

**EDDY COUNTY BOARD OF COMMISSIONERS
MINUTES OF A REGULAR MEETING
APRIL 5, 2011**

BE IT REMEMBERED that the Eddy County Board of Commissioners held a regular meeting in Room 211 of the Eddy County Administration Complex on April 5, 2011 at 8:30 a.m. Volpato called the meeting to order. Sartin led the Pledge of Allegiance and gave the invocation.

Present:

TONY HERNANDEZ	CHAIRMAN, DISTRICT 1
JACK VOLPATO	COMMISSIONER, DISTRICT 4
LEWIS DERRICK	COMMISSIONER, DISTRICT 2
GUY LUTMAN	COMMISSIONER, DISTRICT 3
ROXANNE LARA	VICE-CHAIR COMMISSIONER, DISTRICT 5
CAS TABOR	COUNTY ATTORNEY
ALLEN SARTIN	COUNTY MANAGER
DARLENE ROSPRIM	COUNTY CLERK
ROBIN VANNNATTA	CHIEF DEPUTY CLERK
ERNEST MENDOZA	SHERIFF
TERRI RICHARDS	TREASURER
KENT WALLER	CHIEF DEPUTY SHERIFF
LARRY AUGSBURY	FINANCE DIRECTOR
GAY WEST	ADMINISTRATIVE ASSISTANT
FRANK WELDON	ROAD SUPERINTENDENT
ROBERT STEWART	WARDEN
CAROL HENNINGTON	INFORMATION SYSTEMS SUPERVISOR
KENNEY RAYROUX	HUMAN RESOURCES DIRECTOR
LINDA MARTINEZ	INDIGENT CLAIMS ADMINISTRATOR
DANNY STAFFORD	M & O SUPERVISOR
STEVE MCCROSKEY	CODE ENFORCEMENT
YVONNE BASABILVAZO	COUNTY PLANNER
LOUISE TRACY	FLOOD COMMISSIONER
JIM GRANTNER	LANDFILL COMMITTEE
STELLA DAVIS	CARLSBAD CURRENT ARGUS
TYLER GRAHAM	ARTESIA DAILY PRESS

Absent:

JOHN CARAWAY	PROBATE JUDGE
KAREN ROBINSON	ASSESSOR

TIMED AGENDA:

8:30 A.M.

- 1. POSSIBLE CONDEMNATION OF FEDERAL LANDS – ALLEN R. SARTIN:**
Derrick stated the issue of endangered species was one of concern to the County. Private industry had to sue the federal government over the endangered species list in order to conduct business. He stated it was time to control our own destiny, and the State had laws on the books to protect our resources from oil and gas and other industry. Derrick

stated the time for the federal government to control the economic climate of the State and County had passed. Derrick introduced Mr. Rardin, Chairman, of the Otero County Commission. Rardin explained the county had every right to manage their lands as they saw fit. The State of New Mexico had given counties the authority to manage lands within its borders. Otero County was in the process of what Rardin called a “Re-alignment of Government”. The first step was to present House Memorial 48, which encouraged the State to explore whether it could better manage its endangered and threatened species on its own through the Wildlife Conservation Act, while preserving local culture, customs and jobs. He explained that Otero County presented the Memorial in order to educate legislators on what their rights were under the Endangered Species Act. The State could develop an endangered species list and did not have to follow the federal government’s dictate. The loss of federal funding was a concern; however if the county was allowed to develop and use their lands and resources, the pay off would be worth it. The feds had not done a good job managing the lands within Otero County or the state. The re-alignment would allow the Board of Commission to manage their land and resources. House Memorial 48 was scheduled to be heard during the June legislative session. If it passed, Otero County would be well on their way to invoke the States’ Endangered Species Act. The states list consisted of 81 species, the federal list had 2200. The second step of the re-alignment was to grow the land inventory of Otero County. The intent was to incorporate all of BLM land back into Otero County. The land was deeded and owned by the county not the federal government. He hoped other counties would follow suit and take control of their lands and resources. Lutman thanked Rardin for his time and the shared information which helped to educate people on the effect the Endangered Species Act has had on local economies. He suggested the presentation be given at the next NMAC meeting in order to bring other counties on board. Rardin pointed out the Constitution did not give the federal government the right to enter a state and manage its resources. Volpato suggested the Commission educate themselves further on the materials presented to better understand the economic implications for Eddy County. He suggested an economic analysis on what the county stood to gain or lose. Volpato questioned if Otero County had consulted legal counsel on the issue. Rardin stated lawyers through the Paragon Foundation had been consulted. Hernandez questioned if the county anticipated additional cost to take on management of these resources. Rardin reported Otero County was in the process of doing an analysis to determine those costs. Derrick requested information be e-mailed to Eddy County on this issue. Lara thanked Rardin for coming and their efforts. Rardin thanked the Board for their time and consideration.

2. **BID AWARDS:**

a. **B-11-03: STEEL WHEEL ROLLER – FRANK WELDON:** Weldon stated he had met with the vendor and ironed out any concerns the County had about the bid. Weldon recommended the bid be awarded to Sierra Machinery as low bidder. Volpato moved, seconded by Lutman to award B-11-03 as recommended. Voting yes: Hernandez, Volpato, Derrick, Lara and Lutman. Passed 5-0. The bid minutes and invitation to bid were recorded as Timed Agenda Exhibit 2.a.

b. **B-11-05: SUB-GRADE PREPARATION & CEMENT FOUNDATION FOR A 40’ X 75’ METAL BUILDING TO BE LOCATED AT THE ARTESIA SHOOTING**

RANGE – KENNEY RAYROUX: Rayroux stated three bids were received and the low bid had been withdrawn. The other two bids were over available funding. Additional information was requested by the contractors in order to clarify the bid. The County was unable to distribute that information in a timely manner. In order to create a level playing field; he recommended the bids be rejected and re-bid. Lara moved, seconded by Volpato to reject B-11-03 and re-bid. Voting yes: Hernandez, Volpato, Derrick, Lara and Lutman. Passed 5-0. The bid minutes and invitation to bid were recorded as Timed Agenda Exhibit 2.b.

c. B-11-06: RFP – DESIGN PROFESSIONAL FOR NORTH EDDY COUNTY SUB OFFICE – DANNY STAFFORD: Stafford stated four firms responded. However, there was a problem with the RFP. Sartin explained he was on the committee reviewing the bids and discovered the full scope of the project was not disclosed on the RFP. He recommended the RFP be re-issued in order to get a bid for the work that needed to be done. Volpato moved, seconded by Derrick to reject B-11-06 and re-issue the RFP. Voting yes: Hernandez, Volpato, Derrick, Lara and Lutman. Passed 5-0. The bid minutes and invitation to bid were recorded as Timed Agenda Exhibit 2.c.

