

**EDDY COUNTY BOARD OF COMMISSIONERS  
MINUTES OF A REGULAR MEETING  
JULY 18, 2023**

Be it remembered that the Eddy County Board of Commissioners held a regular meeting in the Eddy County Administration Complex-Room 211 on July 18, 2023 at 8:30 a.m. Beard called the meeting to order and led the Pledge of Allegiance and the Salute to the New Mexico State flag. Bowen gave the invocation.

**PRESENT:**

FRED BEARD	VICE-CHAIR
JON HENRY	COMMISSIONER, DISTRICT 2
JAMES (BO) BOWEN	COMMISSIONER, DISTRICT 4
SARAH CORDOVA	COMMISSIONER, DISTRICT 5
ROBERTA GONZALES	COUNTY MANAGER
CAS TABOR	COUNTY ATTORNEY
CARA COOKE	COUNTY CLERK
TAMI WHITE	CHIEF DEPUTY COUNTY CLERK
RHONDA HATCH	EDDY COUNTY ASSESSOR
MARK CAGE	SHERIFF
KIM BALLARD	SHERIFF ADMIN ASSISTANT
ADRIENNE JONES	EXEC ADMIN ASSISTANT
JESSICA STYGAR	ACTING INTERIM FINANCE DIR
STEVE MCCROSKEY	COMMUNITY SERVICES DIRECTOR
TANYA LOPEZ	COMMUNITY SERVICES SECRETARY
JASON BURNS	PUBLIC WORKS DIRECTOR
ROXANN BRANNON	HR DIRECTOR
BILLY MASSENGILL	DETENTION WARDEN
JOSHUA MACK	FIRE CHIEF
CAROL HENNINGTON	IT DIRECTOR
ROLAND RODRIGUEZ	IT SPECIALIST III
ROSIE MUNOZ	IT SPECIALIST II
TRENT MOORE	M&O SUPERVISOR
CYNTHIA SHARIF	DWI COORDINATOR
STEPHANIE YBABEN	RED ROCKET MEDIA

**ABSENT:**

ERNEST CARLSON	CHAIRMAN
----------------	----------

## 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).

Shirley Washburn, life-long Happy Valley resident, was thankful for the recently-installed speed bumps on Jones Street. She requested additional speed bumps on Texas Street and Jones, and Harmon Lane. She noted that the new Loop Road speed limit was 30 mph and then it increased to 45 mph in Happy Valley. She stated there was a bus stop, a park and businesses in that 45 mph zone and she asked for consideration of lowering the speed limit to 35 mph until passing Church Street. David Derrington, Happy Valley's Neighborhood Watch representative, thanked Sheriff Cage and the deputies for increased patrolling in Happy Valley. He noted there was a problem of ATVs racing through and speeding down Texas Street to access Werewolf. He had a business selling melons and stated his customers had had close calls of being hit and kids could no longer ride their bikes, skateboards and horses. He had recently seen ATVs speeding at night with no lights on. He was thankful for the speed bumps and requested that they be put on Texas and Harmon Lane. Susan Willingham lived on Harmon Lane, a dead-end road, and stated speeders were going 60 to 70 mph down the road and noted they were going into the easements to drive around the speed bumps. She wondered if the speed bumps could be extended into the easements or property lines. Missi Currier, formerly with Strategies 360, stated the company had left New Mexico and the legislative affairs work. She noted she and her business had partner started a new business, Cambiar Consulting, and had submitted a proposal for consideration to allow the new business to continue the line of work for Eddy County. She thanked the Commission for its consideration of the proposal and felt they had a strong understanding of the needs of Eddy County and would be proud to represent the County. Dylan Pinson and Clint Hughes, Eddy County Fair Board Members, invited all to the Eddy County Fair. He invited the Commission to participate in the parade Tuesday at 10:00 a.m. with the ribbon cutting at noon. They appreciated the County's continued support.

2. SERVICE AWARDS.

a. CYNTHIA SHARIF, DWI PROGRAM – 25 YEARS

b. AILEEN FLOREZ, SHERIFF'S OFFICE – 10 YEARS

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

*Short break for pictures.*

### TRAILING AGENDA:

1. **APPROVE:**
  - a. **\*COMMISSION MEETING MINUTES FOR JULY 5, 2023.** Bowen moved, seconded by Henry, to approve the Commission Meeting Minutes for July 5, 2023. Voting yes: Henry, Beard and Bowen. Abstaining: Cordova. Passed 3-0.
  - b. **\*EXPENSE APPROVAL REPORT FOR JUNE 2023.** Henry moved, seconded by Cordova, to approve the Expense Approval Report for June, 2023. Voting yes: Cordova, Henry, Beard, and Bowen. Passed 4-0. The Expense Approval Report for June 2023 was recorded as Trailing Agenda Exhibit 1.b.
  
