

**EDDY COUNTY BOARD OF COMMISSIONERS
MINUTES OF A REGULAR MEETING
FEBRUARY 21, 2023**

Be it remembered that the Eddy County Board of Commissioners held a regular meeting in the Eddy County Administration Complex-Room 211 on February 21, 2023 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. Carlson gave the invocation.

PRESENT:

ERNEST CARLSON	CHAIRMAN
FRED BEARD	VICE-CHAIR
JON HENRY	COMMISSIONER, DISTRICT 2
ALLEN DAVIS	COUNTY MANAGER
CAS TABOR	COUNTY ATTORNEY
CARA COOKE	COUNTY CLERK
LAURIE PRUITT	COUNTY TREASURER
RHONDA HATCH	COUNTY ASSESSOR
MELISSA WASHBURN	CHIEF COUNTY ASSESSOR
MARK CAGE	SHERIFF
KIM BALLARD	SHERIFF'S OFFICE ADMIN ASST
MARIA MALDONADO-MERJIL	DETENTION CHIEF ADMIN ASST
ADRIENNE JONES	EXEC ADMIN ASSISTANT
ROBERTA GONZALES	FINANCE DIRECTOR
WESLEY HOOPER	COMMUNITY/ADMIN SVC DIRECTOR
STEVE MCCROSKEY	COUNTY PLANNER
ROBIN RAMACCIOTTI	COUNTY SERVICES ASSISTANT
JASON BURNS	PUBLIC WORKS DIRECTOR
ROXANN BRANNON	HR DIRECTOR
BILLY MASSENGILL	DETENTION WARDEN
CAROL HENNINGTON	INFORMATION SYSTEMS DIRECTOR
ROLAND RODRIGUEZ	IT SPECIALIST III
JOSHUA MACK	FIRE SVC DIR
MICHELLE ARDOIN	FIRE SVC FISCAL OFFICE MANAGER
STEPHANIE YBABEN	RED ROCKET MEDIA

ABSENT:

JAMES (BO) BOWEN	COMMISSIONER, DISTRICT 4
SARAH CORDOVA	COMMISSIONER, DISTRICT 5

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. MARK CAGE, SHERIFF'S OFFICE – 10 YEARS
 - b. DANIELA RIOS, SHERIFF'S OFFICE – 10 YEARS
 - c. TRAVIS HATCH, PUBLIC WORKS – 10 YEARS
 - d. CHRISTOPHER CHAVARRIA, FIRE & RESCUE – 5 YEARS
 - e. MELISSA WASHBURN, ASSESSOR'S OFFICE – 5 YEARS
 - f. JORGE MARTINEZ, SHERIFF'S OFFICE – 5 YEARS
 - g. GRACIE GONZALES, SHERIFF'S OFFICE – 5 YEARS

Service Awards were presented to employees for their years of service to Eddy County.

Short break for pictures.

TRAILING AGENDA:

1. PRESENTATION OF CARLSBAD MAINSTREET'S 2022 IMPACT REPORT BY EXECUTIVE DIRECTOR KAT DAVIS – ALLEN DAVIS-FYI ONLY. Kat Davis presented a year-end review of the organization's promotions, events and projects. The County had supported the organization's Beautification Project. She thanked the Commission and the County for their continued support. Exhibit 1 attached.

2. APPROVE:
 - a. *COMMISSION MEETING MINUTES FOR FEBRUARY 7, 2023. Henry moved, seconded by Beard, to approve the Commission Meeting Minutes for February 7, 2023. Voting yes: Beard, Henry and Carlson. Passed 3-0.
 - b. *PURCHASE CARD APPROVAL REPORT FOR JANUARY 2023. Henry moved, seconded by Beard, to approve the Purchase Card Approval Report for January 2023. Voting yes: Beard, Carlson and Henry. Passed 3-0. The Purchase Card Approval Report for January 2023 was recorded as Exhibit 2.b.

3. *CREATION OF IPRA (INSPECTION OF PUBLIC RECORDS ACT) ADMINISTRATIVE COORDINATOR POSITION – ALLEN DAVIS. Davis stated IPRA requests had grown and had become more onerous and burdensome, occupying a significant percentage of the County Admin's time, along with the time of staff in the HR, Sheriff's Office, Detention and IT Departments. Davis felt the position was needed to

ensure the requests were properly assigned, answered and followed up on in a timely manner. The audio, video and reports must then be cleared through the County Attorney's Office. Cage stated his department had two employees working on the requests. Henry felt cities and counties needed to get more aggressive with the State, as they had no clue how it impacted the municipalities. Cage noted Santa Fe County had six employees doing these tasks. Davis felt a para-legal would possibly be a good candidate. Carlson wanted to build the department in the right manner. Cage stated he had sent employees to other agencies and departments to learn best practices. Massengill stated the IPRA's did not involve just law enforcement, but any and all departments at any time could be involved. Cage stated folks were weaponizing the information they obtain to try to intimidate and overwhelm the departments. Beard moved, seconded by Henry, to approve the IPRA (Inspection of Public Records Act) Administrative Coordinator Position. Voting yes: Beard, Henry and Carlson. Passed 3-0. Exhibit 3 attached.

