

**EDDY COUNTY BOARD OF COMMISSIONERS
MINUTES OF A REGULAR MEETING
MAY 4, 2010**

BE IT REMEMBERED that the Eddy County Board of Commissioners held a regular meeting in Room 211 of the Eddy County Administration Complex on May 4, 2010 at 8:30 a.m. Volpato called the meeting to order. Sartin led the Pledge of Allegiance and gave the invocation.

Present:

JACK VOLPATO	CHAIRMAN, DISTRICT 4
LEWIS DERRICK	VICE-CHAIRMAN, DISTRICT 2
GUY LUTMAN	COMMISSIONER, DISTRICT 3
TONY HERNANDEZ	COMMISSIONER, DISTRICT 1
ROXANNE LARA	COMMISSIONER, DISTRICT 5
CAS TABOR	COUNTY ATTORNEY
DARLENE ROSRPIM	COUNTY CLERK
ROBIN VAN NATTA	CHIEF DEPUTY COUNTY CLERK
TERRI RICHARDS	TREASURER
ERNEST MENDOZA	SHERIFF
KENT WALLER	CHIEF DEPUTY SHERIFF
MARIA MERJIL-MALDONADO	SHERIFF'S ADMINISTRATIVE ASSISTANT
KENNEY RAYROUX	HR DIRECTOR
DEBBIE PENALUNA	FINANCE DIRECTOR
ROBERT STEWART	WARDEN
SHAWN FUNK	CHIEF DEPUTY WARDEN
SHARON DODSON	INFORMATION SYSTEMS
TINA PARRISH	PURCHASING ADMINISTRATOR
GAY WEST	ADMINISTRATIVE ASSISTANT
FRANK WELDON	ROAD SUPERINTENDENT
DANNY STAFFORD	M&O SUPERVISOR
ROBERT BRADER	FIRE DIRECTOR
JIM GRANTNER	LANDFILL COMMITTEE
STELLA DAVIS	CARLSBAD CURRENT ARGUS
JESSICA LEE	ARTESIA DAILY PRESS

Absent:

KAREN ROBINSON	ASSESSOR
CHARLENE WRIGHT	PROBATE JUDGE

TRAILING AGENDA:

1. APPROVE:

a. COUNTY COMMISSION MEETING MINUTES FOR APRIL 20, 2010: Derrick moved, seconded by Volpato to approve the County Commission Minutes for April 20, 2010. Voting yes: Lara, Lutman, Volpato, Hernandez and Derrick. Passed 5-0.

b. EXPENDITURE APPROVAL LIST FOR MAY 4, 2010 CHECK RUN: Lara moved, seconded by Derrick to approve the Expenditure Approval List for May 4, 2010 Check Run.

Voting yes: Lara, Lutman, Volpato, Hernandez and Derrick. Passed 5-0. The Expenditure Approval List for May 4, 2010 check run was recorded as Exhibit 1.b.

2. **REVENUE REPORT- DEBORAH PENALUNA:** Penaluna reported GRT were still down. Oil and gas receipts were up \$1.3 million from projections. Lutman stated the charts presented were very helpful.

3. **RESOLUTIONS:**

- a. **R-10-34: ADOPT 2010/2011 BUDGET-ALLEN R. SARTIN:** Sartin passed out a copy of the proposed budget and reviewed changes requested by the Board. Volpato moved, seconded by Hernandez to approve R-10-34. Lara commended the current and prior Commissioners for keeping the county in good financial shape. She was very proud to be part of a team that was able to give employees step increases and not furloughs. Derrick thanked department heads for their frugal spending. Voting yes: Lara, Lutman, Volpato, Hernandez and Derrick. Passed 5-0. R-10-34 was recorded as Exhibit 3.a.

