

**EDDY COUNTY BOARD OF COMMISSIONERS
MINUTES OF A REGULAR MEETING
OCTOBER 3, 2023**

Be it remembered that the Eddy County Board of Commissioners held a regular meeting in the Eddy County Administration Complex-Room 211 on October 3, 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. Carlson gave the invocation.

PRESENT:

ERNEST CARLSON	CHAIRMAN
JAMES (BO) BOWEN	COMMISSIONER, DISTRICT 4
SARAH CORDOVA	COMMISSIONER, DISTRICT 5
ROBERTA GONZALES	COUNTY MANAGER
CAS TABOR	COUNTY ATTORNEY
CARA COOKE	EDDY COUNTY CLERK
TAMI WHITE	CHIEF DEPUTY COUNTY CLERK
CAROLYN STROBLE	CHIEF DEPUTY TREASURER
MELISSA WASHBURN	CHIEF COUNTY ASSESSOR
MARK CAGE	EDDY COUNTY SHERIFF
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
DORIE FANNIN	PROCUREMENT
JENNIFER ARMENDARIZ	EMERGENCY MANAGER
ROXANNE BRANNON	HUMAN RESOURCES DIRECTOR
MARIA MALDONADO-MERJIL	DETENTION CHIEF ADMIN ASST
JOSHUA MACK	FIRE CHIEF
JAROD ZUNIGA	DEPUTY FIRE CHIEF
CAROL HENNINGTON	IT DIRECTOR
ROLAND RODRIGUEZ	IT SPECIALIST III
ANDREW MEDRANO	IT SPECIALIST I
TRENT MOORE	M&O SUPERVISOR
LALA RUIZ	MVD OFFICE MANAGER
STEPHANIE YBABEN	RED ROCKET MEDIA

ABSENT:

FRED BEARD	VICE-CHAIR
JON HENRY	COMMISSIONER, DISTRICT 2

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). Jennifer Thomas, US Forrest Service District Ranger, wanted to advise the Board that their building lease will expire in August 2024, they do not plan to renew the lease. She requested suggestions for a new location. She also updated that the Sitting Bull Falls Recreational area had been temporarily closed due to staffing issues, she requested that if anyone is interested in volunteering to call her at the District Office.
2. IFB/RFP/BID AWARDS:
 - A. *RFP 23-04; DISTRIBUTION OF JUNIOR BILL APPROPRIATION #23-ZH9215 SERVICES FOR SURVIVORS OF SEXUAL ASSAULT – DORIE FANNIN. Fannin stated that there were two qualified proposals received. Staff recommended RFP 23-04 be awarded to both vendors. She stated that the award would be divided \$50k to Affirming Hearts and \$25k to Grammy's House. Bowen moved, seconded by Cordova, to approve RFP 23-04. Voting yes: Bowen, Cordova, and Carlson. Passed 3-0. RFP 23-04 was recorded as Timed Agenda Exhibit 2.

TRAILING AGENDA:

1. *CONSIDERATION OF RESOLUTION NO. R-23-102 DECLARING THE INTENT OF THE COUNTY TO ISSUE AN INDUSTRIAL REVENUE BOND IN AN AGGREGATE PRINCIPAL AMOUNT UP TO \$500,000,000 FOR THE BENEFIT OF PRONTO MIDSTREAM, LLC IN CONNECTION WITH A PROPOSED NATURAL GAS PROCESSING FACILITY AND RELATED SUPPORTING INFRASTRUCTURE FOR THE PURPOSE OF INDUCING PRONTO MIDSTREAM, LLC TO DEVELOP THE PROJECT. – ROBERTA GONZALES/CAS TABOR. Tara Trout Flume, Matador Resources Company, Justin Host, Pronto Midstream, and David Buchholtz, Rodey Law gave a presentation which reviewed the proposed expansion of a natural gas processing facility. Bowen moved, seconded by Cordova, to approve R-23-102. Voting yes: Bowen, Cordova, and Carlson. Passed 3-0. R-23-102 was recorded as Exhibit 1.
2. APPROVE:
 - a. *COMMISSION MEETING MINUTES FOR SEPTEMBER 5, 2023. Cordova moved, seconded by Bowen, to approve the Commission Meeting Minutes for September 5, 2023. Voting yes: Bowen, Cordova, and Carlson. Passed 3-0.

they currently service between 30 to 57 people per day. They are busiest during the lunch hours, and on Mondays and Fridays. Gonzales stated that the MVD office has needed additional staffing for quite some time now and recommended that a part time employee be approved. Bowen moved, seconded by Cordova, to approve the request for a Part Time (New Position) MVD Office Clerk. Voting yes: Bowen, Cordova, and Carlson. Passed 3-0.