4. ***INCREASE IN HUMAN RESOURCES ADVERTISING BUDGET – ROXANN BRANNON.** Brannon noted she was close to using all of the funds appropriated for advertising with some funding still encumbered. She was asking for a \$50K increase to finish the FY and allow looking at other advertising avenues related to job posting and job recruiting for the County. Beard moved, seconded by Henry, to approve the increase in the Human Resources Advertising Budget in the amount of \$50K. Voting yes: Beard, Henry and Carlson. Passed 3-0.
5. ***BUDGET ADJUSTMENT FOR SANDPOINT LANDFILL CELL 6 DESIGN – JASON BURNS.** Burns was requesting a transfer of funds to Landfill Maintenance for Cell 6. He noted Cell 5 was filling ahead of its lifespan with another four or five years left. Getting a design for Cell 6 in hand would allow getting ahead. Overall monies were within the Landfill budget but would be shifted between line items. Henry moved, seconded by Beard, to approve the Budget Adjustments for Sandpoint Landfill Cell 6 Design. Voting yes: Beard, Carlson and Henry. Passed 3-0.
6. **VARSIY SPORTS T-SHIRT DONATION SPONSOR – JOSHUA MACK – FYI ONLY.** Mack stated the Varsity Sports contract had ended and Jet Specialty Ink had donated the most recent order; he wanted to thank them.
7. ***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-23-13; DISPOSAL, REMOVAL OR REVISE ITEMS IN THE EDDY COUNTY INVENTORY/ASSETS – JESSICA STYGAR.**

b. **AGREEMENTS:**

- i. **A-23-27; STATE ROAD FUND COOPERATIVE AGREEMENT – WESLEY HOOPER.**
- ii. **A-23-28; RATIFICATION OF RIGHT OF WAY GRANT FOR R-40498 (CR-605-US REFINERY ROAD) – WESLEY HOOPER.**
- iii. **A-23-29; CONTRACT FOR CORRHEALTH IN REGARDS TO RFP 21-02 DETENTION CENTER MEDICAL DIRECTOR - ANISIA CERNA.**
- iv. **A-23-30; GENERAL CONSTRUCTION SERVICES BETWEEN PECOS VALLEY CONSTRUCTION AND EDDY COUNTY IN REGARDS TO RFP 22-13 GENERAL CONSTRUCTION SERVICES – ANISIA CERNA.**
- v. **A-23-31; ON-CALL ELECTRICIAN MAINTENANCE AND SERVICES BETWEEN MURRILL ELECTRIC LLC AND EDDY COUNTY IN REGARDS TO RFP 22-14 ON-CALL ELECTRICIAN MAINTENANCE AND SERVICES – ANISIA CERNA.**

Beard moved, seconded by Henry, to approve the Resolution and Agreement Consent Agenda. Voting yes: Beard, Carlson and Henry. Passed 3-0. R-23-13 was recorded as Exhibit 7.a.i. A-23-27 through A-23-31 were recorded as Exhibits 7.b.i. through 7.b.v., respectively.

8. **ELECTED OFFICIAL/DEPARTMENT UPDATES.** Hooper was requesting feedback on access permits for the Loop Roads. Engineers and NMDOT had been consulted. He was requesting direction of how to approach them as either an ordinance, a resolution or a policy. An ordinance would allow fines to be assessed if the permit application had not been followed. He noted NMDOT guidelines could be used to make it a lot safer, which may require accel/decel lanes and left turn lanes. Davis stated it would apply to a specific set of arterials. Carlson felt accel/decel lanes were important. He felt that the business wanting access to the Loop should pay for the accel/decel lanes. Davis noted