- b. **R-10-35: THIRD QUARTER BUDGET CHANGES 2009-2010-DEBORAH PENALUNA:** Lutman moved, seconded by Lara to approve R-10-35. Voting yes: Lara, Lutman, Volpato, Hernandez and Derrick. Passed 5-0. R-10-35 was recorded as Exhibit 3.b.

4. **AGREEMENTS:**

- a. **A-10-35: ROAD MAINTENANCE AGREEMENT FOR VILLAGE OF HOPE-FRANK WELDON:** Derrick moved, seconded by Hernandez to approve A-10-35. Voting yes: Lara, Lutman, Volpato, Hernandez and Derrick. Passed 5-0. A-10-35 was recorded as Exhibit 4.a.

5. **TRAVEL REQUEST CONSENT AGENDA:
PRIOR:**

- a. **SHERIFF ATTENDED NM/MEXICO BORDER SUMMIT IN LAS CRUCES, NM:**

- b. **KENNEY RAYROUX ATTENDED WC HEARING IN HOBBS, NM:**

FUTURE:

- c. **KENNEY RAYROUX TO ATTEND LITIGATION DEPOSITION IN ABQ., NM:**

- d. **KENNEY RAYROUX TO ATTEND LITIGATION DEPOSITION IN ABQ., NM:**

- e. **TWO (2) ECSO AGENTS & ONE (1) DEPUTY TO ATTEND PRACTICAL KINESIC INTERVIEW & INTERROGATION TRAINING IN RIO RANCHO, NM:**

- f. **ONE (1) DEPUTY TO ATTEND INSTRUCTOR DEVELOPMENT TRAINING IN SANTA FE, NM :**

- g. **ECSO FIELD SERGEANT & ONE (1) LIEUTENANT TO ATTEND 2010 LAW ENFORCEMENT COORDINATORS' SYMPOSIUM IN ABQ, NM:**

h. ROXANNE LARA TO ATTEND RE-ENERGIZE AMERICA 2010 CONFERENCE IN LAS CRUCES, NM:

Derrick moved, seconded by Hernandez to approve the travel requests. Voting yes: Lutman, Volpato, Hernandez and Derrick. Lara abstained. Passed 4-0.

6. **LEGISLATIVE ISSUES:** Sartin reported the State had sent notification that the Health Council funding would be pulled as of July 1, 2010.

7. **EMERGENCY BUSINESS:**

- a. **A-10-55: NM TRAFFIC SAFETY PROJECT-CLICK IT OR TICKET MOBILIZATION PROJECT NO. 10-OP-CIOT-032:** Hernandez moved, seconded by Lutman to approve A-10-55. Voting yes: Lara, Lutman, Volpato, Hernandez and Derrick. Passed 5-0. A-10-55 was recorded as Exhibit 7.a.

8. **PUBLIC COMMENTS/ANNOUNCEMENTS:** Robert Defer, Carlsbad Chamber of Commerce, thanked the County for their past and future support. He stated the Chamber and County enjoyed a good working relationship and looked forward to the next year.

9. **COUNTY MANAGER COMMENTS/ANNOUNCEMENTS:** Sartin presented the Detention Center with a proclamation which dedicated the first week in May as "National Correctional Officer Week". Stewart thanked the Board for their support of the detention facility. He invited the Board to a luncheon for the officers on Friday from 11 a.m. to 1 p.m. at the detention center.

10. **ELECTED OFFICIALS COMMENTS/ANNOUNCEMENTS:** Rosprim reminded everyone that absentee voting for the Primary Election began today and early voting would begin on May 15, 2010. The Carlsbad Soil and Water Conservation District was also holding an election in the Clerk's Office for anyone interested in voting. Rosprim invited the Board to attend the voting machine certification on Saturday, May 8, 2010 at the voting machine warehouse.

11. **COUNTY COMMISSIONER COMMENTS/ANNOUNCEMENTS:** Lara reported after months of hard work the Carlsbad Schools would hold their Graduation Summit on Saturday at 7:30 a.m. at the Pecos River Conference Center. There would be a free breakfast and lunch for those who participated.

