

**EDDY COUNTY BOARD OF COMMISSIONERS
MINUTES OF A REGULAR MEETING
JANUARY 19, 2021**

Be it remembered that the Eddy County Board of Commissioners held a regular meeting in the Eddy County Administration Complex-Room 211 on January 19, 2021 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. McCutcheon gave the invocation.

PRESENT:

STEVE MCCUTCHEON
FRED BEARD
ERNEST CARLSON
JON HENRY
SARAH CORDOVA
ALLEN DAVIS
CAS TABOR
DARLENE ROSPRIM
GEMMA FERGUSON
LAURIE PRUITT
CAROLYN STROBLE
ROBERTA SMITH
WESLEY HOOPER
GAY WEST
ROXANN BRANNON
CAROL HENNINGTON
KEN KEMP
ANDREW MEDRANO
JERI STRONG
JERRY FANNING
JASON BURNS
JOSHUA MACK
VERONICA PARRAS
BRIAN STEPHENS
CYNTHIA SHARIF
STEPHANIE YBABEN
RAYE MILLER

CHAIR, DISTRICT 4
VICE-CHAIR, DISTRICT 3
COMMISSIONER, DISTRICT 1
COMMISSIONER, DISTRICT 2
COMMISSIONER, DISTRICT 5
COUNTY MANAGER
COUNTY ATTORNEY
CHIEF DEPUTY CLERK
ASSESSOR
TREASURER
CHIEF DEPUTY TREASURER
FINANCE DIRECTOR
COMMUNITY ADMIN SRVCS DIR
EXECUTIVE ADMINISTRATIVE ASST
HUMAN RESOURCES DIRECTOR
INFO SYSTEMS DIRECTOR
INFO SYSTEMS
INFO SYSTEMS
PIO/O&G LIAISON
PUBLIC GOVT AFFAIRS DIRECTOR
PUBLIC WORKS DIRECTOR
FIRE SERVICE DIR/FIRE MARSHAL
HEALTH CARE ADMINISTRATOR
M&O SUPERVISOR
DWI COORDINATOR
RED ROCKET MEDIA
MAYOR CITY OF ARTESIA

TIMED AGENDA

8:30 A.M.:

1. **PUBLIC COMMENTS/ANNOUNCEMENTS. (WILL BE READ BY THE COUNTY MANAGER.)** None.
2. **ANNUAL ASSESSOR PROPERTY VALUATION REPORT – GEMMA FERGUSON:** Ferguson reviewed her 2021 Property Valuation Plan which was attached as Timed Agenda Exhibit 2.
3. **ARROWHEAD PRESENTATION (COUNTY LEVEL REVENUE AND EXPENDITURE ANALYSIS) – WESLEY HOOPER:** Hooper explained this data was gathered at the request of Commissioner Carlson. Dr. Kramer Winningham of the Arrowhead Center, NMSU, reviewed the State of NM County-Level Revenue & Expenditure Analysis, 2015-2019. This report was recorded as Timed Agenda Exhibit 3.
4. **IFB/RFP/BID AWARDS:**
 - a. ***IFB 20-28 OLD CAVERN HIGHWAY ROAD REHABILITATION – ROBERTA SMITH:** Smith explained all bids were responsive and recommended the bid be awarded to Constructors Inc as the low bidder at \$1,303,515.96. Henry moved, seconded by Beard to award IFB 20-28 as recommended. Voting yes: Beard, Carlson, Cordova, Henry and McCutcheon. Passed 5-0. IFB 20-28 was recorded as Timed Agenda Exhibit 4.a.
 - b. ***IFB 20-29 BLACK RIVER VILLAGE ROAD IMPROVEMENTS – ROBERTA SMITH:** Smith stated there were four bids received. The lowest overall bid was submitted by Constructors Inc. Smith recommended Constructors Inc be awarded IFB 20-29. Cordova moved, seconded by Henry to award the bid as recommended. Voting yes: Beard, Carlson, Cordova, Henry and McCutcheon. Passed 5-0. IFB 20-29 was recorded as Timed Agenda Exhibit 4.b.

TRAILING AGENDA:

1. **APPROVE:**
 - a. ***COMMISSION MEETING MINUTES FOR JANUARY 5, 2021:** Henry moved, seconded by Cordova to approve the Commission Meeting Minutes for January 5, 2021. Voting yes: Beard, Carlson, Cordova, Henry and McCutcheon. Passed 5-0.

