

**EDDY COUNTY BOARD OF COMMISSIONERS
MINUTES OF A REGULAR MEETING
JUNE 6, 2023**

Be it remembered that the Eddy County Board of Commissioners held a regular meeting in the Eddy County Administration Complex-Room 211 on June 6, 2023 at 8:30 a.m. Carlson called the meeting to order and led the Pledge of Allegiance and the Salute to the New Mexico State flag. Gonzales gave the invocation.

PRESENT:

ERNEST CARLSON
FRED BEARD
JON HENRY
JAMES (BO) BOWEN
SARAH CORDOVA
ROBERTA GONZALES
CAS TABOR
CARA COOKE
TAMI WHITE
ERIC THRELKELD
ADRIENNE JONES
STEVE MCCROSKEY
JASON BURNS
ROXANN BRANNON
BILLY MASSENGILL
KEVIN WILLARD
CAROL HENNINGTON
JASON FLOREZ
TRENT MOORE
CYNTHIA SHARIF
DEBRA HAMPTON
STEPHANIE YBABEN

CHAIRMAN
VICE-CHAIR
COMMISSIONER, DISTRICT 2
COMMISSIONER, DISTRICT 4
COMMISSIONER, DISTRICT 5
COUNTY MANAGER
COUNTY ATTORNEY
COUNTY CLERK
CHIEF DEPUTY COUNTY CLERK
CAPTAIN SHERIFF'S OFFICE
EXECUTIVE ADMIN ASSISTANT
COMMUNITY SERVICES DIRECTOR
PUBLIC WORKS DIRECTOR
HUMAN RESOURCES DIRECTOR
DETENTION WARDEN
FIRE DIVISION CHIEF OF ADMIN
IT DIRECTOR
ASSISTANT IT DIRECTOR
M&O SUPERVISOR
DWI COORDINATOR
DWI ASSISTANT
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. PUBLIC HEARING: PUBLIC HEARING TO APPROVE THE JOY SUBDIVISION 2 PRELIMINARY PLAT.
 - a) *OPEN. At 8:30 a.m., Beard moved, seconded by Henry, to open the public hearing. Voting yes: Carlson, Beard, Bowen, Cordova and Henry. Passed 5-0.
 - b) STAFF COMMENTS. McCroskey stated the Joy 2 subdivision had been submitted for approval. Eleven tracts and 78.5 acres were to be added with Harcrow Surveying handling the engineering. The plat had been sent for local and State agency review with no issues but for a State Engineer request for more information from the developer concerning the water. Final approval had been obtained from the State following the resolution of the water issue. The turn-outs would require permitting from the Public Works Department. Fire Services, Planning and Zoning, Community Development and staff had reviewed the plat and all had recommended approval of the subdivision.
 - c) PUBLIC COMMENT. (THREE MINUTE TIME LIMIT PER PERSON - WE REQUEST THAT ALL COMMENTS BE COURTEOUS AND RESPECTFUL IN NATURE). None.
 - d) COUNTY ATTORNEY COMMENTS/QUESTIONS. Tabor inquired and McCroskey clarified that there would be no infrastructure or roads with the platted subdivision and wells would be drilled by the purchasers. The final plat would be forthcoming and the lots should be available for purchase shortly.
 - e) COMMISSIONERS COMMENTS/QUESTIONS. Questions with reference to the water issue were answered by the State engineer on the project. She stated the resolved water issue had been related to a technical difficulty due to the State's having the wrong aquifer and water level depth when submitted. This issue been corrected and the request resubmitted. There would be no co-op.
 - f) ENTERTAIN A MOTION AND SECOND FROM BOARD. Henry moved, seconded by Bowen, to approve the Joy 2 subdivision.
 - g) *BOARD ACTION.
 - i. APPROVE/DISAPPROVE THE JOY SUBDIVISION 2 PRELIMINARY PLAT. Voting yes: Carlson, Beard, Bowen, Cordova and Henry. Passed 5-0.
 - h) *ADJOURN HEARING. At 8:38 a.m., Cordova moved to close the public hearing and open the regular meeting. Voting yes: Carlson, Beard, Bowen, Cordova and Henry. Passed 5-0.

TRAILING AGENDA:

1. **APPROVE:**
 - a. ***COMMISSION MEETING MINUTES FOR MAY 16, 2023.** Henry moved, seconded by Beard, to approve the Commission Meeting Minutes for May 16, 2023. Voting yes: Carlson, Beard and Henry. Abstaining: Bowen, Cordova. Passed 3-0.
 - b. ***EXPENSE APPROVAL REPORT FOR MAY 2023.** Cordova moved, seconded by Bowen, to approve the Expense Approval Report for May 2023. Voting yes: Carlson, Beard, Bowen, Cordova and Henry. Passed 5-0.
 - c. ***PURCHASE CARD APPROVAL REPORT FOR APRIL 2023.** Bowen moved, seconded by Cordova, to approve the Expense Approval Report for May 2023. Voting yes: Carlson, Beard, Bowen, Cordova and Henry. Passed 5-0.