2. **\*REPLACEMENT OF PATROL VEHICLE – MARK CAGE.** Cage stated a deputy patrol vehicle had been totaled when hit by a drunk driver and needed to be replaced. Bowen moved, seconded by Cordova, to approve the Replacement of Patrol Vehicle. Voting yes: Cordova, Henry, Beard, and Bowen. Passed 4-0.
  
3. **DONATION OF INDIVIDUAL FIRST AID KITS – MARK CAGE – FYI ONLY.** Cage stated Solaris Water Solutions had donated 80 first aid kits. The donation was appreciated.
  
4. **\*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-23-61; AMENDING THE EDUCATION INCENTIVE PROGRAM AND INCORPORATING R-22-109 WITH R-22-51 – ROXANN BRANNON.**
    - ii. **R-23-63; DONATION OF FIRE APPARATUS TO SPRINGER TOWN FIRE DEPARTMENT, NM – JOSHUA MACK.**
    - iii. **R-23-64; DONATION OF FIRE APPARATUS TO THE VILLAGE OF CIMARRON – JOSHUA MACK.**
    - iv. **R-23-65; INDIGENT MEDICAL/HOSPITAL CLAIMS REPORT – VERONICA PAYANES.**
    - v. **R-23-66; DISPOSAL, REMOVAL, OR REVISE ITEMS IN THE EDDY COUNTY INVENTORY/ASSETS – JESSICA STYGAR.**
  
  - b. **AGREEMENTS:**
    - i. **A-22-153 – RENEWAL NO. 1; ON CALL ENGINEERING, SURVEYING, TESTING, AND OR ENVIRONMENTAL**

- SERVICES WITH SMITH ENGINEERING (RFP 22-06) – JESSICA STYGAR.
- ii. A-22-159 – RENEWAL NO. 1; INMATE COMMISSARY WITH KEEFE COMMISSARY NETWORK, LLC (RFP 22-02) – JESSICA STYGAR.
  - iii. A-22-170 – RENEWAL NO. 1; ON CALL GENERAL ARCHITECTURAL SERVICES WITH HUITT-ZOLLARS (RFP 22-04) – JESSICA STYGAR.
  - iv. A-22-171 – RENEWAL NO. 1; ON CALL GENERAL ARCHITECTURAL SERVICES WITH MRWM (RFP 22-04) – JESSICA STYGAR.
  - v. A-23-07 – RENEWAL NO. 1; ON CALL ENGINEERING, SURVEYING, TESTING, AND OR ENVIRONMENTAL SERVICES WITH STANTEC CONSULTING SERVICE (RFP 22-06) – JESSICA STYGAR.
  - vi. A-23-114; MAINTENANCE/SUPPORT AGREEMENT-CONTRACT WITH TERRALOGIC DOCUMENT SYSTEMS – RHONDA HATCH.
  - vii. A-23-115; FIRE & RESCUE SB192 JUNIOR APPROPRIATION NUMBER 23-ZH9219 – JOSHUA MACK.
  - viii. A-23-116; JUNIOR BILL 23-ZH9216 FUNDS APPROPRIATED FOR BALLISTIC-RESISTANT SAFETY GEAR BODY ARMOR AND RELATED EQUIPMENT FOR LAW ENFORCEMENT IN EDDY COUNTY – MARK CAGE.
  - ix. A-23-117; JUNIOR BILL 23-ZH9217 FUNDS APPROPRIATED FOR BALLISTIC SHIELDS FOR THE EDDY COUNTY SHERIFF’S OFFICE – MARK CAGE.
  - x. A-23-118; JUNIOR BILL 23-ZH9218 FUNDS APPROPRIATED TO PURCHASE AND EQUIP VEHICLES FOR THE EDDY COUNTY SHERIFF’S OFFICE – MARK CAGE.
  - xi. A-23-120; BETWEEN EDDY COUNTY AND CAMBIAR CONSULTING, LLC FOR PROFESSIONAL SERVICES – ROBERTA GONZALES.
  - xii. A-23-121; WORK AND FINANCIAL PLAN BETWEEN EDDY COUNTY AND THE UNITED STATES DEPARTMENT OF AGRICULTURE (USDA) ANIMAL AND PLANT HEALTH INSPECTION SERVICE WILDLIFE SERVICES (APHIS-WS) FOR JULY 1, 2023 THROUGH JUNE 30, 2024 – ROBERTA GONZALES.

Henry moved, seconded by Bowen, to approve the Resolution and Agreement Consent Agenda. Voting yes: Cordova, Henry, Beard, and Bowen. Passed 4-0. R-23-61, R-23-63 through R-23-66 were recorded as Exhibits 4.a.i. through 4.a.v., respectively. A-22-153, A-22-159, A-22-170, A-11-171, A-23-07, A-23-114 through A-23-121 were recorded as Exhibits 4.b.i. through 4.b.xii., respectively.

