

**EDDY COUNTY BOARD OF COMMISSIONERS
MINUTES OF A REGULAR MEETING
July 21, 2020**

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

PRESENT:

ERNEST CARLSON	CHAIR, DISTRICT 1
JON HENRY	COMMISSIONER, DIST 2
LARRY WOOD	COMMISSIONER, DIST 3
SUSAN CROCKETT	COMMISSIONER, DIST 5
ALLEN DAVIS	COUNTY MANAGER
CAS TABOR	COUNTY ATTORNEY
ROBIN VAN NATTA	COUNTY CLERK
MARK CAGE	SHERIFF
CAROL HENNINGTON	INFO SYSTEMS DIR
STEPHANIE YBABEN	RED ROCKET MEDIA

ABSENT:

STEVEN MCCUTCHEON	VICE-CHAIR, DISTRICT 4
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TIMED AGENDA

8:30 A.M.:

- 1. PUBLIC COMMENTS/ANNOUNCEMENTS. (ONLY EMAILED, MAILED, OR ONLINE SUBMITTED PUBLIC COMMENTS WILL BE READ.):** None.

TRAILING AGENDA:

- *APPROVE:**
 - SPECIAL COMMISSION MEETING MINUTES FOR JUNE 12, 2020:** Crockett moved, seconded by Henry, to approve the Commission Meeting Minutes for June 12, 2020. Voting yes: Henry, Wood, Crockett and Carlson. Passed 4-0.
 - COMMISSION MEETING MINUTES FOR JUNE 23, 2020:** Henry moved, seconded by Wood, to approve the Commission Meeting Minutes for June 23, 2020. Voting yes: Henry, Wood, Crockett and Carlson. Passed 4-0.
 - COMMISSION MEETING MINUTES FOR JULY 7, 2020:** Crockett moved, seconded by Wood, to approve the Commission Meeting Minutes for July 7, 2020. Voting yes: Henry, Wood, Crockett and Carlson. Passed 4-0.

- d. **PURCHASE CARD APPROVAL LIST FOR JUNE 2020:** Henry moved, seconded by Crockett, to approve the Purchase Card List for June, 2020. Voting yes: Henry, Wood, Crockett and Carlson. Passed 4-0. The Purchase Card Approval List for June 2020 was recorded as Exhibit 1.d
2. ***CAPITAL FUND TRANSFER – JOSHUA MACK:** Mack was requesting \$150K be transferred from La Huerta VFD Capital Buildings account to Heavy Trucks. The funds had been budgeted for architectural services but would be more responsibly used to in this manner. Crockett moved, seconded by Wood, to approve the capital funds transfer. Voting yes: Henry, Wood, Crockett and Carlson. Passed 4-0.
3. ***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-20-64; EDDY COUNTY EDUCATION AND INCENTIVES PROGRAM – ALLEN DAVIS.**
 - ii. **R-20-65; NEW FUND CREATION – GRANT FUND – ROBERTA SMITH.**
 - iii. **R-20-66; AUTHORIZATION OF NEW MEXICO CDBG APPLICATION FOR PARIS STREET SEWER PROJECT – STEVEN MCCROSKEY.**
 - iv. **R-20-67; DISPOSAL, REMOVAL, OR REVISE ITEMS IN THE EDDY COUNTY INVENTORY/ASSETS – JESSICA STYGAR.**
 - v. **R-20-68; RESOLUTION INCREASING IN-COUNTY COMMERCIAL WASTE TIPPING FEES – JASON BURNS.**
- b. **AGREEMENTS:**
- i. **A-20-105; TASK ORDER #1 BETWEEN EDDY COUNTY AND MILLER ENGINEERS, INC. D/B/A SOUDER, MILLER & ASSOCIATES – WESLEY HOOPER.**
 - ii. **A-20-111; SPARKS OFFICE SOLUTIONS EQUIPMENT SERVICE CONTRACT RENEWAL – JOSHUA MACK.**
 - iii. **A-20-112; LEASEQUERY – GASB 87 LEASE ACCOUNTING SOFTWARE – JESSICA STYGAR.**
 - iv. **A-20-113; CONTRACT FOR ADMINISTRATIVE SERVICES WITH SOUTHEAST NEW MEXICO ECONOMIC DEVELOPMENT DISTRICT/COG – STEVEN MCCROSKEY.**

Henry moved, seconded by Crockett, to approve the Resolution/Agreement Consent Agenda as presented, pulling no items. Voting yes: Henry, Wood, Crockett and Carlson. Passed 5-0. R-20-64 through R-20-68 were recorded as Exhibit 3.a.i. through v., respectively. A-20-105, A-20-111 through A-20-113 were recorded as Exhibits 3.b.i. through iv., respectively.

4. **DEPARTMENT UPDATES:** None.
5. ***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: None.

6. **EMERGENCY BUSINESS:** None.
7. **LEGISLATIVE UPDATE:** Davis stated Fanning was away for a family emergency. He related that Fanning had attended the LFC meeting in Ruidoso, meeting with local legislators and was in the process of arranging a meeting with Yvette Harrell, candidate for Congress.
8. **LEGISLATORS AND ELECTED OFFICIALS' COMMENTS/ANNOUNCEMENTS/UPDATES:** Cage stated with the scrutiny law enforcement was under, and with the newly-enacted laws for body cams, he would be making changes to his department that were not budgeted. Software would also be needed to redact videos. He was reviewing a simulator for use-of-force training; investment of funds in this way would show the County went the extra mile if it was ever sued. A small NMC meeting was planned to be held in Cloudcroft the first week in August to turn over the office to the new President. He stated the SO was not enforcing mask violations, it was the responsibility of the DOH and Department of Public Safety to do so. He added the Task Force and Violent Crimes Unit had been busy.

9. COUNTY MANAGER'S COMMENTS/ANNOUNCEMENTS/UPDATES:

Davis stated diverse requests for County assistance had been received. He felt entities had come to the County knowing the County could make a difference. He appreciated the support from Elected Officials, Commissioners and County employees.

10. COUNTY COMMISSIONERS' COMMENTS/ANNOUNCEMENTS/UPDATES:

Henry questioned the cost per officer to equip each with body cams, and asked if a fact sheet could be put together. The mandate was unfunded by the State and would attack the Gross Receipts Taxes of the County and Municipalities affected. He was happy with the way the County was performing. Carlson agreed with what Henry had said. He felt the State leadership had no business experience, never had to make a payroll, and was killing small businesses. It was easy to put restrictions on; which was a long-term solution to a short-term problem

11. 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. **FEMA UPDATE – ROBERTA SMITH.**

At 8:49 a.m., Crockett moved, seconded by Henry to go into Executive Session to discuss items as stated, and to return at 9:10 a.m. Voting yes: Henry, Wood, Crockett and Carlson. Passed 4-0.

12. RE-OPEN MEETING: At 9:10 a.m., Henry moved, seconded by Crockett, to re-open the meeting and certify the only items discussed were as stated above. Voting yes: Henry, Wood, Crockett and Carlson. Passed 4-0.

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

- a. **THREATENED OR PENDING LITIGATION.**
 - i. **FEMA UPDATE - ROBERTA SMITH.**
No action taken.

14. ***ADJOURN:** At 9:11 a.m. Crockett moved, seconded by Wood, to adjourn the meeting. Voting yes: Henry, Wood, Crockett and Carlson. Passed 4-0.

***ASTERISKS DENOTE VOTE IS REQUIRED**

COMMISSION CHAIR, ERNEST CARLSON

ATTEST:

COUNTY CLERK, ROBIN VAN NATTA

DATE