

**EDDY COUNTY BOARD OF COMMISSIONERS
MINUTES OF A REGULAR MEETING
October 6, 2009**

BE IT REMEMBERED that the Eddy County Board of Commissioners held a regular meeting in Room 211 of the Eddy County Administration Complex on October 6, 2009 at 8:30 a.m. Derrick called the meeting to order. Sartin led the Pledge of Allegiance and gave the invocation.

Present:

LEWIS DERRICK	CHAIRMAN, DISTRICT 2
GUY LUTMAN	COMMISSIONER DISTRICT 3
ROXANNE LARA	COMMISSIONER DISTRICT 5
TONY HERNANDEZ	COMMISSIONER DISTRICT 1
JACK VOLPATO	VICE-CHAIRMAN DISTRICT 4
ALLEN SARTIN	COUNTY MANAGER
CAS TABOR	COUNTY ATTORNEY
ROBIN VAN NATTA	CHIEF DEPUTY CLERK
RONDA NELSON	DEPUTY CLERK
TERRI RICHARDS	TREASURER
DEBBIE PENALUNA	FINANCE DIRECTOR
GAY WEST	ADMINISTRATIVE ASSISTANT
JOEL ARNWINE	EMERGENCY MGMT COORDINATOR
ROBERT BRADER	FIRE COORDINATOR
ERNEST MENDOZA	SHERIFF
KENT WALLER	CHIEF DEPUTY SHERIFF
SHAWN FUNK	WARDEN
MICHAEL INGRAM	CAPTAIN, ECDC
CAROL HENNINGTON	INFORMATION SYSTEMS SUPERVISOR
TINA PARRISH	PURCHASING ADMINISTRATOR
FRANK WELDON	ROAD SUPERINTENDENT
DANNY STAFFORD	M&O SUPERVISOR
STEVE MCCROSKEY	CODE ENFORCEMENT
JIM GRANTNER	CARLSBAD CITY COUNCILOR
JESSICA LEE	ARTESIA DAILY PRESS

Absent:

CHARLENE WRIGHT	PROBATE JUDGE
KAREN ROBINSON	ASSESSOR
DARLENE ROSPRIM	COUNTY CLERK

TIMED AGENDA:

8:30 A.M.

TRAILING AGENDA:

1. APPROVE:

a. COUNTY COMMISSION MEETING MINUTES FOR SEPTEMBER 15, 2009:

Hernandez moved, seconded by Volpato, to approve the County Commission Minutes for September 15, 2009. Voting yes: Hernandez, Volpato, Lara, Lutman and Derrick. Passed 5-0.

b. COMMISSION SPECIAL EMERGENCY MEETING MINTUES FOR SEPTEMBER 24, 2009:

Lara moved, seconded by Derrick, to approve the County Commission Minutes for September 24, 2009. Voting yes: Hernandez, Volpato, Lara, Lutman and Derrick. Passed 5-0.

c. EXPENDITURE APPROVAL LIST FOR CHECK RUN 10-6-2009: Lara moved, seconded by Hernandez, to approve the Expenditure Approval List for October 6, 2009 Check Run. Voting yes: Hernandez, Volpato, Lara, Lutman and Derrick. Passed 5-0. The Expenditure Approval List for October 6, 2009 check run was recorded as Exhibit 1.c.

2. APPROVE/DISAPPROVE PUBLIC CELEBRATION PERMIT APPLICATION FOR COTTONWOOD WINERY, LLC – ALLEN R. SARTIN:

The permit was the same as the previously issued permit. Security would be provided. Lutman moved, seconded by Derrick, to approve the Public Celebration Permit for Cottonwood Winery, LLC. Voting yes: Hernandez, Volpato, Lara, Lutman and Derrick. Passed 5-0.

3. TREASURER’S FINANCIAL REPORTS FOR JULY & AUGUST, 2009 – TERI RICHARDS:

Sartin stated the Clerk’s Office and Treasurer’s Office felt it was important to have the reports on the record. He stated no action was required of the Board and the reports were made of record.

4. APPROVE/DISAPPROVE EDDY COUNTY COMMUNITY HEALTH IMPROVEMENT COUNCIL ROSTER - CANDACE AUTRY:

Autry was not in attendance. Volpato moved, seconded by Derrick, to approve the Eddy County Community Health Improvement Council Roster. Voting yes: Hernandez, Volpato, Lara, Lutman and Derrick. Passed 5-0. The Eddy County Community Health Improvement Council Roster was recorded as Exhibit 4.