2. **TREASURER'S REPORT FOR APRIL 2023 – LAURIE PRUITT – FYI ONLY.**

3. ***OVER HIRE PROCUREMENT MANAGER – JESSICA STYGAR.** Gonzales stated the over-hire would allow cross-training now for the technical position. Beard moved, seconded by Bowen, to approve the Over-Hire of Procurement Manager. Voting yes: Carlson, Beard, Bowen, Cordova and Henry. Passed 5-0.

4. ***LOVING STATION BAY ADDITION – JOSHUA MACK.** Willard stated the Loving had received \$400K from the State Fire Marshall for the Fourth Street addition with \$700K from the State Fire Fund completing the expense. The addition would consist of an engine bay, workout and training rooms, storage space for PPE along with six showers. The steel building would occupy 4,300 square feet at a cost of \$274 per square foot. Loving Village had previously invested \$560K towards the remodel for sleeping quarters. The Village would issue to the County a quitclaim deed for the property along with an engine and tanker. Beard moved, seconded by Cordova, to approve the Loving Station Bay Addition. Voting yes: Carlson, Beard, Bowen, Cordova and Henry. Passed 5-0.

5. ***CONVERSION OF TWO (2) FULL TIME DETENTION OFFICER POSITIONS TO 4 PRN (AS NEEDED) DETENTION OFFICER POSITIONS – BILLY MASSINGILL, WARDEN.** Warden Massingill hoped the conversion would entice potential applicants who would like to work part-time. He stated the conversion would result in \$74K salary savings. The individuals filling those positions would work on a PRN basis up to 19 hours a week. The Warden stated the average population had been 220 inmates. Cordova moved, seconded by Henry, to approve the Conversion of Two (2) Full Time

Detention Officer Positions to 4 PRN (As Needed) Detention Officer Positions.
Voting yes: Carlson, Beard, Bowen, Cordova and Henry. Passed 5-0.

6. ***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-23-44; EDDY COUNTY COMPENSATION PLAN – ROXANN BRANNON.**
- ii. **R-23-45; RESOLUTION APPOINTING THE MEMBERS OF THE COUNTY BOARD OF REGISTRATION – CARA COOKE.**
- iii. **R-23-46; RESOLUTION DESIGNATING THE LOCATION OF POLLING PLACES FOR ALL STATEWIDE ELECTIONS CONDUCTED IN 2024 AND 2025 – CARA COOKE.**
- iv. **R-23-47; DISPOSAL, REMOVAL, OR REVISE ITEMS IN THE EDDY COUNTY INVENTORY/ASSETS – JESSICA STYGAR.**

b. **AGREEMENTS:**

- i. **A-23-38; APPROVE PROFESSIONAL SERVICE AGREEMENT WITH ARTESIA GENERAL HOSPITAL FOR HEALTH CARE SERVICES FOR EDDY COUNTY DETENTION CENTER INMATES – VERONICA PARRAS.**
- ii. **A-23-42; APPROVE AGREEMENT A-23-42 PROFESSIONAL SERVICE AGREEMENT WITH PRESBYTERIAN MEDICAL SERVICES FOR HEALTHCARE SERVICES – VERONICA PARRAS.**
- iii. **A-23-48; PROFESSIONAL SERVICE AGREEMENT WITH CITY OF ARTESIA – ROBERTA GONZALES.**
- iv. **A-23-49; BETWEEN EDDY COUNTY AND THE ARTESIA CHAMBER OF COMMERCE FOR ECONOMIC DEVELOPMENT SERVICES – ROBERTA GONZALES.**
- v. **A-23-50; PROFESSIONAL SERVICE AGREEMENT WITH ARTESIA MAINSTREET – ROBERTA GONZALES.**
- vi. **A-23-51; PROFESSIONAL SERVICE AGREEMENT WITH THE CITY OF CARLSBAD – ROBERTA GONZALES.**
- vii. **A-23-52; PROFESSIONAL SERVICE AGREEMENT WITH CARLSBAD DEPARTMENT OF DEVELOPMENT FOR ECONOMIC DEVELOPMENT SERVICES – ROBERTA GONZALES.**