Lutman thanked those who participated in Relay for Life. The event was very successful.

Volpato stated Relay for Life had a tremendous turnout. He announced the Mayor's Summit would be held on May 20, 2010 in Lea County.

Derrick reported a group from Texas made a presentation concerning the Pecos River at the Pecos Valley Water Users meeting. The group was looking to compile a true history of the river. Dan Lathrop was appointed by the committee in order to follow the project to make sure the report was complete and correct in order to protect the Pecos Valley interests.

Derrick reported a conference call was held with the Coalition of County Governments regarding who was going to file a lawsuit concerning removal of problem wolves. They backed off; however, the Fish and Wildlife Service was still obligated to remove problem

wolves. The problem was so severe children were forced to stand in cages while waiting for the school bus. The jaguar habitat was also discussed, and it was important that the County selected for this type of habitat be informed and included in the process.

Derrick passed out the Eddy County Fair 65th Annual Book on behalf of Joel Bell.

- 12. **PROJECT UPDATES:** None.
- 13. **CLOSED MEETING:** At 9:02 a.m., Volpato 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 10:00 a.m. Voting yes: Lara, Lutman, Volpato, Hernandez and Derrick. Passed 5-0.
- 14. **RE-OPEN:** At 10:45 a.m., Volpato 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: Lara, Lutman, Volpato, Hernandez and Derrick. Passed 5-0.
- 15. **ADJOURN:** At 10:46 a.m. Lutman moved, seconded by Derrick to adjourn the meeting. Voting yes: Lara, Lutman, Volpato, Hernandez and Derrick. Passed 5-0.

EDDY COUNTY BOARD OF COMMISSIONERS

CHAIRMAN

ATTEST:

COUNTY CLERK

DATE: _____

**EDDY COUNTY BOARD OF COMMISSIONERS
MINUTES OF A REGULAR MEETING
May 18, 2010**

BE IT REMEMBERED that the Eddy County Board of Commissioners held a regular meeting in Room 211 of the Eddy County Administration Complex on May 18, 2010 at 8:30 a.m. Volpato called the meeting to order. Sartin led the Pledge of Allegiance and gave the invocation.

Present:

JACK VOLPATO	CHAIRMAN, DISTRICT 4
LEWIS DERRICK	COMMISSIONER, DISTRICT 2
GUY LUTMAN	COMMISSIONER, DISTRICT 3
ROXANNE LARA	COMMISSIONER, DISTRICT 5
TONY HERNANDEZ	VICE-CHAIRMAN, DISTRICT 1
CAS TABOR	COUNTY ATTORNEY
DARLENE ROSPRIM	COUNTY CLERK
ROBIN VANNATTA	CHIEF DEPUTY CLERK
TERRI RICHARDS	TREASURER
ERNEST MENDOZA	SHERIFF
KENT WALLER	CHIEF DEPUTY SHERIFF
MARIA MERJIL-MALDONADO	SHERIFF'S ADMINISTRATIVE ASSISTANT
ROBERT STEWART	WARDEN
KENNEY RAYROUX	HUMAN RESOURCES DIRECTOR
JOEL ARNWINE	EMERGENCY MANAGER
LINDA MARTINEZ	INDIGENT CLAIMS ADMINISTRATOR
YOLANDA SING	INDIGENT CLAIMS ASSISTANT
TINA PARRISH	PURCHASING ADMINISTRATOR
FRANK WELDON	ROAD SUPERINTENDENT
ALLEN SARTIN	COUNTY MANAGER
JIM GRANTNER	LANDFILL COMMITTEE
WARREN HARDIN	GIS COORDINATOR
STEVE MCCROSKEY	CODE ENFORCEMENT
GEORGIA GOAD	RURAL ADDRESSOR
YVONNE BASABILVAZO	COUNTY PLANNER
CYNTHIA SHARIF	DWI COORDINATOR
ROBERT DEFER	CARLSBAD CHAMBER OF COMMERCE
DANNY STAFFORD	M & O SUPERVISOR
STELLA DAVIS	CARLSBAD CURRENT ARGUS
JESSICA CARNER	ARTESIA DAILY PRESS

Absent:

KAREN ROBINSON	COUNTY ASSESSOR
CHARLENE WRIGHT	PROBATE JUDGE

TIMED AGENDA:

8:30 A.M.