TRAILING AGENDA:

- 1. POSSIBLE LETTER TO THE INTERSTATE STREAM COMMISSION – ALLEN R. SARTIN:** Derrick passed out an in depth study by Don Alam on the Aquifer Water and Stream Losses on the Pecos River Watershed Tributaries. He requested a letter be sent to the Interstate Stream Commission, the Forest Service, and U.S. and State Legislators with the study attached. Lutman stated something needed to be done before the water ran out. Volpato and Lara stated they would like to review the material before a decision was made. Volpato suggested bringing the item back at the next meeting. Lara questioned the content of the actual letter. Derrick explained the letter would ask the Interstate Stream Commission to put pressure on the Forest Service to manage their forests which were destroying the water shed in the Pecos Valley. Louise Tracy, Flood Commissioner, stated that in the 1990's, regional water plans were developed and were on file with the Interstate Stream Commission. Those plans clearly state that the water shed in the forest was not being managed. To date nothing had been done to correct the situation. The plans on file need to be enforced. Hernandez stated time was of the essence and suggested the letter be drafted and ready for the next meeting.
- 2. ANNOUNCEMENT, 26TH ANNUAL GOVERNOR'S AWARD FOR OUTSTANDING NEW MEXICO WOMEN – ALLEN R. SARTIN:** Michael Bromka thanked the Commission for their support of the Spay and Neuter Program implemented at Noah's Ark. He reported Lynne Pitcaithley had been nominated to be inducted into the New Mexico Women's Hall of Fame. She made the top twenty finalists which earned her the official designation of Outstanding New Mexico Women. On Friday, May 6, 2011, this year's two inductees would be announced. Pitcaithley thanked the Board for their support. She stated none of the work accomplished could be done without the help of volunteers. Hernandez thanked Pitcaithley, and wished her the best of luck on May 6th.

3. **APPROVE:**

a. **COMMISSION MEETING MINUTES FOR MARCH 15, 2011:** Rosprim reported Sartin had requested a couple of changes and the replacement pages were handed out before the meeting. Clarification was made on appointments for Robert Brader and Senator Asbill. Volpato moved, seconded by Derrick to approve the Commission Minutes for March 15, 2011 as amended. Voting yes: Hernandez, Volpato, Derrick, Lara and Lutman. Passed 5-0.

b. **EXPENDITURE APPROVAL LIST FOR APRIL 5, 2011 CHECK RUN:** Derrick moved, seconded by Lara to approve the Expenditure Approval List for April 5, 2011 Check Run. Voting yes: Hernandez, Volpato, Derrick, Lara and Lutman. Passed 5-0. The Expenditure Approval List for April 5, 2011 Check Run was recorded as Exhibit 3.b.

4. **APPROVE/DISAPPROVE INDIGENT BURIAL – LINDA MARTINEZ:** Martinez explained the burial plot had been donated. The cost of the burial would be \$600 and \$35 to open and close the grave. Volpato moved, seconded by Lutman to approve the indigent burial. Voting yes: Hernandez, Volpato, Derrick, Lara and Lutman. Passed 5-0.

5. **CURRENT YEAR STATE SCHOOL BUS & COOP PROJECTS – FRANK WELDON:** Weldon reported Castleberry, Tumbleweed and N. 13th St. were slated by Holly Pipeline for under road pipe repair. He did not want to work on roads that would be cut after the road department finished repairs. Weldon stated when a road was under construction all companies with underground facilities were contacted to do repairs while the road was torn up. Castleberry Road was completed with last year's projects. Holly now wanted to cut the road to do repairs. Derrick suggested a meeting be set up in order to better coordinate with Holly. After discussion it was decided to do Tumbleweed Road in the North and Carter Road in the South.

6. **REVENUE REPORT – LARRY AUGSBURY:** Augsbury reported the county's positive stable revenue trend continued. The GRT had surpassed budget for the 10th month in a row. Oil and Gas revenues were up in excess of budget projections for the 14th month in a row. Volpato questioned the low equipment receipts. Augsbury was unsure of the cause, but would look into why receipts were behind.

7. **APPEAL, CODE ENFORCEMENT ACTION R-11-16, 701 WINCHESTER – ALLEN R. SARTIN:** Lara disclosed she would abstain from any action on the property. Ms. Barragan had retained Lara Law Firm in the past. McCroskey reported some of the mobile homes and debris had been removed from the property. The property still had weeds and was a fire danger. Barragan reported she had tried to sell the property. When the deal did not go through, cleanup started immediately. She stated her son was trying to find someone to remove the cars from the property. Hernandez questioned how long Barragan would need to complete the cleanup. Volpato suggested a thirty day extension. Lutman moved, seconded by Volpato to approve a thirty day extension. McCroskey questioned what procedure he was to follow after the thirty days were up. Volpato explained if the owner did not meet the deadline, the original resolution should be brought back to the Board for a decision. Voting yes: Hernandez, Volpato, Derrick and Lutman. Lara abstained. Passed 4-0.

8. **DISCUSSION, GRANT REQUEST FROM PRIVATE SECTOR – ALLEN R. SARTIN:** George Dunagan, Scott Verhines, and Scott Goodale, with Roof to Roads NM, an Eddy County Company that converts asphalt shingles to asphalt for roads, requested the County act as fiscal agent for grant funds. Sartin explained the County would not be the fiscal agent, but would have to administer the project and the grant funds. Volpato clarified the grant money would be used for testing. Verhines explained the Cities of Carlsbad, Artesia, and NMDOD were excited with the project; however, they wanted assurance that the process would work. Tim Gray, with the NMED, suggested the grant money be used to sample, test, report and document the process so public agencies could get on board for future projects. Sartin stated the County's staff time on the project would not be reimbursed by the grant. The county would have to pay all administrative costs. Lutman questioned the amount of the grant. Verhines stated the grants ran anywhere from \$15K - \$30K. Lara stated she had reviewed the grant application and the type of project NMED was looking for when they award the grants. There was no doubt that this was exactly the type of project that fit the criteria. She commended Roof to Roads for their work on the project. Lara questioned at what stage the actual business was at, and if there were any actual contracts in place. Goodale stated as of January 6, 2011 they contracted with local roofers to receive asphalt shingles at their facility on Boyd Dr. Goodale pointed out those shingles would have ended up at the county landfill. Test samples had been brought in from Colorado to let Constructors see what they would be processing. Work had begun on the mix design, and the business was moving forward. Volpato stated the county would be able to prolong the life of the landfill, in addition, a product was being developed that would be useful. Lutman moved, seconded by Lara to approve being the grant applicant on this project. Sartin asked for clarification about the grant deadline. Verhines explained they were in process of completing the grant application which was due by Friday. The goal was to have it completed and to the county by Wednesday. Hernandez questioned who on staff would administer the grant. Sartin suggested Basabilvazo, since she had experience in this area. Tabor stated he had spoken with Tim Gray and they were very excited about the project. Reimbursement for invoices submitted was usually a couple of days. Derrick thought the project was a good one, but warned the Board if this request was approved, there would be others and staff could be covered up. Hernandez questioned if other entities had been approached to handle the grant. Dunagan explained the Cities of Artesia and Carlsbad would not meet before the grant deadline. NMDOD was approached and they explained it was not legal for them to administer the grant. Voting yes: Hernandez, Volpato, Derrick, Lara and Lutman. Passed 5-0.