5. **ELECTED OFFICIAL/DEPARTMENT UPDATES.** Cage appreciated the kudos from the Happy Valley residents, stating the speed bumps were having the right effect. He reminded of the NACO meeting in Austin, Texas next week and of the August NMC Board Meeting in Carlsbad.
6. **LEGISLATIVE UPDATES.** None.
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:**

- a. **ERIC THRELKELD ATTENDED THE NATIONAL SHERIFFS' ASSOCIATION CONFERENCE IN GRAND RAPIDS, MI FROM JUNE 25, 2023 THROUGH JUNE 30, 2023.**
- b. **WILLIAM MARION ATTENDED PROPERTY ROOM MANAGEMENT TRAINING IN HUMBLE, TX FROM JUNE 26, 2023 THROUGH JUNE 28, 2023.**

**FUTURE:**

- c. **JARVIS SEAMORE TO ATTEND AT SCENE TRAFFIC CRASH/TRAFFIC HOMICIDE INVESTIGATION TRAINING IN TEMPE, AZ FROM AUGUST 6, 2023 THROUGH AUGUST 19, 2023.**

Cordova moved, seconded by Henry, to approve the Travel Request Consent Agenda. Voting yes: Cordova, Henry, Beard, and Bowen. Passed 4-0.

8. **EMERGENCY BUSINESS.** None.
9. **LEGISLATORS AND ELECTED OFFICIALS' COMMENTS, ANNOUNCEMENTS, UPDATES.** Hatch stated they had recently completed certification and it had been sent to the state. She noted that state assessed values were up 12.43%, residential values were up 5.68%, non-residential values were up 7.91%, and livestock had fallen 26.51%.
10. **COUNTY MANAGER'S COMMENTS/ANNOUNCEMENTS/UPDATES.** Gonzales reminded of the special meeting to be held on July 26 at 8:30 a.m. to approve year-end financials and the final budget. She invited all to the ribbon cutting today at 10:00 a.m. on Lea Street and Loop Road.
11. **COUNTY COMMISSIONERS' COMMENTS/ANNOUNCEMENTS/UPDATES.** Cordova thanked the constituents for coming today and talking about what their needs were and what was working for them. She thanked all who worked on

July 4<sup>th</sup>, and noted seeing more SO officers out and about. Henry noted that Texas had placed buoys in the Rio Grande to slow illegal traffic and felt that it would now funnel the issue into New Mexico. He felt New Mexico state and federal leadership had not said a word or done anything to try and forestall the drug trafficking into the state. Bowen appreciated the residents acknowledgment of what was being done. Referencing the Otero County shooting, he felt it was another example of someone being let out of prison. Beard had not heard many statistics on opioid death and felt the issue was being ignored. He appreciated the Happy Valley residents' comments and wondered if caution lights might help.

**12. 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 (7), which authorizes the Board of County Commissioners to go into Executive Session to discuss:

- a. **THREATENED OR PENDING LITIGATION.**
  - i. **OPIOID LITIGATION – CAS TABOR.**

At 9:00 a.m., Henry moved, seconded by Bowen, to go into closed session to discuss the items listed, and to reconvene in 10 minutes. Voting yes: Cordova, Henry, Beard, and Bowen. Passed 4-0.

**RE-OPEN MEETING.** At 9:17 a.m., Henry moved, seconded by Cordova, to end the Executive Session and reconvene the Regular Meeting and to certify that only the items discussed were Threatening or Pending Litigation. Voting yes: Cordova, Henry, Beard, and Bowen. Passed 4-0.

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

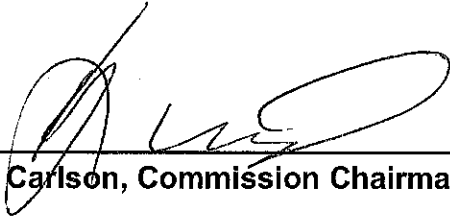
- a. \* **THREATENED OR PENDING LITIGATION.**
  - i. **OPIOID LITIGATION – CAS TABOR.**

Bowen moved, seconded by Henry, to allow the County Manager to settle the \$3M suit. Voting yes: Cordova, Henry, Beard, and Bowen. Passed 4-0.

Meeting adjourned at 9:18 a.m.

*~Asterisk denotes vote is required~*

EDDY COUNTY BOARD OF COMMISSIONERS  
EDDY COUNTY, NEW MEXICO



Ernie Carlson, Commission Chairman

DATE: August 1, 2023

ATTEST:

By White  
Cara Cooke, County Clerk