5. RESOLUTIONS:

a. R-09-67: CODE ENFORCEMENT RESOLUTION, 60 E. JACKSON ROAD – STEVE MCCROSKEY:

Certified mail correspondence with the property owner was initiated in February, 2007. He had inspected the property numerous times and sent numerous certified letters to the property owner to no avail. The owner had added three trailers in the right-of-way after signing for one of the certified letters. McCroskey stated there had been no significant improvement on the property and presented photos. He had received no contact from the owner. Hernandez moved, seconded by Lutman, to approve R-09-67. Voting yes: Hernandez, Volpato, Lara, Lutman and Derrick. Passed 5-0. R-09-67 was recorded as Exhibit 5.a.

6. **AGREEMENTS:**

a. **A-09-132: AGREEMENT CHANGE/IMMIGRATION & CUSTOMS FOR DETENTION SERVICES – SHAWN FUNK:** Funk stated the agreement was to de-obligate Immigration and Customs Enforcement grant funds in the amount of \$420 for detention services not utilized. Funk did not know why only a portion was being pulled. Lutman moved, seconded by Lara, to approve A-09-132. Voting yes: Hernandez, Volpato, Lara, Lutman and Derrick. Passed 5-0. A-09-132 was recorded as Exhibit 6.a.

7. **TRAVEL REQUEST CONSENT AGENDA:**

PRIOR:

a., b. **RICHARD RHODES & IMA LEE MELLARD ATTENDED TRAINING ON PROPRETY PROTESTS IN RUIDOSO, NM:**

c. **TWO (2) SHERIFF DEPUTIES ATTENDED 2009 DWI SYMPOSIUM IN TRUTH OR CONSEQUENCES, NM:**

d. **DIANE DEARING ATTENDED TAXATION & REVENUE MEETING IN CLOUDCROFT, NM:**

e. **ONE (1) SHERIFF INVESTIGATOR ATTENDED MEETING WITH US ATTORNEY'S OFFICE REGARDING CRUDE OIL THEFTS IN ALBUQUERQUE, NM:**

f. **ONE (1) SHERIFF SERGEANT ATTENDED NM LAW ENFORCEMENT ACADEMY BOARD MEETING IN RED RIVER, NM:**

g. **KAREN ROBINSON ATTENDED EXECUTIVE BOARD MEETING IN ANGEL FIRE, NM:**

h. **CYNTHIA SHARIF ATTENDED MOTHERS AGAINST METHAMPHETAMINE 2009 NEW MEXICO CONFERENCE IN LOVINGTON, NM:**

i. **ONE (1) ECSO INVESTIGATOR & ONE (1) ECSO DEPUTY ATTENDED SFST INSTRUCTOR UPGRADE IN SANTA FE, NM:**

j. **THREE (3) ECSO DEPUTIES ATTENDED SELECTIVE TRAFFIC ENFORCEMENT PROGRAM TRAINING IN LAS CRUCES, NM:**

k. **ONE (1) ECSO DEPUTY ATTENDED LT. GOVERNOR'S GRADUATION SUMMIT WITH CARLSBAD HS STUDENTS IN LAS CRUCES, NM:**

l. **ONE (1) ECSO SERGEANT AND ONE (1) ECSO LIEUTENANT ATTENDED ACCREDITATION MEETING IN LAS VEGAS, NM:**

FUTURE:

m. **RUTH WALKER & TODD BANNISTER TO ATTEND TRAINING, CCHP CERTIFICATION, CEUs IN ORLANDO, FL: .**

n. **ARNWINE TO ATTEND NIMS ICS ALL HAZARDS TRAIN THE TRAINER IN EMMITSBURG, MD:**

o. **ALLEN SARTIN & KENNEY RAYROUX TO ATTEND COURT APPEARANCES IN LAS CRUCES, NM:**

p. **ROBERT BRADER & UP TO ELEVEN (11) VOLUNTEER FIREFIGHTERS TO ATTEND NATIONAL EMS CONFERENCE IN ATLANTA, GA:** Regarding Item O, Sartin stated the court date had been changed to February, so he and Rayroux would not travel at this time. Derrick moved, seconded by Hernandez, to approve all travel requests listed. Voting yes: Hernandez, Volpato, Lara, Lutman and Derrick. Passed 5-0.