9. **RESOLUTIONS:**

a. **R-11-25: 2011 COMMITTEE, BOARDS & COMMISSION APPOINTMENTS & DESIGNATIONS – ALLEN R. SARTIN:** Derrick moved, seconded by Volpato to approve R-11-25. Voting yes: Hernandez, Volpato, Derrick, Lara and Lutman. Passed 5-0. R-11-25 was recorded as Exhibit 9.a.

10. **AGREEMENTS:**

a. **A-11-22: MOU – UNITED STATES MARSHALS SERVICE - VIOLENT OFFENDER TASK FORCE WITH THE EDDY COUNTY SHERIFF'S DEPARTMENT – SHERIFF ERNEST J. MENDOZA:** Derrick stated he had a

problem with the way the document was written. The agreement stated when the Fed's enter the County, they would take over control of law enforcement. He stated the Sheriff of this county should be the law of this county. Hernandez agreed. Mendoza offered to take the agreement and get the wording revised and bring it back for approval.

11. TRAVEL REQUEST CONSENT AGENDA:

PRIOR:

a. TERRI RICHARDS ATTENDED NM EDGE COUNTY COLLEGE COURSES IN ABQ, NM:

FUTURE:

b. GUY LUTMAN TO ATTEND ROSWELL/ARTESIA/EDDY COUNTY COURSES IN ABQ, NM:

c. AL MARCHIONE & RHONDA BRYANT TO ATTEND TRAINING & CONTINUING EDUCATION UNITS IN PHOENIX, AZ:

d. CECILIA SALCIDO TO ATTEND DWI GRANT COUNCIL & IMPLEMENTATION WORKSHOP IN SANTA FE, NM:

e. DEBBIE LUGINBYHL, CECILIA SALCIDO, DEBBIE HOFER & CYNTHIA SHARIF TO ATTEND SOCIAL HOST ORDINANCE TRAINING IN ROSWELL, NM:

f. JASON FLOREZ TO ATTEND CISCO NETWORKING CLASS IN ROSWELL, NM:

Derrick moved, seconded by Volpato to approve the travel consent agenda. Voting yes: Hernandez, Volpato, Derrick, Lara and Lutman. Passed 5-0.

12. LEGISLATIVE ISSUES: None.

13. EMERGENCY BUSINESS:

a. REQUEST FOR RESOLUTION, SAND DUNE LIZARD – ALLEN R. SARTIN: Sartin asked for direction on this issue. Derrick stated he had reviewed the proposed resolution from the Artesia Chamber of Commerce and thought it covered the concerns of the county. Derrick moved, seconded by Lutman to draft a county resolution. A public hearing would be held in Roswell on April 28, 2011 at 6:00 p.m. on the issue. Hernandez suggested addressing the resolution to the 5 points required to place a species on the list. Sartin clarified the Board had directed him to put the resolution on the county form and the Board authorized the Chair to sign it. Derrick stated the resolution should be sent to Fish & Wildlife, the Governor, State and Federal Legislators, and the Cities of Carlsbad, Loving and Hope. Stella Davis reported Representative Steve Pearce would be in Carlsbad to hold a meeting dedicated to this issue. Voting yes: Hernandez, Volpato, Derrick, Lara and Lutman. Passed 5-0. R-11-27 was recorded as Exhibit 13.a.

b. CLEAN-UP IN HOPE – FRANK WELDON: Weldon explained a request had been received from the Mayor of Hope to help with clean-up on April 18, 2011. Last year's cost to the county was \$1500. The Board directed Weldon to help with the cleanup.

14. PUBLIC COMMENTS/ANNOUNCEMENTS: Frank Huereque stated they were having trouble in the Big Sky area with drugs, prostitution and loud music. The Sheriff had helped, however the problem home had taken over the area with their illegal activities. He asked for help with the problem, residents were scared to come out of their homes. Huereque thanked the Board for listening to his concerns. Hernandez thanked Mr. Huereque and assured him the Sheriff would continue to help in any way possible.

15. COUNTY MANAGER COMMENTS/ANNOUNCEMENTS: Sartin stated the City's Brine Well Technical Committee was scheduled to meet tomorrow at 1:00 p.m. at Carlsbad City Hall.

Sartin reported there was a fire at the landfill over the weekend. It was started by a trailer that caught fire and pulled over to the side of the road. There was no damage to the liner or the area where cells were currently being filled. The wood chip and tire piles were severely damaged. Weldon would contact NMED to get input on how to handle the spots where the tires had burned. Volpato suggested a fire protection perimeter. Weldon stated there was a 12 foot clear zone inside the fence which helped contain the fire.

16. ELECTED OFFICIALS COMMENTS/ANNOUNCEMENTS: None.

17. COUNTY COMMISSIONER COMMENTS/ANNOUNCEMENTS: Volpato reported ELEA had a meeting with representatives from Nuclear Energy Industry. A resolution was passed that stated the two entities were working together to develop interim storage. Lea County agreed that if there were any spin offs, such as container or rail manufacturing, or research and development that they would be equally shared. Three companies had been identified that were interested in managing the project. Volpato stated the meeting was very productive.

Lara stated that efforts in nuclear waste storage may be thwarted due to the Japan incident. Her feeling was the incident brought to light that there was 63 thousand tons of nuclear waste that would be better controlled in deep geologic storage. Talking about the disposal of this waste was more important now than ever before.

18. PROJECT UPDATES: None.

19. PRESENTATION OF PROPOSED 2011/12 BUDGET – ALLEN R. SARTIN: Sartin announced the budget presented was legal and balanced. The proposed budget included market increases and step increases for employees. He reviewed content and changes in the budget. The presentation was recorded as Exhibit 19.

20. CLOSED MEETING: At 11:44 a.m., Hernandez moved, seconded by Derrick to recess the meeting and to hold a closed meeting in accordance with NMSA 10-15-1H (2), (7) and (8) to

discuss personnel, pending litigation, and real property to reconvene at 1:15 p.m. Voting yes: Hernandez, Derrick, Lara and Lutman. Passed 4-0.

