

**EDDY COUNTY BOARD OF COMMISSIONERS
MINUTES OF A REGULAR MEETING
JANUARY 7, 2020**

Be it remembered that the Eddy County Board of Commissioners held a regular meeting in the Eddy County Administration Complex-Room 211 on January 7, 2020 at 8:30 a.m. Davis called the meeting to order and led the Pledge of Allegiance and the Salute to the New Mexico State flag. Wood gave the invocation.

PRESENT:

ERNEST CARLSON	CHAIR, DISTRICT 1
STEVE MCCUTCHEON	VICE-CHAIR, DISTRICT 4
LARRY WOOD	COMMISSIONER, DISTRICT 3
SUSAN CROCKETT	COMMISSIONER, DISTRICT 5
ALLEN DAVIS	COUNTY MANAGER
WESLEY HOOPER	ADMIN/COMM SRVCS DIRECTOR
CAS TABOR	COUNTY ATTORNEY
DARLENE ROSPRIM	CHIEF DEPUTY CLERK
RONDA NELSON	DEPUTY CLERK
ALAN GRIFFITH	CHIEF DEPUTY SHERIFF
KIM BALLARD	SHERIFF OFFICE ADMIN ASST
LAURIE PRUITT	TREASURER
CAROLYN STROBLE	CHIEF DEPUTY TREASURER
MELISSA WASHBURN	CHIEF DEPUTY ASSESSOR
RHONDA HATCH	ASSESSOR OFFICE MANAGER
BILLY MASSINGILL	WARDEN
GAY WEST	EXECUTIVE ADMIN ASSISTANT
ROBERTA SMITH	FINANCE DIRECTOR
CAROL HENNINGTON	INFORMATION SYSTEMS DIRECTOR
ROSIE MUNOZ	IT DEPT
KEN KEMP	IT DEPT
ROXANN BRANNON	HR DIRECTOR
JERRY FANNING	PUBLIC & GOVT AFFAIRS DIRECTOR
JERI STRONG	PIO/O&G LIASON
STEVE MCCROSKEY	COUNTY PLANNER
VERONICA PARRAS	HEALTH CARE ADMIN
BRIAN STEPHENS	FACILITIES DIRECTOR
JASON BURNS	PUBLIC WORKS MANAGER
JOSHUA MACK	FIRE SRVC DIR/FIRE MARSHALL
KIMBERLY BALLARD	SO ADMINISTRATIVE ASSISTANT
CYNTHIA SHARIF	DWI COORDINATOR
STEPHANIE YBABEN	RED ROCKET MEDIA

ABSENT:

JON HENRY	COMMISSIONER, DISTRICT 2
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TIMED AGENDA

8:30 A.M.:

1. **PUBLIC COMMENTS/ANNOUNCEMENTS.** ***(THREE MINUTE TIME LIMIT PER PERSON) (WE REQUEST ALL COMMENTS BE RESPECTFUL AND COURTEOUS IN NATURE).*** None.
2. **ANNUAL PROPERTY VALUATION PLAN TO COMMISSION – GEMMA FERGUSON:** Washburn reviewed the Annual Property Valuation Plan which was attached as Timed Agenda Exhibit 2.

TRAILING AGENDA:

