

**EDDY COUNTY BOARD OF COMMISSIONERS
MINUTES OF A REGULAR MEETING
August 20, 2019**

Be it remembered that the Eddy County Board of Commissioners held a regular meeting in the Eddy County Administration Complex-Room 211 on August 20, 2019 at 8:30 a.m. Hooper called the meeting to order and led the Pledge of Allegiance and the Salute to the New Mexico State flag. Ferguson sang Amazing Grace for the invocation. A moment of silence was observed for:

Jaye Jean (JJ) Foster
DWI Preventionist/Educator

PRESENT:

JON HENRY	CHAIR, DISTRICT 1
ERNEST CARLSON	VICE-CHAIR, DISTRICT 2
LARRY WOOD	COMMISSIONER, DISTRICT 3
STEVE MCCUTCHEON	COMMISSIONER, DISTRICT 4
SUSAN CROCKETT	COMMISSIONER, DISTRICT 5
CAS TABOR	COUNTY ATTORNEY
DARLENE ROSPRIM	CHIEF DEPUTY CLERK
RONDA NELSON	DEPUTY CLERK
GEMMA FERGUSON	ASSESSOR
RHONDA HATCH	ASSESSOR SUPERVISOR
LAURIE PRUITT	TREASURER
CAROLYN STROBLE	CHIEF DEPUTY TREASURER
MARK CAGE	SHERIFF
KIM BALLARD	ADMIN ASSISTANT, SHERIFF
BILLY MASSINGILL	WARDEN
MARIA MALDONADO-MERJIL	DETENTION CHIEF DEPUTY ADMIN
GAY WEST	EXECUTIVE ADMIN ASSISTANT
ROBERTA SMITH	FINANCE DIR/ CO-COUNTY MGR
JESSICA STYGAR	ASSISTANT FINANCE DIRECTOR
KATIE GOMEZ	PROCUREMENT
ROXANN BRANNON	HR DIRECTOR
CAROL HENNINGTON	INFORMATION SYSTEMS DIRECTOR
SHARON DODSON	ASSISTANT IT DIRECTOR
ROSIE MUNOZ	IT DEPT
WESLEY HOOPER	COMM SVCS DIR/CO-COUNTY MGR
JERI STRONG	PIO/O&G LIASON
CHARLIE POWELL	SAFETY OFFICER
VERONICA PARRAS	HEALTH CARE ADMINISTRATOR
BRIAN STEPHENS	FACILITIES DIRECTOR
JASON BURNS	PUBLIC WORKS MANAGER
JOSHUA MACK	FIRE SRVC DIR/FIRE MARSHALL
JENNIFER ARMENDARIZ	EMERGENCY MANAGER
RAYE MILLER	ARTESIA MAYOR
MIKE SMITH	CARLSBAD CURRENT ARGUS
STEPHANIE YBABEN	RED ROCKET MEDIA

TIMED AGENDA

8:30 A.M.: Henry welcomed NMDOT Cabinet Secretary Sandoval and Artesia Mayor Miller, who were in attendance at the meeting.

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. **NORMAN DENTON, SO – 25 YEARS**
 - b. **KENDRA POTTER, LANDFILL – 10 YEARS**
 - c. **ROBERTA SMITH, FINANCE – 5 YEARS**
 - d. **LAUREN DALTON, FINANCE – 5 YEARS**
 - e. **JUSTIN DOMINGUEZ, SO – 5 YEARS**
 - f. **LUIS ORTEGA, SO – 5 YEARS**
 - g. **ALBERT GONZALEZ, PUBLIC WORKS – 5 YEARS**
 - h. **TOMMY RICH, PUBLIC WORKS – 5 YEARS**

Service awards were presented to the employees for their respective years of service to Eddy County.

3. **RETIREMENT PRESENTATIONS:**
 - a. **JAMES MCKINNEY – 25 YEARS 10 MONTHS:** Crockett presented a retirement plaque to McKinney for having served Eddy County for 25 years, 10 months.