21. RE-OPEN: At 1:41 p.m., Hernandez moved, seconded by Derrick to reconvene in open session and to certify that only the items listed in the motion to close the meeting were discussed in accordance with NMSA 10-15-1H (2), (7) and (8). Voting yes: Hernandez, Derrick, Lara and Lutman. Passed 4-0.

22. ADJOURN: At 1:42 p.m., Lara moved, seconded by Lutman to adjourn the meeting. Voting yes: Hernandez, Derrick, Lara and Lutman. Passed 4-0.

EDDY COUNTY BOARD OF COMMISSIONERS

CHAIRMAN

ATTEST:

COUNTY CLERK

DATE: _____

EDDY COUNTY BOARD OF COMMISSIONERS
MINUTES OF A REGULAR MEETING
APRIL 19, 2011

BE IT REMEMBERED that the Eddy County Board of Commissioners held a regular meeting in Room 211 of the Eddy County Administration Complex on April 19, 2011 at 8:30 a.m. Hernandez called the meeting to order. Sartin led the Pledge of Allegiance and gave the invocation.

Present:

TONY HERNANDEZ	CHAIRMAN, DISTRICT 1
ROXANNE LARA	VICE-CHAIR, DISTRICT 5
LEWIS DERRICK	COMMISSIONER, DISTRICT 2
GUY LUTMAN	COMMISSIONER, DISTRICT 3
JACK VOLPATO	COMMISSIONER, DISTRICT 4
CAS TABOR	COUNTY ATTORNEY
ALLEN SARTIN	COUNTY MANAGER
DARLENE ROSPRIM	COUNTY CLERK
ROBIN VANNATTA	CHIEF DEPUTY CLERK
ERNEST MENDOZA	SHERIFF
MARIA MERJIL MALDONADO	SHERIFF'S ADMINISTRATIVE ASSISTANT
KENT WALLER	CHIEF DEPUTY SHERIFF
ANNA GALINDO	CHIEF DEPUTY TREASURER
DIANE DESOTO	CHIEF DEPUTY ASSESSOR
LINDA MARTINEZ	INDIGENT CLAIMS ADMINISTRATOR
YOLANDA SING	INDIGENT CLAIMS ASSISTANT
LARRY AUGSBURY	FINANCE DIRECTOR
JOY FUSON	ADMINISTRATIVE ASSISTANT
ROBERT STEWART	WARDEN
DANNY STAFFORD	MAINTENANCE SUPERVISOR
CAROL HENNINGTON	INFORMATION SYSTEMS SUPERVISOR
KENNEY RAYROUX	HUMAN RESOURCES DIRECTOR
JOEL ARNWINE	EMERGENCY MANAGEMENT
FRANK WELDON	ROAD SUPERINTENDENT
YVONNE BASABILVAZO	COUNTY PLANNER
LOUISE TRACY	FLOOD COMMISSIONER
JANELL WHITLOCK	CARLSBAD CITY COUNCIL
TYLER GRAHAM	ARTESIA DAILY PRESS
STELLA DAVIS	CARLSBAD CURRENT ARGUS

Absent:

JOHN CARAWAY	PROBATE JUDGE
KAREN ROBINSON	ASSESSOR
TERRI RICHARDS	TREASURER

TIMED AGENDA:

8:30 A.M.

1. **SERVICE AWARDS:** Eric McGee was unable to attend today's meeting.
2. **ARTESIA GENERAL HOSPITAL PRESENTATION ON OPERATIONS & SERVICES, SOLE COMMUNITY PROVIDER PROGRAM – LINDA P. MARTINEZ:** Sartin announced the hospital would not be able to attend today's meeting.

TRAILING AGENDA:

1. & 2. **RECESS EDDY COUNTY COMMISSION MEETING & CONVENE AS INDIGENT HOSPITAL CLAIMS BOARD:** At 8:32 a.m., Lara moved, seconded by Lutman, to recess the regular commission meeting and to convene as the Indigent Hospital Claims Board. Voting yes: Volpato, Derrick, Lara, Lutman and Hernandez. Passed 5-0.
3. **INDIGENT HOSPITAL CLAIMS BOARD:** See indigent minutes.
4. **RECONVENE EDDY COUNTY COMMISSION MEETING:** At 8:36 a.m., Lutman moved, seconded by Volpato, to adjourn the Indigent Hospital Claims Board and reconvene the regular meeting. Voting yes: Volpato, Derrick, Lara, Lutman and Hernandez. Passed 5-0.
5. **APPROVE/DISAPPROVE INDIGENT BURIAL – LINDA P. MARTINEZ:** Volpato moved, seconded by Lara, to approve the indigent burial. Voting yes: Volpato, Derrick, Lara, Lutman and Hernandez. Passed 5-0.
6. **APPROVE:**
 - a. **COMMISSION MEETING MINUTES FOR APRIL 5, 2011:** Rosprim passed out a replacement sheet to clarify Sartin's comments on the brine well. Volpato pointed out on item 17, ALEA should be spelled ELEA. Volpato moved, seconded by Derrick, to approve the Commission Meeting Minutes for April 5, 2011 as amended. Voting yes: Volpato, Derrick, Lara, Lutman and Hernandez. Passed 5-0.
 - b. **EXPENDITURE APPROVAL LIST FOR APRIL 19, 2011 CHECK RUN:** Volpato moved, seconded by Derrick, to approve the Expenditure Approval List for April 19, 2011 Check Run. Voting yes: Volpato, Derrick, Lara, Lutman and Hernandez. Passed 5-0. The Expenditure Approval List for April 19, 2011 Check Run was recorded as Exhibit 6.b.
 - c. **PURCHASE CARD EXPENDITURE APPROVAL LIST FOR MARCH, 2011:** Volpato moved, seconded by Derrick, to approve the Purchase Card Expenditure Approval List for March, 2011. Voting yes: Volpato, Derrick, Lara, Lutman and

Hernandez. Passed 5-0. The March, 2011, P-Card Expenditure Approval List for March, 2011 was attached as Exhibit 6.c.