8. **LEGISLATIVE ISSUES:** The Special Legislative Session was set for October 17, 2009. Sartin noted the Legislature had set a target to recover \$125M out of capital projects and were looking at GRT backfill provided to cities and counties. Derrick summarized a

proposed federal bill for a 300K acre wilderness around Dona Ana County. He felt the issue could affect law enforcement efforts in the area.

9. **EMERGENCY BUSINESS:** The Artesia Hospital Board proposed Connie Connor to fill Position 3 on the Board. Derrick moved, seconded by Lutman, to approve the Artesia Hospital Board recommendation of Connie Connor for the Board. Voting yes: Hernandez, Volpato, Lara, Lutman and Derrick. Passed 5-0.

Anna Sierra represented Help NM, a non-profit organization in the state. She outlined the various activities and services provided by the group, and requested a support letter regarding their possible activities in Eddy County. Sartin passed around the proposed letter Help NM had presented. She stated the organization had 35 offices and daycares throughout the state with the home office in Albuquerque. They provided services to migrant families, low-income families, people with disabilities and disadvantaged youth. She stated the agency's website was located at www.helpnm.com. Tierra Del Sol Housing Corporation and Junction LLC would subcontract with Help NM to implement the programs to address housing needs in Eddy County. The programs would receive funding from the American Recovery and Reimbursement Act of 2009 through NM Mortgage Finance Authority. The Commissioners requested additional information on what activities and services Help NM would provide to Eddy County before taking action on the letter request. The Commission also requested information on any other agencies that may be soliciting similar letters. Sartin noted that the Commission would not "approve" anything, as stated in Help NMs proposed letter, but rather would only "support" or "not support" the entity. Sartin stated he would email the originator of the letter and ask for additional information. He noted the letter could be rewritten to show "support" rather than to "approve".

10. **PUBLIC COMMENTS/ANNOUNCEMENTS:** Robert Defer, Carlsbad Chamber of Commerce, invited the County Commissioners and manager to attend a reception for the NM Radioactive and Hazardous Materials Committee at the Pecos River Village on October 26 at 6:30 p.m.

11. **COUNTY MANAGER COMMENTS/ANNOUNCEMENTS:** Sartin stated Eddy County Detention Center Medical Services had applied for certification. They were expected to become certified following a possible additional review. The certification assured ECDCs compliance with medical service standards in effect.

The Carlsbad homecoming parade would be held on Friday, October 9, at 4:15 p.m. The Commissioners were invited to ride in the parade. The parade would originate at 2315 W. Church Street.

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

13. **COUNTY COMMISSIONER COMMENTS/ANNOUNCEMENTS:** None

14. **PROJECT UPDATES:** Stafford stated the walk-through for the new Clerk's office was scheduled for October 8. State inspection and certification was scheduled for Monday with the move scheduled for Friday, October 16.

15. **CLOSED MEETING:** At 9:00 a.m., Derrick 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 and reconvene at 11:00 a.m. Voting yes: Hernandez, Volpato, Lara, Lutman and Derrick. Passed 5-0.

- 16. RE-OPEN:** At 11:17 a.m., Derrick 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: Hernandez, Volpato, Lara, Lutman and Derrick. Passed 5-0.

Sartin requested direction from the Board regarding how to proceed with the City of Artesia regarding the roll-off's or continued use of roll-off's at the Fairgrounds. Derrick moved, seconded by Lutman, to contact the City of Artesia for a 90-day trial with the gates being closed on Sunday with public notification via the radio and newsprint media, along with signage being posted. Voting yes: Hernandez, Volpato, Lara, Lutman and Derrick. Passed 5-0.

- 17. ADJOURN:** At 11:40 a.m. Derrick moved, seconded by Volpato, to adjourn the meeting. Voting yes: Hernandez, Volpato, Lara, Lutman 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
October 20, 2009**

BE IT REMEMBERED that the Eddy County Board of Commissioners held a regular meeting in Room 211 of the Eddy County Administration Complex on October 20, 2009 at 8:30 a.m. Derrick called the meeting to order. Rayroux led the Pledge of Allegiance and gave the invocation.