1. **SERVICE AWARDS:** Derrick presented a service award to Rhonda Mendes-Kennedy for fifteen years of service to Eddy County.

2. **PUBLIC HEARING-REVISIONS TO EXISTING FLOOD PLAIN ORDINANCE - KENNEY RAYROUX:** Rayroux reviewed the changes to the Flood Plain maps and the ordinance. The map had very few changes; mostly date revisions and definitions. FEMA requested the Ordinance be updated by the County. Hardin reported flood plain maps would now be available in a digital format on the FEMA web site. He explained both Carlsbad and Artesia had Flood Plain Managers that were responsible for the incorporated areas. Volpato opened up the hearing for public comment. Pyeatt, a local surveyor, questioned if mistakes were found on the map, could changes be submitted. Hardin stated the changes could be submitted to FEMA and the digital version would reflect the change immediately. Lutman moved, seconded by Hernandez to adopt O-10-59. Voting yes: Lutman, Volpato, Hernandez, Derrick and Lara. Passed 5-0. O-10-59 was recorded in Ordinance Book 2 Page 92 on May 19, 2010.

3. **BID AWARD:**
 - a. **B-10-06: ARTESIA MEAL SITE WALKING TRAIL - KENNEY RAYROUX:** Basabilvazo recommended Bid Lot #1 be awarded to Constructors, Inc. as low bidder. Derrick moved, seconded by Lara to award B-10-06 as presented. Voting yes: Lutman, Volpato, Hernandez, Derrick and Lara. Passed 5-0. Bid minutes and invitation to bid were recorded as Timed Agenda Exhibit 3.a.

TRAILING AGENDA:

1. & 2. **RECESS EDDY COUNTY COMMISSION MEETING & CONVENE AS INDIGENT HOSPITAL CLAIMS BOARD:** At 8:45 a.m., Volpato moved, seconded by Derrick to recess the regular meeting and convene as the Indigent Hospital Claims Board. Voting yes: Lutman, Volpato, Hernandez, Derrick and Lara. Passed 5-0.

3. **INDIGENT HOSPITAL CLAIMS BOARD:** Indigent Board Meeting.

4. **RECONVENE EDDY COUNTY COMMISSION MEETING:** At 8:58 a.m., Derrick moved, seconded by Volpato to adjourn the Indigent Hospital Claims Board and reconvene the regular meeting. Voting yes: Lutman, Volpato, Hernandez, Derrick and Lara. Passed 5-0.

5. **APPROVE:**
 - a. **COUNTY COMMISSION MEETING MINUTES FOR APRIL 27, 2010:** Lara moved, seconded by Lutman to approve the County Commission Minutes for April 27, 2010. Voting yes: Lutman, Volpato, Hernandez, Derrick and Lara. Passed 5-0.

 - b. **COUNTY COMMISSION MEETING MINUTES FOR MAY 4, 2010:** Derrick moved, seconded by Hernandez to approve the County Commission Minutes for May 4, 2010. Voting yes: Lutman, Volpato, Hernandez, Derrick and Lara. Passed 5-0.

c. EXPENDITURE APPROVAL LIST FOR MAY 18, 2010 CHECK RUN: Hernandez moved, seconded by Lutman to approve the Expenditure Approval List for May 18, 2010 Check Run. Voting yes: Lutman, Volpato, Hernandez, Derrick and Lara. Passed 5-0. The Expenditure Approval List for May 18, 2010 Check Run was recorded as Exhibit 5.c.

d. PURCHASE CARD EXPENDITURE APPROVAL LIST FOR APRIL, 2010: Lutman moved, seconded by Derrick to approve the Purchase Card Expenditure Approval List for April, 2010. Voting yes: Lutman, Volpato, Hernandez, Derrick and Lara. Passed 5-0. The Purchase Card Expenditure Approval List for April, 2010 was recorded as Exhibit 5.d.