7. **TREASURER'S FINANCIAL REPORT FOR MARCH, 2011 – TERRI RICHARDS:** The item was for information only. The Treasurer's Report was recorded as Exhibit 7.
8. **REQUEST TO FLY CASA FLAG AT COURTHOUSE – ALLEN R. SARTIN:** Sartin stated the group wanted to fly their flag on the pole located on the south courthouse lawn, from April 20th to the 29th. Lutman reminded the Board of comments made by veterans groups about the flag in the past. Lara suggested CASA do a press release explaining the flag. Sartin clarified the Board gave verbal approval for CASA to fly their flag and asked them to get out a public notice.
9. **APPROVE BILL OF SALE FOR IMPROVEMENTS THAT WERE COMPLETED TO THE MALAGA MUTUAL DOMESTIC WATER CONSUMERS & SEWAGE WORKS ASSOCIATION – KENNEY RAYROUX:** Derrick moved, seconded by Lutman to approve the bill of sale. Voting yes: Volpato, Derrick, Lara, Lutman and Hernandez. Passed 5-0. The Bill of Sale was recorded as Exhibit 9.
10. **JOB RECLASSIFICATION – KENNEY RAYROUX:** Rayroux explained with the purchasing position now vacant, the HR department hired a contract company to revise the job descriptions in the finance department. Rayroux felt it would be the opportune time to melt the payroll position and accounts payable into a financial technician under one job description. This would put everyone on even ground and allow cross training in the department. He recommended the position be classified at a grade 42. The payroll clerk would need to be raised from a grade 40. Rayroux pointed out the purchasing agent was at a grade 55. By lowering both positions to a 42, there would be no negative impact on the budget. Sartin passed out a briefing summary to the Board. He stated the purchasing agent did not perform duties of a traditional purchasing agent. Based on that and the need for cross training, a payables type position would be more appropriate. Sartin recommended the Board eliminate the purchasing agent position in favor of a financial specialist position. Augsbury stated he had requested a job reclassification to equate the jobs of purchasing agent and payroll clerk at a grade equal to the purchasing agent not the other way around. He stated the consultant did not interview staff in order to develop the new job description; therefore was not aware of the actual duties performed by the current staff. These were not clerical positions as recommended in the reclassification. Augsbury stated he could recruit, retain and lead a financial team that would be able to prepare its own financial statements and achieve a new level of credibility for Eddy County. Derrick suggested the item be reviewed during the budget session. Lutman moved, seconded by Derrick, to table the item until the budget session. Voting yes: Volpato, Derrick, Lara, Lutman and Hernandez. Passed 5-0. Sartin and Augsbury's statements were filed as Exhibit 10.
11. **LETTER TO INTERSTATE STREAMS, FOREST MANAGEMENT – ALLEN R. SARTIN:** Hernandez commended Derrick for the letter he submitted. Derrick thanked Tracy for her help on the letter. Tabor pointed out the e.g. reference should be i.e. Lara

stated the letter was very well written and commended Derrick and Tracy for their work. Hernandez stated the item did not need a motion but consensus of the Board. Sartin stated he would make the corrections and make the letter available to the Chairman.

12. STATE FIRE PROTECTION FUND APPLICATIONS – ROBERT BRADER:

Arnwine stated the applications were in the process of being completed. Additional information was requested from the State Fire Marshal, which was being obtained from the volunteer fire chiefs in order to complete the process. The applications were due in Santa Fe by April 30, 2011. The request was to allow the Chairman to sign the applications once they were completed. The request would allow access to \$1.3 million in state fire funds. Volpato moved, seconded by Lutman, to allow the Chairman to sign the completed applications. Voting yes: Volpato, Derrick, Lara, Lutman and Hernandez. Passed 5-0. The State Fire Protection Fund Applications were recorded as Exhibit 12.

13. PRESENTATION/DISCUSSION REGARDING THE POSSIBILITY OF BUILDING A NEW SHERIFF'S FACILITY – SHERIFF ERNEST MENDOZA:

Derrick stated since an assessment was submitted by a construction company, would they be allowed to bid on the project. Sartin explained the county would be obliged to restrict their ability to bid on the construction. Mendoza stated the Sheriff's office was moved from the detention center in 2002 to accommodate the juvenile facility. The current administration did not have any input on the move or the needs of the department. Mendoza pointed out there was no room to expand, no parking, no secured storage for evidence, inadequate training rooms, and only one small interview room. Basically the space provided was inadequate to perform the functions of the department. Waller pointed out the safety issues of dealing with suspects in public areas. Mendoza pointed out sex offenders were required to register with the Sheriff's office. These people were required to enter through the same door as the general public. Mendoza presented the Board with a layout of the new Lea County facility. The facility would be ideal for Eddy County with a few exceptions. He proposed the new building be built on the lot adjacent to the administration complex which was owned by the county. Mendoza reported the Safety Complex in Artesia would host an open house on May 5, 2011. Derrick questioned the square footage of the current space used by the department. Sartin stated the actual office space in use was 7,313 square feet. The Board requested the Sheriff do a needs assessment for the next meeting.

14. RESOLUTIONS:

- a. **R-11-26: THIRD QUARTER BUDGET CHANGES 2010-2011 – LARRY AUGSBURY:** Volpato moved, seconded by Lara, to approve R-11-26. Voting yes: Volpato, Derrick, Lara, Lutman and Hernandez. Passed 5-0. R-11-26 was recorded as Exhibit 14.a.

15. AGREEMENTS:

- a. **A-11-21: INSTALLATION OF SERVER BASED NETWORK TECHNOLOGY – CAROL HENNINGTON:** Hennington reported the agreement was a continuation of ABBA Technologies network assessment. The next step was to install the virtual servers, SANS storage, exchange e-mail server, and staff training. Sartin pointed out file

conversion was also included. He stated the contract would put the project over budget by \$135K. Volpato questioned if departments would experience down time during data migration. Al Sandoval, introduced Colby Elliot as the project manager, both with ABBA Technologies. Sandoval did not anticipate any down time during the migration. Hernandez question why the project was over budget. Hennington stated the agreement included the cost for maximum storage. Once the actual data was transferred, the cost would probably come down. Sartin stated changing costs and the need to hire outside contractors for some of the work were the reasons for the overage. Elliot reported the system should be up and running by the second week in June. Lutman moved, seconded by Derrick, to approve A-11-21. Voting yes: Volpato, Derrick, Lara, Lutman and Hernandez. Passed 5-0. A-11-21 was recorded as Exhibit 15.a.

- b. **A-11-27: APPROVE AN AMENDMENT FOR ENGINEERS INC. TO CONTINUE ENGINEERING SERVICES FOR THE MALAGA WATER SYSTEM IMPROVEMENTS PROJECT – KENNEY RAYROUX:** Basabilvazo stated Phase I, II, III, and half of IV were complete. There was \$31K left in the budget. Malaga was having trouble with their current well. The amendment would allow remaining funds to be used for improvements on the current well and location of a second source. She reported DFA had approved the change in the project and a second well had been located. The money would be spent on engineering services only. Lutman moved, seconded by Volpato, to approve A-11-27. Voting yes: Volpato, Derrick, Lara, Lutman and Hernandez. Passed 5-0. A-11-27 was recorded as Exhibit 15.b.