Present:

LEWIS DERRICK	CHAIRMAN, DISTRICT 2
GUY LUTMAN	COMMISSIONER DISTRICT 3
ROXANNE LARA	COMMISSIONER DISTRICT 5
JACK VOLPATO	VICE-CHAIRMAN, DISTRICT 4
CAS TABOR	COUNTY ATTORNEY
DARLENE ROSPRIM	COUNTY CLERK
ROBIN VANNATTA	CHIEF DEPUTY CLERK
KAREN ROBINSON	ASSESSOR
TERRI RICHARDS	TREASURER
ERNEST MENDOZA	SHERIFF
KENT WALLER	CHIEF DEPUTY SHERIFF
MARIA MALDONADO-MERJIL	SHERIFF'S ADMINISTRATIVE ASSISTANT
KENNEY RAYROUX	HUMAN RESOURCES DIRECTOR
SHAWN FUNK	WARDEN
LINDA P. MARTINEZ	INDIGENT ADMINISTRATOR
YOLANDA SING	INDIGENT ASSISTANT
CAROL HENNINGTON	INFORMATION SYSTEMS SUPERVISOR
TINA PARRISH	PURCHASING ADMINISTRATOR
DEBBIE PENALUNA	FINANCE DIRECTOR
FRANK WELDON	ROAD SUPERINTENDENT
STEVE MCCROSKEY	CODE ENFORCEMENT
DANNY STAFFORD	M&O SUPERVISOR
ROBERT BRADER	FIRE DIRECTOR
YVONNE BASABILVAZO	COUNTY PLANNER
PHIL BURCH	ARTESIA MAYOR
JIM GRANTNER	CARLSBAD CITY COUNCIL
STELLA DAVIS	CARLSBAD CURRENT ARGUS
JESSICA LEE	ARTESIA DAILY PRESS

Absent:

TONY HERNANDEZ	COMMISSIONER DISTRICT 1
CHARLENE WRIGHT	PROBATE JUDGE
ALLEN SARTIN	COUNTY MANAGER

TIMED AGENDA:

8:30 A.M.

1. **VETERAN'S MEMORIAL AT COURTHOUSE – KENNEY RAYROUX:** Mario Salinas, Commander of the American Legion Post #7, thanked the Commission for the opportunity to speak on behalf of area veterans. Salinas stated the memorial on the courthouse lawn was in disrepair. He passed out pictures of the local site and a similar location in Lea County. Salinas requested the County honor veterans by repairing and erecting memorials, which should represent all branches of the armed forces and the conflicts in which they participated. Salinas offered the services of local veterans on the project. He also urged the Commission to officially designate the south side of the courthouse as the front of the building. Historically, architecturally and esthetically, the front had always been on the south side. The American Flag should be flown on both sides of the building due to the ceremonies held on the courthouse lawn. Salinas thanked the County Manager for providing a PA system and chairs for events held on the lawn. Lutman reported he was a member of the Main Street Committee to enhance the courthouse lawn. He had met with area veterans to compile ideas of how the monuments should be presented and funded. Lara thanked Salinas for presenting the concerns of the veterans to the Commission. Derrick suggested Lutman and Stafford develop a plan and present the information to the Commission. Volpato stated a plan of action and a cost estimate for the project was needed.

Derrick recognized Phil Burch, Mayor of Artesia, and welcomed him to the meeting.

TRAILING AGENDA:

1. & 2. **RECESS EDDY COUNTY COMMISSION MEETING & CONVENE AS INDIGENT HOSPITAL CLAIMS BOARD:** At 8:52 a.m., Lara moved, seconded by Volpato to recess the regular meeting and convene as the Indigent Hospital Claims Board. Voting yes: Volpato, Lara, Lutman, and Derrick. Passed 4-0.
3. **INDIGENT HOSPITAL CLAIMS BOARD:** Indigent Board Meeting.
4. **RECONVENE EDDY COUNTY COMMISSION MEETING:** At 8:57 a.m., Volpato moved, seconded by Derrick to adjourn the Indigent Hospital Claims Board and reconvene the regular meeting. Voting yes: Volpato, Lara, Lutman, and Derrick. Passed 4-0.
5. **APPROVE/DISAPPROVE INDIGENT BURIAL – LINDA MARTINEZ:** Volpato moved, seconded by Derrick to approve the Indigent Burial. Voting yes: Volpato, Lara, Lutman, and Derrick. Passed 4-0.
6. **APPROVE:**
 - a. **COMMISSION MEETING MINUTES FOR OCTOBER 6, 2009:** Lutman moved, seconded by Lara to approve the County Commission Minutes for October 6, 2009. Voting yes: Volpato, Lara, Lutman, and Derrick. Passed 4-0.
 - b. **EXPENDITURE APPROVAL LIST FOR OCTOBER 20, 2009 CHECK RUN:** Lara moved, seconded by Volpato to approve the Expenditure Approval List for October 20, 2009