8. ***REQUEST APPROVAL OF OVER-HIRE FOR THE IPRA ADMINISTRATIVE COORDINATOR POSITION IN THE ADMINISTRATION DEPARTMENT – ROBERTA GONZALES.** Gonzales stated that our IPRA Administrator gave a two week notice last week. She requested that the hiring process be expedited so that the position could be filled as quickly as possible. Gonzales did not feel that this would not be a monetary expense because the new hire will not be able to start until the two-week notice is over. Cordova moved, seconded by Bowen, to approve the request for an over-hire for the IPRA Administrative Coordinator Position in the Administration Department. Voting yes: Bowen, Cordova, and Carlson. Passed 3-0.

9. ***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-23-99; INDIGENT MEDICAL/HOSPITAL CLAIMS REPORT – VERONICA PAYANES.**
 - ii. **R-23-100; 2023 FIRE PREVENTION PROCLAMATION – JAROD ZUNIGA.**

 - b. **AGREEMENTS:**
 - i. **A-23-156; MEMORANDUM OF UNDERSTANDING FOR RAVE EMERGENCY NOTIFICATION SYSTEM WITH OFFICE OF EMERGENCY MANAGEMENT AND CITY OF CARLSBAD – JENNIFER ARMENDARIZ.**
 - ii. **A-23-158; AMENDMENT #1 TO A-22-145; REDA DFA GRANT AGREEMENT FY23 23-E-46 – BAMBI KERN.**
 - iii. **A-23-159; ISFSI LIVE FIRE INSTRUCTOR CLASS MOU – JOSHUA MACK.**
 - iv. **A-23-160; EQUIPMENT SERVICE CONTRACT WITH SPARKS OFFICE SOLUTIONS – LAURIE PRUITT.**

v. A-23-161; EDDY COUNTY COURTHOUSE PLANNED SERVICE AGREEMENT WITH JOHNSON CONTROLS – FRANK MOORE.

Cordova moved, seconded by Bowen, to approve the Resolution and Agreement Consent Agenda. Voting yes: Bowen, Cordova, and Carlson. Passed 3-0. R-23-99 & R-23-100 were recorded as Exhibits 9.a.i. & 9.a.ii., respectively. A-23-156, A-23-158 through A-23-161 were recorded as Exhibits 9.b.i. through 9.b.v., respectively.

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. DEVIN TRUJILLO AND DAVID WATSON TO ATTEND TACTICAL DEVIATION IN FIREGROUND OPERATIONS CONFERENCE IN PENSACOLA, FL FROM OCTOBER 15, 2023 THROUGH OCTOBER 19, 2023.
- b. ROBERT CONN TO ATTEND FIRE INSPECTION PRINCIPLES 2 COURSE IN EMMITSBURG, MD FROM OCTOBER 28, 2023 THROUGH NOVEMBER 4, 2023.

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

11. **EMERGENCY BUSINESS.** None.

12. **LEGISLATIVE COMMENTS/ ANNOUNCEMENTS/UPDATES.** None.

13. **ELECTED OFFICIAL/DEPARTMENT COMMENTS/ANNOUNCEMENTS/UPDATES.** Burns stated that Dark Canyon, McKittrick Canyon, Hackberry and Rocky Arroya all ran last night with the heavy rainstorm. He stated that all the crossings held up with exception of possibly one in Dark Canyon that had not been repaired yet. He stated that this crossing is located between Hidalgo and the crushing facility, and if it did wash out that he is ready to move forward with