16. TRAVEL REQUEST CONSENT AGENDA:

PRIOR:

- a. **JUDY PRESSET ATTENDED COUNTY COLLEGE WEEK IN ALBUQUERQUE, NM:**
- b. **AGENT L. LEOS ATTENDED INTERVIEW & INTERROGATION TRAINING IN LAS CRUCES, NM:**
- c. **JACK VOLPATO ATTENDED ECA MEETING IN DENVER, CO:**
- d. **ROBERT BRADER ATTENDED IAAI MEETING IN LAS CRUCES, NM:**
- e. **MELISSA AZZINARO ATTENDED INSURANCE TRAINING IN ROSWELL, NM:**
- f. **PHYLLIS LUNA ATTENDED NM BEHAVIORAL HEALTH CREDENTIALING EXECUTIVE BOARD MEETING IN ALBUQUERQUE, NM:**

FUTURE:

- g. **DARLENE ROSPRIM & ROBIN VAN NATTA TO ATTEND CLERK AFFILIATE MEETING IN ALBUQUERQUE, NM:**
- h. **ALLEN SARTIN, LARRY AUGSBURY, DEBBIE PENALUNA, KENNEY RAYROUX & MELISSA AZZINARO TO ATTEND SITE VISIT FOR FINANCIAL SYSTEM IN SAN ANGELO, TX:**
- i. **STEVEN MCCROSKEY TO ATTEND NMLZO SEMI-ANNUAL MEETING IN RIO RANCHO, NM:**
- j. **SIU CAPTAIN & SIU SECRETARY TO ATTEND COMPREHENSIVE APPROACHES TO SEX OFFENDER MANAGEMENT IN ESPANOLA, NM:**

Augsbury stated a request for reimbursement for mileage and college courses had been received after the deadline from the Treasurer for \$302.50. He asked if it could be added

to the consent agenda. Sartin stated the item should be added to the expenditure list for the check run approved earlier.

Volpato moved, seconded by Derrick, to approve the Travel Request Consent Agenda. Voting yes: Volpato, Derrick, Lara, Lutman and Hernandez. Passed 5-0.

6. b. **EXPENDITURE APPROVAL LIST FOR APRIL 19, 2011 CHECK RUN:** Lara moved seconded by Derrick to add \$302.50 to the Check Run for April 19, 2011. Voting yes: Volpato, Derrick, Lara, Lutman and Hernandez. Passed 5-0.

17. **LEGISLATIVE ISSUES:** None.

18. **EMERGENCY BUSINESS:**

a. **U.S. FOREST REQUESTING EDDY COUNTY SHERIFF'S OFFICE TO ASSIST WITH THE EMERGENCY AREA FIRE PATROL WITHIN EDDY COUNTY:** Volpato moved, seconded by Derrick to approve request of the Eddy County Sheriff's Office to assist the U.S. Forest Service in providing law enforcement services during the fire closure to the extent that they are reimbursed by the U.S. Fire Service. Voting yes: Volpato, Derrick, Lara, Lutman and Hernandez. Passed 5-0.

19. **PUBLIC COMMENTS/ANNOUNCEMENTS:** None.

20. **COUNTY MANAGER COMMENTS/ANNOUNCEMENTS:** None.

21. **ELECTED OFFICIALS COMMENTS/ANNOUNCEMENTS:** None.

22. **COUNTY COMMISSIONER COMMENTS/ANNOUNCEMENTS:** Lara stated the Courthouse staff had expressed appreciation for the work Michael Garner, with the maintenance department had been doing. They were pleased with the effort and cooperation he put forth.

Lara also reported a Nuclear Opportunities Committee had been established. She and Volpato would be working with that committee on county issues.

Lara asked for an update on the train wreck outside of Artesia. Hernandez stated work was still being done to get the bridge repaired.

Lutman reported he had visited the Sheriff's storage at the DWI building, and suggested a fence be placed around the area.

Volpato reported a very good meeting was held with lead engineers from Paris concerning interim storage for the ELEA site. They were interested in involvement with the site. Lara stated the meeting went to a brainstorming session and progress was being made on the project.

Derrick announced a meeting at the Artesia Chamber at 6:00 p.m. would be held to address the Sand Dune Lizard being placed on the endangered species list. He reported Representative Pearce and other legislators may be in attendance.

23. **PROJECT UPDATES:** Sartin stated in regards to the financial software project, the bids had been evaluated and staff would be doing site visits. Contract negotiations should begin in May and would be brought before the Board by July 1, 2011.
24. **BUDGET WORK SESSION – ALLEN R. SARTIN:** Sartin handed out requests which had come in after the initial budget was completed. The requests were not included in the budget presented at the last meeting. The Board would need to address them separately and decide how to fund them.

NON-PERSONNEL, NON-CAPITAL ADJUSTMENTS & REQUESTS, SECTION M: Sartin stated he had reviewed the requests with department heads and found them to be justified. The general total for the requests were \$4.4 million. Sartin reviewed accounting changes and fielded questions from the Board.

Lutman questioned the increase in PSA requests. Sartin stated the Carlsbad DOD had requested an increase of about \$15K based on the fact that they had funded travel for Commissioners dealing with energy issues. Lara stated part of the reason for the increase was to develop a better presentation package for marketing. Waller pointed out the county was paying for travel that was not approved by the Board in an open meeting, which was a different procedure than travel handled for other county departments. After discussion it was decided to add \$12K to the Commission budget to cover future travel and \$3K for marketing. Sartin clarified the PSA for the Carlsbad DOD would remain flat at \$65K and the extra \$15K would be put in the Commission budget to cover travel and marketing.

The City of Carlsbad requested a 3% increase over last year and they provided a letter of justification. They also submitted a request for \$50K to help with repairs and operating costs at Sunset Gardens which was not included in the initial budget. Derrick cautioned if increases were approved, other entities would be coming back with increased requests. Volpato stated he was not in favor of the 3% increase and the additional \$50K for Sunset Gardens. He suggested funding the Sunset Garden request and not the 3% increase. Lutman stated he did not want the taxpayers in Hope and Loco Hills to have to pay for a cemetery in Carlsbad. Hernandez expressed concern about the City asking for additional funds for the cemetery every year. He suggested the stipulation of a one year cap on the request. Derrick suggested the rest of the budget be reviewed before a decision was made. Sartin stated he would recap the Boards direction after each section and plug it into the budget and report back on how the decisions would work into the proposed budget.

Lara questioned the extra \$30K increase on line 207 and 208 page 8 of 10. Sartin explained it was for professional services. A mitigation plan was developed in 2005 and approved by the Commission and FEMA. This must be redone every five years to meet FEMA requirements, and the \$30K was added to cover those costs.