1. **APPROVE:**
 - a. **COMMISSION MEETING MINUTES FOR DECEMBER 17, 2019:** Crockett moved, seconded by McCutcheon to approve the Commission Meeting Minutes for December 17, 2019. Voting yes: Wood, Crockett, McCutcheon and Carlson. Passed 4-0.
2. **TREASURER’S REPORT FOR NOVEMBER 2019 – LAURIE PRUITT:** This item was FYI and the Treasurers Report for November 2019 was recorded as Exhibit 2.
3. **BUDGET VS ACTUAL – NOVEMBER 2019 – ROBERTA SMITH:** Smith reviewed the state of the County with relation to the budget. The majority of departments were well within their budget. Crockett moved, seconded by McCutcheon to approve the Budget vs. Actual for November 2019. Voting yes: Wood, Crockett, McCutcheon and Carlson. Passed 4-0. The Budget vs. Actual November 2019 Report was recorded as Exhibit 3.
4. **FY 2019-2020 1ST QUARTER LODGER’S TAX REPORT – ROBERTA SMITH:** Smith stated the fund had a rollover cash balance of \$235K, with a balance currently of \$260K. She stated two years’ fund balances could be rolled over to the next year. She stated \$123K should be spent this FY. The unspent funds most likely would revert back to the State. Adobe Rose had been refunded \$12 due to an overpayment. Crockett inquired if American Airlines had to be reimbursed or if they had been sustaining. Smith stated they had not been reimbursed. Crockett wondered if that was an issue to keep in mind when spending Lodger’s Tax funds. McCutcheon inquired if the fund was a 60/40 split for advertising. Smith replied there was no split; however, there was a limitation on what items the funds could be spent, such as advertising, tour-related events, certain capital outlays, certain operating expenses, etc. Administrative charges were allowed up to 5%, which the County did not do. McCutcheon moved, seconded by Wood, to approve the FY 2019/2020 1st Quarter Lodger’s Tax Report. Voting yes: Wood, Crockett,

McCutcheon and Carlson. Passed. 4-0. The FY 2019/2020 1st Quarter Lodger's Tax Report was recorded as Exhibit 4.

5. G19SN0017A REGION VI DRUG TASK FORCE ADMIN GRANT MODIFICATION #2 BUDGET ADJUSTMENT – WM. ROBERT SULLIVAN:

Sullivan stated the grant had been written two years in advance and the pay scale had changed from that time. Funds would be moved from the County to the entity paying the salary. HIDTA had approved the change. Wood moved, seconded by McCutcheon, to approve G19SN0017A Region VI Drug Task Force Admin Grant Modification #2 Budget Adjustment. Voting yes: Wood, Crockett, McCutcheon and Carlson. Passed 4-0. G19SN0017A Region VI Drug Task Force Admin Grant Modification #2 Budget Adjustment was recorded as Exhibit 5.

6. RECLASSIFY COMPUTER SPECIALISTS TO IT SPECIALISTS II AND III; CHANGE NETWORK ENGINEER POSITION TO SYSTEMS ADMINISTRATOR – CAROL HENNINGTON:

Hennington stated the office would be restructured due to the retirement of Sharon Dodson. Jason Florez would now be the Assistant IT Director. He had been Network Engineer for 10 years. The office duties would be distributed and remaining positions would be reclassified to System Administrator and Computer Specialists I, II and III based on knowledge and experience. The change would affect the current FY budget by \$6,305.99. Crockett moved, seconded by Wood, to approve the reclassification of Computer Specialists to Systems Administrator and IT Specialists I, II and III, changing Network Engineer Position to Systems Administrator with a budget increase of \$6,305.99. Voting yes: Wood, Crockett, McCutcheon and Carlson. Passed 4-0.

7. SHERIFF DEPUTY OVER-HIRE – CHIEF DEPUTY SHERIFF ALAN GRIFFITH:

Griffith requested help with a paper trail issue. He stated the SO was allotted 68 deputy positions with 67 fulfilled. An unfilled position for a detective would be filled in 4-6 weeks. A potential hire of a certified applicant would benefit the County but the open position was for a detective. He requested the applicant be hired as the 68th position, promoting the detective and place the new hire in the slot vacated by the detective promotion. Crockett moved, seconded by Wood, to approve the over-hire of a Deputy Sheriff. Voting yes: Wood, Crockett, McCutcheon and Carlson. Passed 4-0.

8. RESOLUTION AND AGREEMENT CONSENT AGENDA:

Since all of the items listed below have been distributed to the Commissioners in advance for review and are of a routine and non-controversial nature, they will be enacted by a single motion. Any Commissioner or the County Manager may remove an item from this Resolution and Agreement Consent Agenda if separate discussion is desired. Any item so removed shall be placed on the Trailing Agenda immediately following the approval of this Resolution and Agreement Consent Agenda or later, at a specific time or place on the Trailing Agenda.