SHORT BREAK FOR PICTURES.

4. **NMDOT PRESENTATION REGARDING STATE ROAD 128 BY NMDOT CABINET SECRETARY SANDOVAL AND DISTRICT ENGINEER TIM PARKER – ROBERTA SMITH/WES HOOPER:**

Sandoval and Parker addressed the Commissioners, updating them on funding roads in the area. Sandoval stated their list of priorities were similar to the County's, to get capacity building done due to the oil and gas boom congestion. He stated Hwy 285 from the Texas state line up to mile marker 22 was the top priority. That project was fully funded with State and Federal funds, and the first phase was estimated to begin in February, 2020 with construction scheduled for next summer. He stated the second priority was NM31 and the two intersections of US285 and NM128. House Bill 6 would allocate \$100M to \$110M of State funds to the project and an engineering firm to do a design/build was being pursued. NM128 was the third priority with \$60M from the State Road Fund going to the project. He noted the project was \$140M short to go all the way to Jal. The fourth priority was NM18 to address congestion in that area. He noted Eddy County had applied for a \$25M Build Grant that would be awarded around Thanksgiving. The State had also applied for a Build Grant. If awarded, those funds would go to NM31/285 funding \$110M. The County had \$1M for the design of the intersection which would be incorporated into the project to maximize funding. He

understood the traffic safety issues in the area. Law enforcement in Eddy and Lea counties had been offered monies to help with traffic enforcement. They would restart the public awareness campaign to keep safety at the forefront. McCutcheon inquired of the timeframe on the 31/285 project. Sandoval replied the State had authority to do the design/build project if it was \$50M or more. The goal was to have a shovel in the ground in 2.5 years. The RFP was in the process and the successful contractor would develop all the requirements to put the project out for bid. He noted the 31/285 intersection was complex due to railroad and environmental issues. Carlson asked how many phases were in the Hwy 285 project. Parker noted the first phase would begin in February, 2020 and was 7.4 miles. Over the course of 2020, the next phases would be addressed including bridges and sinkholes in the area. The project would mirror what Texas was already doing, modified super two with space in between the passing lane segments, accel/decel lanes at major intersections, per the recommendations of the study that was conducted 2.5 years ago. Wood inquired about the law enforcement funding. Sandoval replied the State funding was moved into a flexible law enforcement pot and noted additional unused funds would be available in the future. Crockett inquired if he was open to the County pursuing DOE for federal funding of NM128. Sandoval stated federal funds and public/private partnerships funds would be welcomed and accepted. They had also approached DOE to restore WIPP funding. Scheduling of the projects was also a priority, starting NM128 at the Jal end with NM285 ongoing. Crockett thanked them, noting changes had already been visible since they were appointed to their positions. Sandoval noted they would be in Jal in October to attend their Commission Meeting, and encouraged the Eddy County Commission to attend the meeting. Henry echoed Crockett's comments. Sandoval thanked them for the great communication between the State and County. He also noted that NMDOT was struggling to fill positions and were looking at market-based salaries to compete with jobs in the area.

TRAILING AGENDA:

1. **DISCUSSION ON NM31/US285 INTERSECTION BY NMDOT CABINET SECRETARY SANDOVAL AND DISTRICT ENGINEER TIM PARKER – ROBERTA SMITH/WES HOOPER:** See Timed Agenda item 4 above.
2. **APPROVE:**
 - a. **COMMISSION MEETING MINUTES FOR AUGUST 6, 2019:** Carlson moved, seconded by McCutcheon to approve the Commission Meeting Minutes for August 6, 2019. Voting yes: Henry, Carlson, Wood, Crockett and McCutcheon. Passed 5-0.
 - b. **SPECIAL COMMISSION MEETING MINUTES FOR AUGUST 8, 2019:** Crockett moved, seconded by Wood to approve the Special Commission Meeting Minutes for August 8, 2019. Voting yes: Henry, Carlson, Wood, Crockett and McCutcheon. Passed 5-0.
 - c. **EXPENSE APPROVAL REPORT FOR JULY 2019:** Crockett moved, seconded by McCutcheon to approve the Expense Report

for July 2019. Voting yes: Henry, Carlson, Wood, Crockett and McCutcheon. Passed 5-0. The Expense Report for July 2019 was recorded as Exhibit 2.c.