The City of Carlsbad's request would be reduced to last year's amount of \$603,477. A separate line item and JPA would be entered for Sunset Gardens in the amount of \$50K.

Sartin announced the Board needed to recess into executive session and come back to the budget review later this afternoon.

25. CLOSED MEETING: At 12:10 p.m., Hernandez moved, seconded by Lara, to recess the meeting and to hold a closed meeting in accordance with NMSA 10-15-1H (2), (7) and (8) to discuss personnel, pending litigation, and real property to resume the regular meeting at 1:15 p.m. Voting yes: Volpato, Derrick, Lara, Lutman and Hernandez. Passed 5-0.

26. RE-OPEN: At 2:07 p.m., Hernandez moved, seconded by Volpato, to reconvene in open session and to certify that only the items listed in the motion to close the meeting were discussed in accordance with NMSA 10-15-1H (2), (7) and (8). Voting yes: Volpato, Derrick, Lara, Lutman and Hernandez. Passed 5-0.

27. APPROVE/DISAPPROVE:

a. & b. R-11-28 & A-11-28: APPROVING A SPECIAL SUPPLEMENTAL FUNDING FOR SOLE COMMUNITY PROVIDER HOSPITALS FOR THE FISCAL YEAR 2010/2011 & MEMORANDUM OF UNDERSTANDING REGARDING ADVANCEMENT OF SOLE COMMUNITY PROVIDER FUNDS BETWEEN EDDY COUNTY & THE REGENTS OF THE UNIVERSITY OF NEW MEXICO, FOR THE UNM HOSPITALS – ALLEN R. SARTIN: Volpato moved, seconded by Lara, to approve R-11-28 and A-11-28. Voting yes: Volpato, Derrick, Lara, Lutman and Hernandez. Passed 5-0. R-11-28 and A-11-28 were recorded as Exhibits 27.a. and b. respectively.

Lutman moved, seconded by Lara, to recess the meeting and reconvene on Tuesday, April 26, 2011 at 8:00 a.m. Voting yes: Volpato, Derrick, Lara, Lutman and Hernandez. Passed 5-0.

RECONVENE EDDY COUNTY COMMISSION MEETING: At 8:00 a.m., on Tuesday, April 26, 2011. Derrick moved, seconded by Lara, to reconvene the meeting. Voting yes: Derrick, Lara, Lutman, Hernandez and Volpato. Passed 5-0.

Present:

TONY HERNANDEZ
ROXANNE LARA
LEWIS DERRICK
GUY LUTMAN
JACK VOLPATO
ALLEN SARTIN
DARLENE ROSPRIM
ROBIN VANNATTA
ERNEST MENDOZA

CHAIRMAN, DISTRICT 1
VICE-CHAIR, DISTRICT 5
COMMISSIONER, DISTRICT 2
COMMISSIONER, DISTRICT 3
COMMISSIONER, DISTRICT 4
COUNTY MANAGER
COUNTY CLERK
CHIEF DEPUTY CLERK
SHERIFF

MARIA MERJIL MALDONADO	SHERIFF'S ADMINISTRATIVE ASSISTANT
KENT WALLER	CHIEF DEPUTY SHERIFF
TERRI RICHARDS	TREASURER
ANNA GALINDO	CHIEF DEPUTY TREASURER
KAREN ROBINSON	ASSESSOR
DIANE DESOTO	CHIEF DEPUTY ASSESSOR
LINDA MARTINEZ	INDIGENT CLAIMS ADMINISTRATOR
LARRY AUGSBURY	FINANCE DIRECTOR
GAY WEST	ADMINISTRATIVE ASSISTANT
ROBERT STEWART	WARDEN
DANNY STAFFORD	MAINTENANCE SUPERVISOR
CAROL HENNINGTON	INFORMATION SYSTEMS SUPERVISOR
KENNEY RAYROUX	HUMAN RESOURCES DIRECTOR
ROBERT BRADER	FIRE COORDINATOR
CYNTHIA SHARIF	DWI COORDINATOR
FRANK WELDON	ROAD SUPERINTENDENT

Sartin stated he would like the Board to review Section M page by page and ask any questions they may have. The Board reviewed the section and Sartin fielded questions.

PSA REQUESTS:

SUNSET GARDENS: Sartin passed out a review of money provided from the County to the City for the cemetery. Between grant and County funds, \$548K had been provided to the City. The City provided an accounting of money spent and future plans. Hernandez stated \$223,685 had been spent to date, leaving \$325K for next year's expenses. Sartin stated it looked like the City planned to spend \$371K for the next fiscal year. Volpato stated he would like to fund the \$50K request. Lutman reported he had been to the cemetery and was disappointed with the work being done. Hernandez concurred, and would like the City to spend their money on the project before the County approved more funding. Volpato suggested reviewing the request again next year. Derrick stated with the money left from last year the County should hold off on more funding. Sartin asked Hernandez if he would like the Board's decisions recorded by a vote or general consensus. Hernandez stated Board consensus should suffice. Sartin clarified the Board decided not to fund the request this year.

CITY OF CARLSBAD: Sartin stated the City had requested a 3% increase. Lara stated the justification for the increase was to cover salaries; therefore she did not support the request for that reason. Derrick and Volpato agreed. The consensus was to deny the request.

CARLSBAD DOD: Sartin stated the DOD had requested an additional \$15K for travel. Earlier in the meeting the Board decided to deny the request and put \$15K in the commission budget to cover travel and marketing. Sartin sent a Memo which stated that proposal would not be feasible. Volpato stated the only way to be reimbursed for the full amount of travel to Washington, was to let the DOD handle the funds and reimbursement. Hernandez had a difficult time approving the transfer of funds. Things were very expensive in D.C.; however other departments were held within certain limits and the

Board was no different. Lara and Volpato emphasized the importance of the meetings for future economic development in Eddy County. Lutman thought the travel for the DOD should be approved by the Board, just like all other county travel. Sartin explained the State levels of reimbursement were for travel within New Mexico. When you travel out of state the amount you would be reimbursed was less than your actual expenses. Derrick questioned if the money would be used specifically for the Commission. Sartin suggested the PSA be written in a manner that would restrict the additional \$15K to travel for the Commission. Waller reported the State did address out of state per diem. He had a problem with a different set of standards for the Board than was applied to other county departments. Waller suggested the county resolution be revised to incorporate out-of-state travel. In order to maintain transparency, county business and travel should be paid and handled by the county. We should not allocate the DOD funds to pay the county back for travel. Volpato agreed, however the budget needed to be addressed now and suggested the resolution be looked at for revision at a later date. Sartin stated he would have finance review our resolution and what the state would allow for per diem. Derrick suggested the Board wait until confirmation from the finance department on what was actually allowed by the State. Augsbury stated he would have the information by the next meeting.