9. a. RESOLUTIONS:

- i. R-20-01; RESOLUTION AUTHORIZING EDDY COUNTY TO SUBMIT AN APPLICATION FOR LOCAL DWI GRANT DISTRIBUTION FUNDS – CYNTHIA SHARIF.
- ii. R-20-02; DONATION OF A 2020 HAUL TRAILER TO THE CITY OF CARLSBAD – CYNTHIA SHARIF.
- iii. R-20-03; FTI CONSULTING’S MONTHLY REPORT FOR NOVEMBER 2019 – ALLEN DAVIS.
- iv. R-20-04; INDIGENT MEDICAL/HOSPITAL CLAIMS REPORT – VERONICA PARRAS.
- v. R-20-05; DISPOSAL, REMOVAL, OR REVISE ITEMS IN THE EDDY COUNTY INVENTORY/ASSETS – JESSICA STYGAR.
- vi. R-20-06; APPROVAL TO CREATE AN EDDY COUNTY SOLID WASTE ADVISORY COMMITTEE – JASON BURNS.

b. AGREEMENTS:

- i. A-20-01; MEMORANDUM OF UNDERSTANDING TO SHARE NON-IDENTIFIABLE HEALTH INFORMATION WITH THE DEPARTMENT OF FINANCE AND THE DEPARTMENT OF HEALTH FOR RESEARCH AND EVALUATION OF THE LDWI PROGRAM – CYNTHIA SHARIF.
- ii. A-20-02; STATEMENT OF ASSURANCES – CYNTHIA SHARIF.

Crockett moved, seconded by Wood to approve the Resolution/Agreement Consent Agenda as presented. Voting yes: Wood, Crockett, McCutcheon and Carlson. Passed 4-0. R-20-01 through R-20-06 were recorded as Exhibit 9.a.i.-vi, respectively. A-20-01 and A-20-02 were recorded as Exhibit 9.b.i.-ii., respectively.

10. DEPARTMENT UPDATES: Burns presented an update on progress of the Public Works Department. See attached Exhibit 10. Stephens appreciated the Commission previously approving the Custodian Supervisor position, averting staff shortages during times of emergency leave. The Courthouse A/C issue had been remedied and had been inspected and approved. He was awaiting recommendations from a historical building architect on the roof issues. He noted NM State Parks was vacating the office on Canyon Street. The OEM would move into the vacated office. Smith related Finance would be sending out W-2s and 1099’s before January 31. She reminded the 2020 calendar year would have 27 pay periods. She also reminded all the rate for mileage travel had changed and wanted all to use the new forms for travel.

11. TRAVEL REQUEST CONSENT AGENDA: Since all of the items listed below have been distributed to the Commissioners in advance for review and

are of a routine and non-controversial nature, they will be enacted by a single motion. Any Commissioner or the County Manager may remove an item from this Travel Request Consent Agenda if separate discussion is desired. Any item so removed shall be placed on the Trailing Agenda immediately following this Travel Request Consent Agenda or later, at a specific time or place on the Trailing Agenda.

PRIOR

- a. **MATTHEW MEDRANO ATTENDED EMT EXAM IN RUIDOSO, NM ON OCTOBER 25, 2019.**
- b. **SHERIFF MARK CAGE ATTENDED MEETINGS IN WASHINGTON, DC FROM DECEMBER 4 THRU DECEMBER 6, 2019.**
- c. **JOHN NOVAK ATTENDED PARAMEDIC REFRESHER IN LAS CRUCES, NM FROM DECEMBER 16 THRU DECEMBER 20, 2019.**
- d. **GRACIE GONZALES ATTENDED WOMEN IN COMMAND CONFERENCE IN SANTA FE, NM FROM JANUARY 7 THRU JANUARY 9, 2020.**

FUTURE

- e. **ROBERTA SMITH TO ATTEND NMC GRANT PILOT PROGRAM – THE GRANTS COLLECTIVE IN ALBUQUERQUE, NM FROM JANUARY 9 THRU JANUARY 10, 2019.**
- f. **JAMES T. LARA, JR. TO ATTEND TRAINING IN TEMPE, AZ FROM FEBRUARY 9 THRU FEBRUARY 15, 2020.**
- g. **JAMES T. LARA, JR. TO ATTEND TRAINING IN TEMPE, AZ FROM AUGUST 30 THRU SEPTEMBER 5, 2020.**

McCutcheon moved, seconded by Crockett to approve the Travel Consent Agenda as presented. Voting yes: Wood, Crockett, McCutcheon and Carlson. Passed 4-0.