- d. **PURCHASE CARD REPORT FOR JULY 2019:** Wood moved, seconded by Carlson to approve the Purchase Card Report for July 2019. Voting yes: Henry, Carlson, Wood, Crockett and McCutcheon. Passed 5-0. The Purchase Card Report for July 2019 was recorded as Exhibit 2.d.
3. **APPROVE/DISAPPROVE – ONE (1) INDIGENT BURIAL – VERONICA PARRAS:** McCutcheon moved, seconded by Crockett to approve one indigent burial. Voting yes: Henry, Carlson, Wood, Crockett and McCutcheon. Passed 5-0.
4. **REVISION OF EDDY COUNTY FIRE SERVICE 2019 ELECTIONS – JOSHUA MACK:** Mack informed the Commission that Emory Mann was elected as the new Sun Country Fire Chief and Travis Frazier as Assistant Chief. McCutcheon moved, seconded by Carlson to approve the revised County Fire Service 2019 Elections. Voting yes: Henry, Carlson, Wood, Crockett and McCutcheon. Passed 5-0. The Revised County Fire Service 2019 Election Results were recorded as Exhibit 4.
5. **APPROVAL TO PURCHASE CONTRABAND DETECTION EQUIPMENT AND A NEW DOUBLE CONVECTION OVEN FOR ECDC KITCHEN WITH EDDY COUNTY DETENTION JAIL IMPROVEMENTS FUNDS – WARDEN MASSINGILL:** Massingill stated all items were within budget. Crockett moved, seconded by Wood to approve the purchase of contraband detection equipment and a double convection oven for the detention center. Voting yes: Henry, Carlson, Wood, Crockett and McCutcheon. Passed 5-0.
6. **AWARD DERRICK ROAD CHIP SEAL PROJECT – JASON BURNS:** Burns stated quotes had been requested and Constructors, Inc. came in with the best bid. McCutcheon moved, seconded by Wood to award the Derrick Road Chip Seal Project to Constructors, Inc. Funding would come out of the special funds for Derrick Road in the amount of \$534,640.15. Voting yes: Henry, Wood, Crockett and McCutcheon. Abstaining: Carlson. Passed 4-0.
7. **RECLASSIFICATION OF JOB DESCRIPTIONS – JASON BURNS:** Burns stated personnel had been moved around with various duties assigned to them. This would allow a County employee to inspect ongoing construction and eliminate questions of conflict of interest. Crockett felt the job descriptions were a good change. McCutcheon liked someone from Eddy County inspecting construction. Carlson felt it was a good idea. Henry concurred. Carlson moved, seconded by McCutcheon to approve the reclassification of the job descriptions presented. Voting yes: Henry, Carlson, Wood, Crockett and McCutcheon. Passed 5-0.
8. **REQUEST TO APPROVE PAYMENT OF FY 18-19 FINAL INVOICE TO SCS ENGINEERS FOR CELL 5 ENGINEERING SERVICES AT**

SANDPOINT LANDFILL – JASON BURNS: Burns stated an invoice had been submitted last year but had been lost during the transition to his new position. It had not been paid by the FY deadline and he asked for a budget adjustment to pay the invoice. He stated future invoices would be recorded and tracked when submitted. Carlson moved, seconded by Crockett to approve payment of the FY 18/19 invoice to SCS Engineers for Cell 5 engineering services. Voting yes: Henry, Carlson, Wood, Crockett and McCutcheon. Passed 5-0.