- 6. TREASURER'S FINANCIAL REPORT FOR APRIL, 2010 - TERI RICHARDS:** Sartin reported the item was for informational purposes only. Lutman questioned the status of county investments. Richards reported investments were stable.
- 7. REQUEST FOR LETTER OF SUPPORT - ALLEN R. SARTIN:** Sashua Patton, with Alianza of New Mexico, asked the Board for a letter of support for the HOPWA program. The program provided housing assistance to persons who were HIV positive. Patton reported services were provided for 35 Eddy County residents. Lutman moved, seconded by Volpato to approve the letter of support. Voting yes: Lutman, Volpato, Hernandez, Derrick and Lara. Passed 5-0.
- 8. O-10-60: ORDINANCE TO REPEAL THE LODGER'S TAX - ALLEN R. SARTIN:** Sartin stated the Lodger's Tax Board had asked that the ordinance be repealed. The Board did not feel the tax generated enough dollars for effective advertising. Sartin stated the request was to open the Ordinance up for public hearing with the intent of repealing the lodger's tax. Sartin stated if the request was approved, the hearing would be held June 8, 2010. Lutman moved, seconded by Derrick to advertise for a public hearing to discuss O-10-60. Voting yes: Lutman, Volpato, Hernandez, Derrick and Lara. Passed 5-0.
- 9. APPROVE/DISAPPROVE 2010 EMERGENCY MANAGEMENT PERFORMANCE GRANT REQUEST - JOEL ARNWINE:** Hernandez moved, seconded by Lara to approve the grant request. Voting yes: Lutman, Volpato, Hernandez, Derrick and Lara. Passed 5-0. The 2010 Emergency Management Performance Grant was attached as Exhibit 9.
- 10. CODE ENFORCEMENT UPDATE/BRIEFING:** McCroskey stated that as of May, 2010 192 cases had been closed with 184 still open. He reported trouble getting any one property completely clean. Residents almost always requested an extension for cleanup and most of the cases were open long after the 60 day requirement. McCroskey reported illegal mobile homes were a real issue in the county. Goad stated a resident was collecting mobile homes for remodel and resale. The person was not licensed to conduct such a business. Goad stated the practice was in violation of the Rural Addressing and Flood Plain Ordinance, and expressed frustration with the inability to control the problem. Volpato suggested the P & Z Committee should review and update ordinances. Sartin reported the P & Z Committee was planning a special meeting to review the ordinance in order to assist with enforcement. Volpato reported the State of New Mexico could step in and take care of this issue; however they had not been so inclined. Lutman suggested a letter to the legislators expressing dissatisfaction with the States willingness to enforce the law. McCroskey reported turning in several septic tank issues to NMED every month with no response. Volpato stated the code enforcement officer was not in a position to enforce or investigate violations of State

regulation. The County needed to adopt an ordinance that would enable the code enforcement officer to investigate and site those violators. The code enforcement update was recorded as Exhibit 10.

11. RESOLUTIONS:

a. R-10-36: DISPOSE, REMOVE OR REVISE ITEMS IN THE EDDY COUNTY CAPITAL OUTLAY INVENTORY - ALLEN R. SARTIN: Lara moved, seconded by Derrick to approve R-10-36. Voting yes: Lutman, Volpato, Hernandez, Derrick and Lara. Passed 5-0. R-10-36 was recorded as Exhibit 11.a.