12. EMERGENCY BUSINESS: None.

13. LEGISLATIVE UPDATE: Fanning reported the pre-filing with the State had begun with 91 house bills having been filed, 10 house memorials and multiple other bills and memorials having been filed. Of interest locally, the Lodger's Tax House Bill 105 drafting had changed. He felt the bill would be set forward that would achieve after 30 days of funds brought in, the Lodger's Tax would continue to be charged to temporary tenants with the monies then going to the municipality charging the tax without restriction on its use. He passed out HB 104 providing a tax credit for corporate donations to a county road fund, allowing 50% tax exemption to the donor up to \$1M. The donor would be able to designate where the funds would apply. He stated it was too early to tell how the bill would be received. Davis had met with industry related to potential 285 relief routes. Carlson would contact the Associated Contractors of NM. Carlson requested Fanning compile a list of the hot items, who would

need to be contacted and set up appointments for meetings on January 21 – 22.

14. LEGISLATORS AND ELECTED OFFICIALS' COMMENTS/ANNOUNCEMENTS/UPDATES: None.

15. COUNTY MANAGER'S COMMENTS/ANNOUNCEMENTS/UPDATES:

Davis stated the Challenge Coins had been received and each Commissioner had received one. He suggested to confer about alignment and messaging and potential scheduling with legislators. A one- or two-page summary would be finalized for hand out along with the Challenge Coin and the squishy oil barrel. The NMSU Arrowhead Center report had been received with the data compiled of the Petroleum Industry Impact on Eddy County. He suggested a meeting with the Arrowhead Center to review the data received and spend time aligning objectives for the week of January 20. A potential quorum would be issued, but only discussion and information sharing would take place. The NM County Managers sent emails looking for support of HB72 private prisons and detentions primarily related to immigration detention. An additional item was to repeal the State Tax on Social Security benefits for NM seniors, which several counties had passed. Example resolutions had been sent. Davis stated he was working on near- and long-term objectives. Carlson requested a future strategy workshop to allow a direction to be formulated. The Commissioners concurred with the idea.

16. COUNTY COMMISSIONERS' COMMENTS/ANNOUNCEMENTS/UPDATES:

Crockett liked the Coins and the hand-out barrels. She stated this was her last year as Commissioner, noting she had seen three county managers and lots of changes, and was looking forward to seeing who would run for the seat. She would be attending a meeting of the Energy Community Alliance in DC at the end of the month. She appreciated John Heaton's input and hard work on the Tenancy Tax Legislation. Speaker Egoff would be in the area soon and would possibly tour the man camps. McCutcheon would like to use the Lodger's Tax funds for "Welcome to Eddy County" signs on roads coming into Eddy County, stating something to the effect of "We Support God, Country and Free Enterprise." He wanted to push the East Bypass this year and felt portions of funding would be forthcoming. He felt the County had been reactive in the past but now was able to be proactive on the issues. Wood stated a recent Legislative gathering held in Artesia had been well attended. Two legislators had expressed to him to "not spend all your money because it may not last." He stated he would be seeking re-election to his current position. Carlson looked forward to the Legislative Session in Santa Fe and being able to remind the legislators where the monies for the State's funds had come from. He felt a united Commission would be effective in Santa Fe. He had also referred callers to the County website.

17. EXECUTIVE SESSION: None.

18. ADJOURN: At 9:41 a.m., Crockett moved, seconded by McCutcheon, to adjourn the meeting. Voting yes: Wood, Crockett, McCutcheon and Carlson. Passed 4-0.