9. REQUEST FOR REINSTATEMENT OF MONIES FROM FISCAL YEAR 2018/2019 ALLOCATED FOR HAND-HELD RADIOS – SHERIFF

MARK CAGE: Cage stated funding had been granted to purchase radios but were not purchased. The funds had reverted back to the general fund. Crockett moved, seconded by McCutcheon to approve the reinstatement of monies from fiscal year 2018/2019 allocated for hand-held radios in the amount of \$46,362.80. Voting yes: Henry, Carlson, Wood, Crockett and McCutcheon. Passed 5-0.

10. 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-19-86; DISPOSAL, REMOVAL, OR REVISE ITEMS IN THE EDDY COUNTY INVENTORY/ASSETS – JESSICA STYGAR.**
- ii. R-19-87; DONATION OF MARK TWAIN MTB 200 BOAT AND BOAT TRAILER TO THE EDDY COUNTY SHERIFF’S OFFICE FROM THE SAN JUAN COUNTY SHERIFF’S OFFICE – SHERIFF MARK CAGE.**
- iii. R-19-90; NEW FUND CREATION – SOUTHEAST RELIEF ROUTE FUND – ROBERTA SMITH.**
- iv. R-19-91; NEW FUND CREATION – NM31/US285 INTERSECTION FUND – ROBERTA SMITH.**

b. AGREEMENTS:

- i. A-19-114; PURCHASE NEW COPIER FOR PUBLIC WORKS DEPARTMENT IN ARTESIA – JASON BURNS.**
- ii. A-19-115; PURCHASE NEW COPIER FOR PUBLIC WORKS DEPARTMENT IN CARLSBAD – JASON BURNS.**
- iii. A-19-118; STANTEC PLANNING AGREEMENT FOR THE NM31/US285 INTERSECTION – WESLEY HOOPER.**
- iv. A-19-123; STANTEC MASTER SERVICES AGREEMENT FOR ENGINEERING SERVICES FOR THE**

INTERSECTION OF BLACK RIVER VILLAGE ROAD AND OLD CAVERN ROAD PROJECT – JASON BURNS.

- v. **A-19-124; SPARKS EQUIPMENT SERVICE CONTRACT – JESSICA STYGAR.**
- vi. **A-19-125; PARTICIPATION AGREEMENT FOR GRANT TRAINING & SUPPORT SERVICES – ROBERTA SMITH/WES HOOPER.**
- vii. **A-19-126; PURCHASE NEW COPIER FOR SANDPOINT LANDFILL – JASON BURNS.**
- viii. **A-19-127; HAZARD MITIGATION UPDATE/REVISION – JENNIFER ARMENDARIZ.**
- ix. **A-19-128; MAINTENANCE/SUPPORT AGREEMENT BETWEEN PROFESSIONAL DOCUMENTS SYSTEMS (PDS) AND EDDY COUNTY DETENTION CENTER – WARDEN MASSINGILL.**
- x. **A-19-129; RENTAL PROGRAM DISH MACHINE AGREEMENT WITH EDDY COUNTY DETENTION CENTER – WARDEN MASSINGILL.**
- xi. **A-19-130; MEMORANDUM OF UNDERSTANDING BETWEEN THE EDDY COUNTY DWI PROGRAM AND THE STATE OF NEW MEXICO EDDY COUNTY DWI/DRUG COURT – CYNTHIA SHARIF.**

Carlson moved, seconded by Crockett to approve the Resolution/Agreement Consent Agenda. Voting yes: Henry, Carlson, Wood, Crockett and McCutcheon. Passed 5-0. R-19-86, R-19-87, R-19-90 and R-19-91 were recorded as Exhibits 10.a.i-iv. respectively. A-19-114, A-19-115, A-19-118, A-19-123 – A-19-130 were recorded as Exhibits 10.b.i – xi. respectively.