Check Run. Voting yes: Volpato, Lara, Lutman, and Derrick. Passed 4-0. The Expenditure Approval List for October 20, 2009 Check Run was recorded as Exhibit 6.b.

c. PURCHASE CARD EXPENDITURE APPROVAL LIST FOR SEPTEMBER, 2009:

Lutman moved, seconded by Derrick to approve the Purchase Card Expenditure Approval List for September, 2009. Voting yes: Volpato, Lara, Lutman, and Derrick. Passed 4-0. The Purchase Card Expenditure List for September, 2009 was recorded as Exhibit 6.c.

7. TREASURER'S FINANCIAL REPORT FOR SEPTEMBER, 2009 – TERRI RICHARDS: Richards stated the report was an FYI item for the Commission.

8. APPROVE/DISAPPROVE TRANSFER OF CR802 TO THE DEPARTMENT OF ENERGY – FRANK WELDON: Weldon introduced Susan McCauslin, and Bernie Rodriguez with the DOE. He explained the DOE wanted to upgrade CR802 which was the south access road to the WIPP site. McCauslin reported the project would be paid for with stimulus funds. Volpato questioned if existing rights-of-ways and turn-offs would be honored. Rodriguez stated full access to the road would be maintained. Weldon requested the Chairman be given the authority to sign any documents related to the transfer. Weldon stated the BLM was in full cooperation of the transfer and had agreed to reissue all the permits and rights-of-ways to the DOE. Lutman moved, seconded by Volpato to approve the transfer of CR802 to the DOE and give the Chairman the authority to sign all documents. Lara clarified the road would remain open to commercial and public transportation, and all existing rights-of-ways be honored. Voting yes: Volpato, Lara, Lutman, and Derrick. Passed 4-0.

9. APPROVE/DISAPPROVE REPLAT OF COUNTY OWNED PROPERTY FOR NEW JUVENILE DETENTION CENTER – DANNY STAFFORD: Stafford explained the three lots across from the jail would be resurveyed and combined to one lot. Lutman moved, seconded by Lara to approve the replat. Voting yes: Volpato, Lara, Lutman, and Derrick. Passed 4-0.

10. RESOLUTIONS:

a. R-09-68: CODE ENFORCEMENT RESOLUTION – STEVE MCCROSKEY: McCroskey stated the owners had not made any attempt to clean up the property. The case was opened after follow-up on other properties in the area. Lara pointed out the certified letter had been accepted in June. Lutman moved, seconded by Volpato to approve R-09-68. Voting yes: Volpato, Lara, Lutman, and Derrick. Passed 4-0. R-09-68 was recorded as Exhibit 10.a.

11. AGREEMENTS:

a. A-09-135: MEMORANDUM OF AGREEMENT TO PURCHASE USING CITY OF CLOVIS PROTECTIVE FIRE CLOTHING BID – ROBERT BRADER: Brader explained the Otis Fire Department would piggy back on the bid prepared by the City of Clovis. Brader stated the bid was competitive and would save the county time and money. Lutman moved, seconded by Lara to approve A-09-135. Voting yes: Volpato, Lara, Lutman, and Derrick. Passed 4-0. A-09-135 was recorded as Exhibit 11.a.

b. A-09-136: COMMUNICATIONS TOWER SERVICE AGREEMENT (RENEWAL) – ROBERT BRADER: Brader explained the agreement would ensure the towers were in top operating condition. The agreement would lock the county into pricing through the next fiscal year. Lutman moved, seconded by Derrick to approve A-09-136. Voting yes: Volpato, Lara, Lutman, and Derrick. Passed 4-0. A-09-136 was recorded as Exhibit 11.b.

c. A-09-138: CONTRACT AGREEMENT BETWEEN EDDY COUNTY & CARC, INC. FOR THE LICENSE TO USE VEHICLES TO SUPPORT DISABLED EMPLOYEE TRANSPORTATION PROGRAMS IN EDDY COUNTY – YVONNE BASABILVAZO: Basabilvazo explained money had been received from the legislature to purchase the vehicle. In the past the county would act as fiscal agent and transfer ownership of the vehicle to the entity. DFA now required the county to keep the vehicle and dispose of the equipment when it outlived its usefulness. Once the agreement was approved and sent to DFA the county would be reimbursed the cost of the vehicle. CARC, Inc. would provide insurance and report to the County on an annual basis. Derrick moved, seconded by Lutman to approve A-09-138. Voting yes: Volpato, Lara, Lutman, and Derrick. Passed 4-0. A-09-138 was recorded as Exhibit 11.c.