CARC INC.: Sartin stated the request was for \$250K to buy equipment and help fund a new building for recycling. Derrick stated he had visited with CARC INC. and requested a figure on how much landfill space the recycling operation would save. Derrick stated the land had not been acquired for the new building, he suggested waiting until the project was further along. Lara stated the request was a bit premature. They were looking for support for the project in order to move forward. Volpato stated any project that would save the landfill was worth looking into. He suggested informing them that the County would be interested when the project was further along. Sartin clarified the item would be denied.

WILDLIFE SERVICE: Sartin reported the request was for an additional \$2,252 to cover one full time employee and one part time employee. Sartin clarified the Board decided to deny the request and leave the funding at \$48K.

SMALL CAPITAL SECTION N:

Sartin stated the capital accounts started at a zero balance. The Board reviewed the section and no changes were made.

LARGE CAPITAL SECTION O:

The Board reviewed the requests, Sartin and department heads fielded questions.

Derrick questioned what size pickup OEM would be getting. Brader stated the truck would be a three quarter or one ton diesel. The department needed a bigger truck to pull trailers with equipment. Volpato stated he would prefer the vehicle be gasoline instead of diesel in order to keep costs down. Brader agreed, he said it did not matter to his department. He stated the funds would come out of 2% fire excise money not the general fund.

Sartin stated \$2,145,479 had been budgeted for the Loop Road. The reason being the Loop Road had been the #1 priority; however it was up to the Board if they wanted to leave the money there or move it to another project. Lutman questioned the reality of the Board being able to complete the project. Volpato stated once the initial work was done the State would obtain funding. Sartin explained it would be the Federal Government who would actually fund the project through the State. Volpato stated if that funding did not come through, the County still had the option to go to the electorate for bonds. After discussion, the Board decided to leave the money on the Loop Road and not expend it until the 4th quarter.

Derrick questioned the 17 vehicles for the sheriff's office. Sartin explained that 10 of those were replacements and 7 were tied to new employee requests. The Board reviewed the replacement requests and decided to fund 9 of 10.

NEW POSITIONS SECTION L:

ASSISTANT DATA ANALYST FOR THE ASSESSOR: Robinson cited county growth and increased workload as the reason for the request. The new employee would help alleviate overtime in the office. After discussion, the Board decided to approve the requested position.

SHERIFF'S OFFICE (2) INVESTIGATOR POSITIONS: Mendoza stated increased work load with the sex offender program, internet crime, and oil field theft as reasons for the additional personnel. The department had 3 investigators on staff. New equipment that needed constant input and monitoring were also reasons for increased work load.

SHERIFF'S OFFICE (4) FIELD DEPUTY POSITIONS: Mendoza reported the uniformed division responded to 25,440 calls last year. At the present time 21 deputies provided coverage 24/7, 365 days a year. Mendoza stated deputies prosecuted 338 cases on their own last year. In order to become a proactive department and provide better service to the citizens of Eddy County more field officers were a necessity.

SHERIFF'S OFFICE ANIMAL CONTROL OFFICER: Mendoza stated the department handled 1,849 animal calls. The one animal control officer fielded 1,088, field deputies handled 492, and the City of Artesia handled 269 calls in the county. In order to serve the citizens, the department needed one officer for the north and one for the south.

After discussion it was decided to approve 4 positions. One animal control officer and the other three would be up to the Sheriff as to where personnel were needed most.

CLOSED MEETING: At 12:10 p.m., Hernandez moved, seconded by Volpato, to recess the meeting and to hold a closed meeting in accordance with NMSA 10-15-1H (2), (7) and (8) to discuss personnel, pending litigation, and real property to resume the regular meeting at 1:00 p.m. Voting yes: Lara, Lutman, Hernandez, Volpato and Derrick. Passed 5-0.

RE-OPEN: At 1:05 p.m., Hernandez moved, seconded by Volpato, to reconvene in open session and to certify that only the items listed in the motion to close the meeting were discussed in accordance with NMSA 10-15-1H (2), (7) and (8). Voting yes: Lara, Lutman, Hernandez, Volpato and Derrick. Passed 5-0.

HUMAN RESOURCES HR ANALYST: Rayroux stated the HR department administers personnel for Eddy County and ECCCA. The total number of employees, full, part-time and summer positions exceeded 315. Industry standards indicated we needed three personnel analysts to properly administer all functions required. Volpato questioned if the new employee would eliminate the temporary position. Rayroux confirmed that the temporary employee would be terminated when the FTE was hired. Rayroux stated the temporary position was running around \$3K a month. After discussion the request was approved.

JOB RECLASSIFICATION – KENNEY RAYROUX: Sartin asked if the Board wanted to address the re-classification of the finance position. It was not part of the July 1, 2011 budget, however the Board wanted to discuss it in relation to budget. The change would be made immediately in order to fill the empty position in finance. Sartin explained the Board had four options.

1. Do nothing.
2. Keep the purchasing position and go to a central purchasing policy.
3. Approve Sartin's recommendation. This would reclassify the two current positions to finance specialist.
4. Approve Augsburg's proposal to keep the purchasing agent and upgrade the payroll clerk to a similar grade.

Volpato moved, seconded by Derrick, to approve option 3 which would reclassify the payroll position and the purchasing agent to finance specialists. Lutman stated he would like to evaluate the decision further before a decision was made. Voting yes: Derrick, Lara, Hernandez and Volpato. Voting no: Lutman. Passed 4-1.

EMERGENCY BUSINESS:

c. **A-11-35: AGREEMENT WITH NEW MEXICO FOREST SERVICE TO PAY \$800 PER DAY FOR EMERGENCY EQUIPMENT RENTAL:** Lutman moved, seconded by Lara, to allow the Chairman to sign the agreement. Voting yes: Derrick, Lara, Lutman, Hernandez and Volpato. Passed 5-0. A-11-35 was recorded as Exhibit 18.b.

d. **A-11-39: AGREEMENT WITH U.S. FOREST SERVICE TO PURCHASE WATER FROM THE QUEEN VFD FOR FIRE SUPPRESSION ON THE LAST CHANCE FIRE:** Derrick moved, seconded by Volpato to approve A-11-39 and charge ten cents a gallon. Voting yes: Derrick, Lara, Lutman, Hernandez and Volpato. Passed 5-0. A-11-39 was recorded as Exhibit 18.c.

28. **ADJOURN:** At 2:00 p.m., Volpato moved, seconded by Lara, to adjourn the meeting.
Voting yes: Derrick, Lara, Lutman, Hernandez and Volpato. Passed 5-0.

EDDY COUNTY BOARD OF COMMISSIONERS

CHAIRMAN

ATTEST: _____
COUNTY CLERK

DATE _____