- 11. PROJECT UPDATES:** None. Carlson requested that Burns submit updates each meeting. If he had no project update, then he could relate the overall condition of the Public Works Department. He felt the roads were almost at an emergency situation and should be updated.
- 12. 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. **WESLEY YERBY PERFORMED HOSPITAL SECURITY FOR ECDC DETAINEE IN ALBUQUERQUE, NM FROM JULY 5 THRU JULY 13, 2019.**
- b. **ROLAND GONZALEZ PERFORMED HOSPITAL SECURITY FOR ECDC DETAINEE IN ALBUQUERQUE, NM FROM JULY 7 THRU JULY 8, 2019.**

- c. CLAYTON BALLARD AND ALEXANDER CAPRILOZZI TRANSPORTED AN INMATE TO GRAND JUNCTION DETENTION CENTER IN GRAND JUNCTION, CO FROM JULY 8 THRU JULY 10, 2019.
- d. DIEGO LOPEZ PERFORMED HOSPITAL SECURITY FOR ECDC DETAINEE IN ALBUQUERQUE, NM FROM JULY 8 THRU JULY 12, 2019.
- e. KANDY MARTINEZ PERFORMED HOSPITAL SECURITY FOR ECDC DETAINEE IN ALBUQUERQUE, NM FROM JULY 11 THRU JULY 15, 2019.
- f. WARDEN MASSINGILL PERFORMED HOSPITAL SECURITY FOR ECDC DETAINEE IN ALBUQUERQUE, NM FROM JULY 13 THRU JULY 15, 2019.
- g. MICHAEL MOLINA PERFORMED HOSPITAL SECURITY FOR ECDC DETAINEE IN ALBUQUERQUE, NM FROM JULY 15 THRU JULY 17, 2019.
- h. ROBERT CONN PERFORMED HOSPITAL SECURITY FOR ECDC DETAINEE IN ALBUQUERQUE, NM FROM JULY 15 THRU JULY 26, 2019.
- i. ROBERTINA RAMIREZ PERFORMED HOSPITAL SECURITY FOR ECDC DETAINEE IN ALBUQUERQUE, NM FROM JULY 19 THRU JULY 21, 2019.
- j. WESLEY YERBY PERFORMED HOSPITAL SECURITY FOR ECDC DETAINEE IN ALBUQUERQUE, NM FROM JULY 22 THRU JULY 26, 2019.
- k. SONIA LOPEZ ATTENDED CPO RECERTIFICATION IN LAS CRUCES, NM FROM JULY 23 THRU JULY 24, 2019.
- l. LUCINDA PHILLIPS AND MICHAEL MOLINA PERFORMED HOSPITAL SECURITY FOR ECDC DETAINEE IN ALBUQUERQUE, NM FROM JULY 26 THRU JULY 27, 2019.
- m. ROLAND GONZALEZ AND DIEGO LOPEZ PERFORMED HOSPITAL SECURITY FOR AN ECDC DETAINEE IN ALBUQUERQUE, NM AND TRANSPORTED THE ECDC DETAINEE TO BLYTHE, CA FROM JULY 26 THRU JULY 28, 2019.
- n. DAVID HARKNESS AND RICK BURKS DROPPED OFF MGA TOWER 1 FOR REPAIRS IN ALBUQUERQUE, NM ON AUGUST 7, 2019.
- o. LUCINDA PHILLIPS AND MICHELLE SHOTT ATTENDED 2019 SOUTHERN TRAINING CONFERENCE IN RUIDOSO, NM FROM AUGUST 12 THRU AUGUST 16, 2019.
- p. JERI STRONG ATTENDED MEDIA/PIO TRAINING IN ALBUQUERQUE, NM FROM AUGUST 14 THRU AUGUST 16, 2019.
- q. WESLEY HOOPER ATTENDED NMDOT COMMISSION MEETING IN RUIDOSO, NM FROM AUGUST 14 THRU AUGUST 15, 2019.
- r. VICE-CHAIRMAN ERNIE CARLSON ATTENDED STATE TRANSPORTATION MEETING BY NMDOT IN RUIDOSO, NM ON AUGUST 15, 2019.
- s. RICK BURKS ATTENDED INSTRUCTOR DEVELOPMENT WORKSHOP IN SOCORRO, NM ON AUGUST 16, 2019.