- viii. A-23-53; PROFESSIONAL SERVICE AGREEMENT WITH CARLSBAD MAINSTREET – ROBERTA GONZALES.
- ix. A-23-54; PROFESSIONAL SERVICE AGREEMENT WITH VILLAGE OF HOPE – ROBERTA GONZALES.
- x. A-23-55; PROFESSIONAL SERVICE AGREEMENT WITH VILLAGE OF LOVING – ROBERTA GONZALES.
- xi. A-23-57; PROFESSIONAL SERVICE AGREEMENT WITH GRAMMY'S HOUSE ARTESIA DOMESTIC VIOLENCE SHELTER INC. – ROBERTA GONZALES.
- xii. A-23-58; PROFESSIONAL SERVICE AGREEMENT WITH AFFIRMING HEART VICTIM SERVICES – ROBERTA GONZALES.
- xiii. A-23-59; PROFESSIONAL SERVICE AGREEMENT WITH CHANGING LIVES COALITION, INC. FOR YOUTH ADVOCACY, EDUCATION AND EMPOWERMENT SERVICES – ROBERTA GONZALES.
- xiv. A-23-60; PROFESSIONAL SERVICE AGREEMENT WITH CARLSBAD COMMUNITY ANTI-DRUG & GANG COALITION – TEEN COURT – ROBERTA GONZALES.
- xv. A-23-61; PROFESSIONAL SERVICE AGREEMENT WITH CARLSBAD HONOR GUARD – ROBERTA GONZALES.
- xvi. A-23-62; PROFESSIONAL SERVICE AGREEMENT WITH PAWS AND CLAWS HUMANE SOCIETY, INC. – ROBERTA GONZALES.
- xvii. A-23-63; PROFESSIONAL SERVICE AGREEMENT WITH NOAH'S ARK ANIMAL REFUGE, INC. – ROBERTA GONZALES.
- xviii. A-23-64; PROFESSIONAL SERVICE AGREEMENT WITH NEW MEXICO STATE MOBILE LIBRARY – ROBERTA GONZALES.
- xix. A-23-65; PROFESSIONAL SERVICE AGREEMENT FOR FEDERAL LOBBYING SERVICES – 535 GROUP, LLC – ROBERTA GONZALES.
- xx. A-23-66; PROFESSIONAL SERVICES AGREEMENT FOR GENERAL LEGAL SERVICES FOR EDDY COUNTY – ROBERTA GONZALES.
- xxi. A-23-70; MEMORANDUM OF UNDERSTANDING FOR EXTENSION SERVICES IN EDDY COUNTY – ROBERTA GONZALES.
- xxii. A-23-71; MEMORANDUM OF UNDERSTANDING WITH EDDY COUNTY SHERIFF'S POSSE – ROBERTA GONZALES.
- xxiii. A-23-72; PROFESSIONAL SERVICE AGREEMENT WITH THE ARTESIA CHAMBER OF COMMERCE FOR ADVOCACY SERVICES – ROBERTA GONZALES.
- xxiv. A-23-74; PURCHASE OF MARKETING SERVICES BY RED ROCKET MEDIA – CAROL HENNINGTON.

- xxv. A-23-75; AMBITIONS TECHNOLOGY GROUP HYBRID BACKUP, DISASTER RECOVERY, AND BUSINESS CONTINUITY – CAROL HENNINGTON.
- xxvi. A-23-84; DWI GRANT AGREEMENT – CYNTHIA G. SHARIF.
- xxvii. A-23-85; EQUIPMENT SERVICE AGREEMENT – RHONDA HATCH.
- xxviii. A-23-86; MEMORANDUM OF AGREEMENT WITH THE CITY OF ARTESIA FOR DWI OFFENDER TRACKING SERVICES – CYNTHIA SHARIF.
- xxix. A-23-87; MEMORANDUM OF AGREEMENT WITH THE CITY OF CARLSBAD FOR DWI OFFENDER TRACKING SERVICES – CYNTHIA SHARIF.
- xxx. A-23-88; CONTRACT WITH FRANK MAGOURILOS FOR DWI PREVENTION PROGRAM OVERSIGHT AND EVALUATION – CYNTHIA SHARIF.
- xxxi. A-23-89; CONTRACT WITH NANCY HUSSELMAN FOR DWI PREVENTION AND EDUCATION SERVICES – CYNTHIA SHARIF.
- xxxii. A-23-90; CONTRACT WITH PETE MARQUEZ FOR DWI PREVENTION AND EDUCATION SERVICES – CYNTHIA SHARIF.
- xxxiii. A-23-91; PROFESSIONAL SERVICES AGREEMENT WITH CHERRY BEKAERT ADVISORY LLC – JESSICA STYGAR.
- xxxiv. A-23-92; CONTRACT WITH DR. VAN WARREN FOR AURICULAR DETOXIFICATION SUPERVISION – CYNTHIA SHARIF.
- xxxv. A-23-94; TRINITY SERVICES GROUP, INC. AGREEMENT RENEWAL NUMBER 3 – ANISIA CERNA.
- xxxvi. A-23-95; MAXIMUM REPORTS AGREEMENT – ROXANN BRANNON.
- xxxvii. A-23-96; SPARKS OFFICE SOLUTIONS – COPIER MAINTENANCE ARTESIA MVD – EULALIA R. STROMAN.
- xxxviii. A-23-97; UNIVERSAL BACKGROUND SCREENING, INC. – ROXANN BRANNON.
- xxxix. A-23-99; LAW ENFORCEMENT IN CONSTRUCTION ZONE PROJECT FNF CONSTRUCTION, INC. – SHERIFF MARK CAGE.
- xl. A-23-100; GANNETT (CURRENT ARGUS) ADVERTISING AGREEMENT – ROXANN BRANNON.