12. AGREEMENTS:

a. A-10-52: EMPG EXERCISE GRANT - JOEL ARNWINE: Arnwine explained an incident management exercise would be held on the 4th of July in order to expend remaining EMPG funds. The State had requested a 50% soft match of the grant funds. Hernandez moved, seconded by Derrick to approve A-10-52. Voting yes: Lutman, Volpato, Hernandez, Derrick and Lara. Passed 5-0. A-10-52 was recorded as Exhibit 12.a.

b. A-10-53: GRANT AGREEMENT BETWEEN NEW MEXICO AGING & LONG-TERM SERVICES DEPARTMENT & EDDY COUNTY FOR THE PURCHASE OF KITCHEN EQUIPMENT FOR THE ARTESIA MEAL SITE CENTER - KENNEY RAYROUX: Basabilvazo explained that Eddy County would be the fiscal agent for the grant. Lutman moved, seconded by Derrick to approve A-10-53. Voting yes: Lutman, Volpato, Hernandez, Derrick and Lara. Passed 5-0. A-10-53 was recorded as Exhibit 12.b.

c. A-10-54: AMENDMENT #4 TO EXISTING MALAGA WATER SYSTEM IMPROVEMENTS PHASE I, II & III AGREEMENT - KENNEY RAYROUX: Basabilvazo stated the water lines would be replaced on Ash and Duarte Roads. Lutman moved, seconded by Hernandez to approve A-10-54. Voting yes: Lutman, Volpato, Hernandez, Derrick and Lara. Passed 5-0. A-10-54 was recorded as Exhibit 12.c.

d. A-10-73: COMMUNITY PARTNERSHIP AGREEMENT WITH SNMCAC FOR THE PURCHASE OF PARK EQUIPMENT FOR THE ARTESIA MEAL SITE - KENNEY RAYROUX: Basabilvazo reported the funds were stimulus monies which required an agreement outlining how the funds would be used. Hernandez moved, seconded by Derrick to approve A-10-73. Voting yes: Lutman, Volpato, Hernandez, Derrick and Lara. Passed 5-0. A-10-73 was recorded as Exhibit 12.d.

e. A-10-56 - A-10-69: EDDY COUNTY LDWI PROGRAM PROFESSIONAL SERVICES CONTRACTS FOR DOROTHY PARKER, ROBERT B. BELL, MALPCC, LADC, PC, GILBERT CHAVEZ, MICHAEL J. HICKEY, ERNEST CHAVEZ, JR., GYNDOLYN MILLER, VERNA JINKINS, DR. VAN R. WARREN, TABETHA L. SALAZAR, ESTHER T. ROJAS, RITA RUBIO, RENEE RAMSEY, KAREN HULSE, LADAC, DEBORAH HOFER - CYNTHIA G. SHARIF: Sharif explained all the contracts were for existing services. Derrick moved, seconded by Lutman to approve A-10-56 - A-10-69. Voting yes: Lutman, Volpato, Hernandez, Derrick and Lara. Passed 5-0. A-10-56 - A-10-69 were recorded as Exhibits 12.e.i thru 12.e.xiv respectively.

f. & g. A-10-70 & A-10-71: MEMORANDUM OF AGREEMENT WITH

CARLSBAD MEDICAL CENTER & ARTESIA GENERAL HOSPITAL - LINDA P. MARTINEZ: Derrick moved, seconded by Lutman to approve A-10-70 and A-10-71. Voting yes: Lutman, Hernandez, Derrick and Lara. Volpato abstained. Passed 4-0. A-10-70 and A-10-71 were recorded as Exhibits 12.f. and g. respectively.

h. A-10-72: NM TRAFFIC SAFETY PROJECT-100 DAYS & NIGHTS OF SUMMER - SHERIFF ERNEST J. MENDOZA: Derrick moved, seconded by Lutman to approve A-10-72. Voting yes: Lutman, Volpato Hernandez, Derrick and Lara. Passed 5-0. A-10-72 was recorded as Exhibit 12.h.