- t. TRAVIS OLBERT ATTENDED ELECTRICAL ASPECTS OF FIRE INVESTIGATION IN HOUSTON, TX FROM AUGUST 19 THRU AUGUST 23, 2019.

FUTURE:

- u. FREDDY COTA AND DAVID LOONEY TO ATTEND PRE-TRUCK INSPECTION IN FORT COLLINS, CO FROM AUGUST 27 THRU AUGUST 29, 2019.
- v. JERI STRONG TO ATTEND PROCUREMENT 101 IN SANTA FE, NM FROM SEPTEMBER 9 THRU SEPTEMBER 11, 2019.
- w. ROBERT WALLACE AND JASON MOYERS TO ATTEND FIRE AND EMS EXPO IN SOCORRO, NM FROM SEPTEMBER 13 THRU SEPTEMBER 15, 2019.
- x. ALL APPROVED PERSONNEL TO ATTEND NM EDGE CLASSES IN ALBUQUERQUE, NM FROM SEPTEMBER 16 THRU SEPTEMBER 19, 2019.
- y. DONALD CORDOVA AND SUZANNA FLORES TO ATTEND NMLZO ANNUAL MEETING/WORKSHOP IN SILVER CITY, NM FROM SEPTEMBER 17 THRU SEPTEMBER 20, 2019.
- z. CINDY SHARIF AND DEBRA HAMPTON TO ATTEND DWI SCHOOL ADVANCED FACILITATOR SKILLS TRAINING IN LAS CRUCES, NM FROM SEPTEMBER 19 THRU SEPTEMBER 20, 2019.

Crockett moved, seconded by Carlson to approve the Travel Request Consent Agenda. Voting yes: Henry, Carlson, Wood, Crockett and McCutcheon. Passed 5-0.

13. EMERGENCY BUSINESS: None.

14. LEGISLATIVE UPDATE: None.

15. LEGISLATORS, ELECTED OFFICIALS AND COUNTY DEPARTMENT HEADS COMMENTS/ANNOUNCEMENTS/UPDATES: Burns relayed that the Pothole Blitz concluded August 8 with 1,155 potholes covering 20,552 sq. ft. having been filled using 350 tons of cold mix. He expressed kudos to his staff working diligently in hot temperatures and encouraged all to thank them for their hard work. He reminded all that the Road Issue Reporting System was online and operational. Ferguson stated tax rates were due out the first of September with five days' time allowed for approval. Cage stated he had hoped Sandoval would have been available after the meeting so he could talk to him about the flashing radar signs promised by the previous administration but never received. He was unhappy with the timeframes from the NMDOT to fix the road issues. It took Texas half the time to get something done and he was very frustrated. Cage stated he was proud of what his staff in the Traffic Division had accomplished to keep residents safe and would publish a report. He would be attending the NM Municipal League as the President of NMC. Cage stated he would be meeting with the President and Vice-President next month to discuss immigrant issues, noting the Border Patrol checkpoints in the area had been re-opened. Devon would make a presentation on August 27 to his department. They always asked what they could do to help his department, and he hoped to obtain

computers in the SO cars. Mack thanked McCutcheon and Henry for their interest and work with the fire board. He was still working to get benefits for the White family. Mack stated the Policy and Procedures Manual was being revamped. They were always looking for more volunteer fire fighters.