the new construction of the low water crossing. There were some people that tried to cross the canyon when it was starting to run so he planned to install some gates to cut off traffic. Burns also stated that the construction on phase 3A of the southeast loop has been completed. The work on Orchard should be completed in about a week and a half. Once this is completed, they will begin the next phase of the southeast loop. Cage stated that the SO is now fully staffed, he thanked the commission and the county for their support. Cage planned to put in for money from the Governor for hiring more people. He has requested ten deputy positions and two administrative positions, if approved by the State he will bring it before the commission for approval. He stated that the Drug Task force had a new building, he planned to move them soon. Stygar introduced Kristin Saiz as the new Procurement Specialist. McCroskey asked that if there were any questions or comments regarding the Comprehensive Plan to please get with him, he planned to have everything ready for final approval shortly. McCroskey stated that he has been working with Red Rocket on the "paid for by" campaign, they planned to have everything in place by legislative session. The sewer project on Paris St. in Artesia is moving forward ahead of plan. Carlson asked how the road cleanup project was going. Gonzalez stated that the clean up project was being handled by the DWI program with help from the SO and was going well. McCroskey stated that he would give updates concerning the clean up project in the future. Carlson stated we may need to look into equipment to help with clean up if the program is not working. Mack stated they have reduced the stations to seventeen and the apparatus to one hundred and nine. The Loving sleeping quarters are almost complete. The Otis sleeping quarters project is moving forward. The Fire Prevention Trailor will be here in October. There was one swift water rescue after the rainstorm. There was an assessment after the rainstorm, and it was felt that all agencies responded quickly and worked well together.

14. COUNTY MANAGER'S COMMENTS/ANNOUNCEMENTS/ UPDATES.

Gonzales reminded employees that open enrollment for insurance started in October. Leadership NM applications opened September thru January 2024; decisions will be made in January. There will be two attendance dates scheduled for February in Las Vegas, NM, and for April in Carlsbad. Gonzales thanked the county administration for all the work they do behind the scenes to keep things moving.

15. COUNTY COMMISSIONERS' COMMENTS/ANNOUNCEMENTS/ UPDATES.

Cordova stated she took a ride around after the rainstorm, she saw that the roads were closed, she felt it was good to see everything working the way it should. She thanked Mack and the County for the donation of AED equipment to the Lighthouse Organization it was very needed and very hard for a non-profit organization to afford to purchase. Bowen stated that all of the updates from each county department made him appreciate how well Eddy County functions. He was excited to hear that there were no major issues with the roads. He expressed his condolences to the Chase family with the passing of

Mack Chase. Bowen stated that Chase was a distinguished member of Eddy County, he was very generous with the County and Artesia. Carson also gave his condolences to the Mack family. He stated that Mack Chase was a pioneer of the oil & gas industry in Eddy County and very generous with Artesia and our area. Carlson stated that he saw Cage give a presentation at NM Counties with the Drug Task Force and it was eye opening how many bad guys that they take off of our streets. He felt it was sad that these bad guys have to be prosecuted under federal law because our state laws are so lenient. He felt that state laws let them back into our streets only to be arrested again instead of being able to take them off the streets once and for all. Carlson stated that Border Patrol was also there to give a report concerning illegals they had caught. There 7400 in detention, and they were required to move them out in a few days.

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

- a. **REAL PROPERTY.**
i. **OTIS PROPERTY.**

At 9:29 a.m., Cordova moved, seconded by Bowen to close the meeting, and open the Executive Session, returning at 9:39 a.m. Voting yes: Bowen, Cordova, and Carlson. Passed 3-0.

17. **RE-OPEN MEETING.** At 9:54 a.m., Bowen moved, seconded by Cordova, to close the Executive Session and reopen the meeting, certifying that the only items discussed were Real Property, Otis Property. Voting yes: Bowen, Cordova, and Carlson. Passed 3-0.

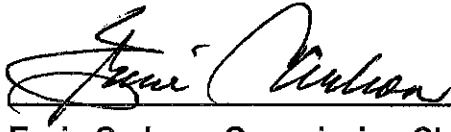
18. **TAKE ACTION, IF ANY, ON ANY MATTER RELATING TO THE EXECUTIVE SESSION.**

- a. ***REAL PROPERTY.**
i. **OTIS PROPERTY.** No action taken.

MEETING CLOSED AT 9:54 A.M.

~Asterisks denote vote is required~

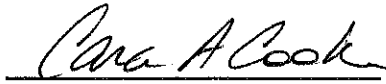
EDDY COUNTY BOARD OF COMMISSIONERS
EDDY COUNTY, NEW MEXICO



Ernie Carlson, Commission Chairman

DATE: November 7, 2023

ATTEST:



Cara Cooke, County Clerk