12. TRAVEL REQUEST CONSENT AGENDA:

PRIOR:

a. ONE (1) OEM EMPLOYEE ATTENDED TWO (2) CLASSES TOWARDS FEMA APS CERTIFICATION IN ABQ, NM:

FUTURE:

b. DOROTHY PARKER & CINDY SHARIF TO ATTEND A DWI AFFILIATE MEETING & DFA APPLICATION WORKSHOP IN MORIARTY, NM:

c. ROBERT BELL TO ATTEND DFA SWI GRANT APPLICATION WORKSHOP IN MORIARTY, NM:

d. ONE (1) OEM EMPLOYEE TO ATTEND ONE (1) CLASS TOWARDS FEMA APS CERTIFICATION IN ABQ. NM:

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

13. LEGISLATIVE ISSUES: Derrick requested the staff keep an eye out for unfunded mandates from Santa Fe.

14. EMERGENCY BUSINESS: Lara requested the County proclaim the week of October 25 – 31, 2009 as New Mexico Pro-Bono week. Lara reported Eddy County lawyers donated 1800 hours in pro-bono services, and \$355 toward programs which provide pro-bono services. The Eddy County Bar Association would provide free legal advice at noon and in the evenings next week at the courthouse and the library. Matt Byers was honored last year state wide for his pro-bono services. Lutman moved, seconded by Lara to accept the Proclamation. Voting yes: Volpato, Lara, Lutman, and Derrick. Passed 4-0.

- 15. PUBLIC COMMENTS/ANNOUNCEMENTS:** None.
- 16. COUNTY MANAGER COMMENTS/ANNOUNCEMENTS:** Rayroux stated Sartin was back in the county and would possibly be in the office Wednesday or Thursday.
- 17. ELECTED OFFICIALS COMMENTS/ANNOUNCEMENTS:** Mendoza reported animal control had been purchasing medicine for euthanasia and keeping it at the vet's office. The State was now requiring the City to be licensed in order to obtain the medicine. In the mean time, it would cost \$12 to have an animal euthanized at the vet's office.
- Rosprim reported the Clerk's office was open for business. She thanked the IT department, Detention Center and M & O for their help with the move. Rosprim stated her staff worked tirelessly without complaint during the move. She also thanked the Assessor, Administration, and the Treasurer's Office for providing food.
- 18. COUNTY COMMISSIONER COMMENTS/ANNOUNCEMENTS:** Lutman stated the Clerk's Office project was a great success. He reported the courtroom project was complete and very expensive.
- Lutman asked Stafford to check on the Artesia Heath Office. He had a report that the roof leaked. He suggested a xeriscape concept be used for landscaping. Stafford stated he was working with Soil and Water Conservation to develop a plan for the landscaping. The total budget for the project was \$55K. The project had not been bid out. Lutman suggested the project be done in-house in order to keep costs down.
- 19. PROJECT UPDATES:** Rayroux stated a ribbon cutting needed to be held for the Clerk's Office. Derrick suggested the event be scheduled after the second meeting on November 17, 2009. Lutman requested the pot holes in the alley be fixed. Weldon and Stafford would coordinate the effort.
- 20. CLOSED MEETING:** At 9:53 a.m., Derrick moved, seconded by Lara to recess the meeting and to hold 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: Volpato, Lara, Lutman, and Derrick. Passed 4-0.
- 21. RE-OPEN:** At 12:23 p.m., Derrick 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, Lara, Lutman, and Derrick. Passed 4-0.
- 22. ADJOURN:** At 12:24 p.m. Volpato moved, seconded by Lara to adjourn the meeting. Voting yes: Volpato, Lara, Lutman, and Derrick. Passed 4-0.

EDDY COUNTY BOARD OF COMMISSIONERS

CHAIRMAN

ATTEST:

COUNTY CLERK

DATE: _____