i. A-10-74: CONTRACT BETWEEN EDDY COUNTY & CURRY COUNTY FOR HOUSING OF JUVENILE PRISONERS - WARDEN ROBERT STEWART: Stewart explained the agreement was standard and would generate \$125 a day per inmate. Lara moved, seconded by Derrick to approve A-10-74. Voting yes: Lutman, Volpato, Hernandez, Derrick and Lara. Passed 5-0. A-10-74 was recorded as Exhibit 12.i.

**13. TRAVEL REQUEST CONSENT AGENDA:
PRIOR:**

a. JOEL ARNWINE ATTENDED STATE INTEROPERABLE COMMUNICATIONS WORKING GROUP ANNUAL MEETING IN ABQ., NM:

b. MELISSA AZZINARO ATTENDED RISK MANAGEMENT OPEN/SWITCH ENROLLMENT BENEFITS MEETING IN ROSWELL, NM:

FUTURE:

c. JOEL ARNWINE TO ATTEND E-136 OPERATIONS-BASED EXERCISE DEVELOPMENT:

d. STEVEN MCCROSKEY TO ATTEND ASBESTOS INSPECTOR TRAINING IN ABQ., NM:

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

14. EMERGENCY BUSINESS:

a. ENGAGEMENT LETTER FROM SHERMAN & HOWARD TO ACT ON BEHALF OF EDDY COUNTY CONCERNING IRB FOR INTREPID POTASH: Tabor pointed out the fees would be paid for by Intrepid. Derrick moved, seconded by Volpato to approve the Letter of Engagement with Sherman & Howard. Voting yes: Lutman, Volpato, Hernandez, Derrick and Lara. Passed 5-0. The letter from Sherman & Howard was recorded as Exhibit 14.a.

15. PUBLIC COMMENTS/ANNOUNCEMENTS: None.

16. COUNTY MANAGER COMMENTS/ANNOUNCEMENTS: None.

17. ELECTED OFFICIALS COMMENTS/ANNOUNCEMENTS: Rosprim reported early voting for the Primary Election was in progress. The office would be open until 6:30 p.m. on

weekdays and from 8:00 a.m. until 4:00 p.m.

- 18. COUNTY COMMISSIONER COMMENTS/ANNOUNCEMENTS:** Volpato wished Lutman a Happy Birthday.

Lutman reported he would be in Dallas to meet with American Eagle and would follow up with the Board on the success of the LAX flight.

Lutman questioned if the jury box at the courthouse was complete. Sartin reported an architect had been hired to see if the seating would fit in the space provided.

Lutman reported he had received a call thanking Sartin for follow up on a complaint.

Lara reported the Graduation Summit was a huge success with over 150 people participating.

Derrick had received an e-mail stating the New Mexico Environmental Department had issued a draft rule allowing the State to participate in the regional greenhouse gas and trade program. NMED intended to file the rule with the Improvement Board later this year.

Hernandez thanked Weldon and his staff for the excellent work on projects in his district.

- 19. PROJECT UPDATES:** None.

- 20. CLOSED MEETING:** At 10:23 a.m., Volpato 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 12:00 p.m. Voting yes: Lutman, Volpato, Hernandez, Derrick and Lara. Passed 5-0.

- 21. RE-OPEN:** At 11:44 a.m., Volpato 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: Lutman, Volpato, Hernandez, Derrick and Lara. Passed 5-0.

- 22. ADJOURN:** At 11:45 a.m., Volpato moved, seconded by Derrick to adjourn the meeting. Voting yes: Lutman, Volpato, Hernandez, Derrick and Lara. Passed 5-0.

EDDY COUNTY BOARD OF COMMISSIONERS

CHAIRMAN

ATTEST:

COUNTY CLERK

DATE: _____