Henry moved, seconded by Beard, to approve the Resolution and Agreement Consent Agenda. Voting yes: Carlson, Beard, Bowen, Cordova and Henry. Passed 5-0. R-23-44 through R-23-47 were recorded as Exhibits 6.a.i through 6.a.iv, respectively. A-23-38, A-23-42, A-23-48 through A-23-55, A-23-57 through A-23-66, A-23-70 through A-

23-72, A-23-74, A-23-75, A-23-84 through A-23-97, A-23-99 and A-23-100 were recorded as Exhibits 6.b.i through 6.b.xl, respectively.

7. **ELECTED OFFICIAL/DEPARTMENT UPDATES.** None.
8. **LEGISLATIVE UPDATES.** None.
9. ***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. **JAROD ZUNIGA AND KADEN ZUNIGA TO ATTEND DRONE SCHOOL IN DENVER, CO FROM JUNE 13, 2023 THROUGH JUNE 16, 2023.**

Cordova moved, seconded by Bowen, to approve the Travel Request Consent Agenda. Voting yes: Carlson, Beard, Bowen, Cordova and Henry. Passed 5-0.

10. **EMERGENCY BUSINESS.** None.
11. **LEGISLATORS AND ELECTED OFFICIALS' COMMENTS/ANNOUNCEMENTS/UPDATES.** Carlson noted the Sheriff was absent. Eric Threlkeld was representing the Sheriff in the meeting today and offered to answer any questions.
12. **COUNTY MANAGER'S COMMENTS/ANNOUNCEMENTS/UPDATES.**
Gonzales announced that Steve McCroskey was the new Community Services Director; she congratulated him. She enjoyed the invitation to the Law Enforcement Memorial. She thanked all who were helping with the IPRA requests, noting it was a huge burden and that took great team work. She also gave kudos to Julie in Tabor's Office for all her work with IPRA's.
13. **COUNTY COMMISSIONERS' COMMENTS/ANNOUNCEMENTS/UPDATES.**
Cordova noted there had been a lot of changes at the County and felt things were going smoothly. She encouraged all to be mindful that the kids were out of school and to keep an eye out for them. There were lots of activities in the city and encouraged all to check the websites and attend. Henry had been

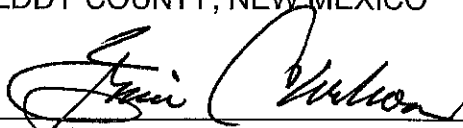
really busy the last few weeks. He noted the issues the State had with IPRA and felt the law had been poorly written. He wanted to see NMC work on the issues, make adjustments so innocent victims were not affected. He looked forward to the Sheriff's and the Drug Task Force's presentation on the local drug situation. He felt nothing was being done at the State and National level to slow the drug trafficking and the State was doing nothing to help keep its citizens safe. Bowen noted that school was out for the summer and encouraged all to be mindful of the increased traffic. He had attended the SO memorial, shooting competition and golf tournament, and was looking for his trophy. He reminded that Cavernfest was upcoming. Beard felt the County and City were doing the right thing and the County was a bright spot in the State. He thanked those for all they had done. Carlson encouraged all to be careful and cognizant of kids. He had received a call from Representative Dickson. They had a conversation about the Arrowhead Study and the effect of the oil and gas industry on the State.

14. EXECUTIVE SESSION: None.

Meeting closed at 8:57 a.m.

~Asterisks denote vote is required~

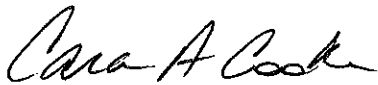
EDDY COUNTY BOARD OF COMMISSIONERS
EDDY COUNTY, NEW MEXICO



Ernie Carlson, Commission Chairman

Date: June 20, 2023

ATTEST:



Cara Cooke, County Clerk

