL – ALLEN DAVIS.

At 10:41 a.m. McCutcheon moved, seconded by to go into Executive Session, seconded by Crockett, and re-open the meeting at 11:15 a.m. Voting yes: Henry, Wood, Crockett, McCutcheon and Carlson. Passed 5-0.

14. RE-OPEN MEETING: At 11:18 a.m. McCutcheon moved, seconded by Crockett, to re-open the meeting and certified the only topics discussed were limited personnel matters. Voting yes: Henry, Wood, Crockett, McCutcheon and Carlson. Passed 5-0.

15. TAKE ACTION, IF ANY, ON ANY MATTER RELATING TO THE EXECUTIVE SESSION.

a. LIMITED PERSONNEL MATTERS

i. DISCUSSION OF COUNTY PERSONNEL – ALLEN DAVIS.

No action taken.

16. *ADJOURN: At 11:19 a.m. Crockett moved, seconded by McCutcheon to adjourn the meeting. Voting yes: Henry, Wood, Crockett, McCutcheon and Carlson. Passed 5-0.

COMMISSION CHAIR, ERNEST CARLSON

ATTEST:

COUNTY CLERK, ROBIN VAN NATTA

DATE