16. INTERIM CO-COUNTY MANAGER'S COMMENTS, ANNOUNCEMENTS, UPDATES: Hooper stated he, Burns and Commissioner Carlson had met with Cabinet Secretary Sandoval and NMDOT discussing the 31/285 intersection, as there had been some concern of the project being pulled. He explained Secretary Sandoval was open minded and wanted to work together with the County to get the project done.

17. COUNTY COMMISSIONERS' COMMENTS, ANNOUNCEMENTS, UPDATES: Crockett recently had a conversation with San Juan County deputies in Albuquerque. They were very grateful for the donation of vehicles from ECSO. She would be meeting with the top two DOE officials in the next two days. Crockett reminded all of the upcoming illegal dumping meeting. She and McCutcheon had been working hard on the Brine Well issue. McCutcheon appreciated the entire County he felt everything was progressing well. Carlson had met with NMDOT and encouraged all to keep the pressure to work on the NM285 project that was to begin in February 2020. He wanted to get information about the new Road Issue Reporting System out to the public via social media and newspapers, encouraging the public to use it. He expressed kudos for the Pothole Blitz. Wood expressed condolences for the family of JJ Foster. He had inquired of the ongoing construction of US 82 for two years now, and was told the road had been cut to put in culverts but equipment had been pulled away from the job and moved to Raton, leaving the job unfinished. Henry echoed Carlson's suggestion to push the website to the public on road issues. He had attended the Housing Committee meeting last week hoping for a solution. He reminded everyone that Vice-President Pence would arrive in Artesia tomorrow and the Bulldog v. Caveman game was on Friday.

18. 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), (7) & (8), which authorizes the Board of County Commissioners to go into Executive Session to discuss:

- a. **LIMITED PERSONNEL MATTERS:**
 - i. **COUNTY MANAGEMENT PERSONNEL – CAS TABOR.**
- b. **THREATENED OR PENDING LITIGATION:**
 - i. **EDDY COUNTY DETENTION CENTER SECURITY ISSUES – CAS TABOR.**
 - ii. **BRINE WELL REMEDIATION – CAS TABOR.**
- c. **REAL PROPERTY – CAS TABOR.**

At 9:57 a.m. Crockett moved, seconded by McCutcheon to go into Executive Session and to return at 11:00 a.m. Voting yes: Henry, Carlson, Wood, Crockett and McCutcheon. Passed 5-0.

19. RE-OPEN MEETING: At 1:00 p.m. McCutcheon moved, seconded by Carlson to re-open the meeting and certified the only topics discussed were limited personnel matters, threatened or pending litigation and the brine well remediation. Voting yes: Henry, Carlson, Wood, Crockett and McCutcheon. Passed 5-0.

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

a. LIMITED PERSONNEL MATTERS:

i. COUNTY MANAGEMENT PERSONNEL – CAS TABOR.

Henry moved, seconded by McCutcheon to hire Al Davis as the new County Manager and gave direction to the County Attorney to prepare a contract between Davis and the County. Voting yes: Henry, Carlson, Crockett and McCutcheon. Voting no: Wood. Passed 4-1.

Henry moved, seconded by Carlson to make Director of Administrative Services an exempt position and enter into contract negotiations with Wes Hooper to fill that position. Voting yes: Henry, Carlson, Wood, Crockett and McCutcheon. Passed 5-0.

b. THREATENED OR PENDING LITIGATION:

i. EDDY COUNTY DETENTION CENTER SECURITY ISSUES – CAS TABOR. No action taken.

ii. BRINE WELL REMEDIATION – CAS TABOR. No action taken.

c. REAL PROPERTY – CAS TABOR. No action taken.

21. ADJOURN: At 1:03 p.m. Crockett moved, seconded by McCutcheon to adjourn the meeting. Voting yes: Henry, Carlson, Wood, Crockett and McCutcheon. Passed 5-0.

Commission Chairman, Jon Henry

ATTEST:

County Clerk, Robin Van Natta

Date: _____