access to mineral leases was governed by state and federal entities. He noted the cost for those lanes was not insignificant. Burns added that the County currently has an access process that was a dated policy, not an ordinance, used on a case-by-case basis. He stated it was an issue being faced all over the county. He noted DOT required a full traffic impact analysis and stamped designs on every access to state roads. Davis stated provisions were in place to include existing businesses and ranches. Hooper noted the SE Loop was being built to State specs with the possibility of turning it over to the State to maintain it once it is completed in the future. Following discussion, Carlson felt it should be done through a policy with that policy being administered. Hooper recommended the policy come before the Commission for approval. Hooper also notified the Commission of an upcoming Stakeholder meeting on the South Loop to be held March 7 at 2:00 pm. A public meeting on the South Loop was also scheduled for March 7 at 6:00 pm. Hooper would then place the South Loop on next meeting's agenda for discussion with the Commission. Following that meeting, it would be brought back to the Commission to narrow down and select the route. He stated a billboard advertiser had been consulted and would present artwork in the future. Beard felt a faded out, full-blown drilling rig would be good for the artwork. Cage had spent two weeks in DC attending the National Sheriff's Association, having been appointed Secretary. The Association had been responsible for getting two stand-alone bills passed through the Legislature and had been successful in killing three bills. He noted a bill moving forward was the gun storage bill and spoke to several other bills concerning guns and policing legislation. He stated the SO currently had five employees in the Academy. He noted the SO had a plan, equipment and software in place for IPRA issues. Mack had fliers printed concerning the smoke detector event approaching. He will have a meeting March 10 for a review and a developing a three-to-five-year plan.

9. **LEGISLATIVE UPDATES.** Davis updated on the recent S360 reports. There had been 1,089 bills introduced this Legislative Session. The House had endorsed a \$9.4B spending plan, which was a 12.3% increase over current spending levels, leaving the General Fund reserve at 30% or \$2.8B. Tax cuts and rebates were included. House Bill 367 would lower the State's GRT to 4.625%.

10. ***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. **JOSHUA MACK, JARED ZUNIGA, WYATT KLEIN, KEVIN WILLARD, AND DAVID WATSON TO ATTEND 2023 FDIC INTERNATIONAL CONFERENCE IN INDIANAPOLIS, IN FROM APRIL 23, 2023 THROUGH APRIL 29, 2023.**
- b. **JARED ZUNIGA TO ATTEND NATIONAL FIRE ACADEMY: EXECUTIVE PLANNING (R0506) IN EMMITSBURG, MD FROM AUGUST 13, 2023 THROUGH AUGUST 25, 2023.**

Beard moved, seconded by Henry, to approve the Travel Request Consent Agenda. Voting yes: Beard, Henry and Carlson. Passed 3-0.

11. EMERGENCY BUSINESS. None.

12. LEGISLATORS AND ELECTED OFFICIALS' COMMENTS, ANNOUNCEMENTS, UPDATES. None.

13. COUNTY MANAGER'S COMMENTS, ANNOUNCEMENTS & UPDATES. Davis referenced media comments about the State's budget and the misperception of oil and gas and its contribution. The State had failed to provide provisions that would diversify the economy and provide sources of revenue that would complement, not replace, the current resources provided by oil and gas revenues. The President had recently stated we would need oil and gas for probably another decade. Davis felt production volumes would continue to keep pace. The US Energy Information Administration, EIA, projected 2023 would see an increase of 350K barrels a day and the same was projected for 2024. He felt the County's budget and outlook would be consistent with what had been seen, with crude prices being more moderate, around upper-to-mid-\$70/barrel allowing consistent investment and appropriate returns. He felt Eddy County would be well positioned to provide the services and revenues to support infrastructure programs and public safety.

14. COUNTY COMMISSIONERS' COMMENTS, ANNOUNCEMENTS & UPDATES. Henry urged all to be vigilant watching the bills at the Legislature for possible changes. He spoke to the gun storage bill making no sense, that it did not solve any issues. Artesia was district champions in basketball. Artesia had presented a proclamation honoring the FFA kids and he was pleased with the leadership this

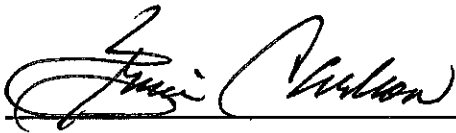
side of the state had shown. He spoke to the issue of hate not being addressed and not blaming an object for the evil, forgetting to blame the evil.

15. EXECUTIVE SESSION: None

Meeting closed at 10:07 a.m.

~Asterisks denote vote is required~

**EDDY COUNTY BOARD OF COMMISSIONERS,
EDDY COUNTY, NEW MEXICO**



COMMISSION CHAIRMAN, ERNEST CARLSON

ATTEST: By: J. White
COUNTY CLERK, CARA COOKE

DATE: March 7, 2023