- b. ***EXPENSE APPROVAL REPORT FOR DECEMBER 2020:** Carlson moved, seconded by Beard to approve the Expense Report for December 2020. Voting yes: Beard, Carlson, Cordova, Henry and McCutcheon. Passed 5-0. The Expense Report for December 2020 was recorded as Exhibit 1.b.
- c. ***PURCHASE CARD APPROVAL REPORT FOR DECEMBER 2020:** Carlson moved, seconded by Henry to approve the December 2020 Purchase Card Report. Voting yes: Beard, Carlson, Cordova, Henry and McCutcheon. Passed 5-0. The Purchase Card Report for December 2020 was recorded as Exhibit 1.c.
2. ***MATCHING FUNDS FOR CAPITAL OUTLAY PROJECT – BAMBI KERN:** Davis reported this item needed to be pulled as the request for matching funds had been withdrawn. Cordova moved, seconded by Carlson to approve pulling the item from the agenda. Voting yes: Beard, Carlson, Cordova, Henry and McCutcheon. Passed 5-0.
3. ***RECLASSIFICATION OF DWI SCREENER/TREATMENT PROVIDER POSITION TO ASSISTANT DWI PROGRAM DIRECTOR – CYNTHIA SHARIF:** Sharif explained she had served 28 years and would be in the process of training a predecessor. The request to reclassify a DWI Screener/Treatment Provider to Assistant DWI Program Director was the beginning of this process. Cordova moved, seconded by Carlson to approve the reclassification. Voting yes: Beard, Carlson, Cordova, Henry and McCutcheon. Passed 5-0.
4. ***APPROVE/DISAPPROVE ONE (1) INDIGENT BURIAL – VERONICA PARRAZ:** Beard moved, seconded by Cordova to approve one indigent burial. Voting yes: Beard, Carlson, Cordova, Henry and McCutcheon. Passed 5-0.
5. ***FY 2020-2021 2ND QUARTER LODGER’S TAX REPORT – ROBERTA SMITH:** Smith reviewed the 2nd quarter report. Carlson stated he thought the entire budgeted amount should be expensed. Henry moved, seconded by Carlson. Voting yes: Beard, Carlson, Cordova, Henry and McCutcheon. Passed 5-0. The 2nd Quarter Lodger’s Tax Report for FY 2020/2021 was recorded as Exhibit 5.
6. ***MID-YEAR BUDGET ADJUSTMENT FOR QUEEN TANKER – JOSHUA MACK:** Mack explained the truck being replaced would be paid for out of fire excise monies. Henry moved, seconded by Cordova to approve the mid-year budget adjustment for a tanker for the Queen Volunteer Fire Department. Voting yes: Beard, Carlson, Cordova, Henry and McCutcheon. Passed 5-0.

7. ***MEDICAL DIRECTION SERVICES FOR FIRE SERVICE – JOSHUA MACK:** Cordova moved, seconded by Beard to approve the medical direction services for Fire Services. Voting yes: Beard, Carlson, Cordova, Henry and McCutcheon. Passed 5-0.

8. ***R-21-15; 2021 COMMITTEE, BOARD AND COMMISSION APPOINTMENTS AND DESIGNATIONS – ALLEN DAVIS:** Davis went through the various committees and noted vacancies. The Commissioners volunteered to fill the empty positions. Carlson moved, seconded by Beard to approve R-21-51 as amended. Voting yes: Beard, Carlson, Cordova, Henry and McCutcheon. Passed 5-0. R-21-15 was recorded as Exhibit 8.

9. ***RESOLUTION AND AGREEMENT CONSENT AGENDA:** Since all of the items listed below have been distributed to the Commissioners in advance for review and are of a routine and non-controversial nature, they will be enacted by a single motion. Any Commissioner or the County Manager may remove an item from this Resolution and Agreement Consent Agenda if separate discussion is desired. Any item so removed shall be placed on the Trailing Agenda immediately following the approval of this Resolution and Agreement Consent Agenda or later, at a specific time or place on the Trailing Agenda.
 - a. **RESOLUTIONS:**
 - i. **R-21-12; REVISION OF THE EDDY COUNTY TRAVEL POLICY – JESSICA STYGAR.**
 - ii. **R-21-13; DONATION OF AN IR8000 INTOXILYZER TO THE CITY OF ARTESIA – CYNTHIA SHARIF.**
 - iii. **R-21-14; DONATION OF AN IR8000 INTOXILYZER TO THE CITY OF CARLSBAD – CYNTHIA SHARIF.**
 - iv. **R-21-16; DISPOSAL, REMOVAL, OR REVISE ITEMS IN THE EDDY COUNTY INVENTORY/ASSETS – JESSICA STYGAR.**
 - v. **R-21-17; INDIGENT MEDICAL/HOSPITAL CLAIMS REPORT – VERONICA PARRAS.**
 - vi. **R-21-18; HAPPY VALLEY VFD DONATION TO CURRY COUNTY – JOSHUA MACK.**

 - b. **AGREEMENTS:**
 - i. **A-21-09; CIVICPLUS RENEWAL AGREEMENT – ROXANN BRANNON.**
 - ii. **A-21-10; SERVICE AGREEMENT RENEWAL FOR COPIER IN ASSESSOR’S ARTESIA OFFICE – GEMMA FERGUSON.**
 - iii. **A-21-11; CONTRACT FOR IFB 20-28 OLD CAVERN HIGHWAY – CONSTRUCTORS, INC. – ROBERTA SMITH.**
 - iv. **A-21-12; CONTRACT FOR IFB 20-29 BLACK RIVER VILLAGE ROAD IMPROVEMENTS – CONSTRUCTORS, INC. – ROBERTA SMITH.**

Cordova moved, seconded by Beard to approve the Resolution & Agreement Consent Agenda. Voting yes: Beard, Carlson, Cordova, Henry and McCutcheon. Passed 5-0. R-21-12 through R-21-18 was recorded as Exhibit 9.a.i. through 9.a.vi. respectively. A-21-09 through A-21-12 was recorded as Exhibits 9.b.i. through 9.b.iv. respectively.

10. DEPARTMENT UPDATES: Smith reported the procurement manager position would be vacant by January 22. She stated the County had a contract with Tammy West to help until the position was filled. Smith also reported she would be giving a mid-year budget review at one of the February meetings, along with rolling out the budget for the upcoming year. Her department would be offering a budget training on zoom. Mack reported the Fire Investigation Task Force and been very busy the last 3 weeks with 2 fire fatalities. In 2020 there was over 1500 hours of training provided, which had resulted in a 91% determination rate on fires investigated. Stephens wanted to inform the Commissioners they might be getting calls from the public regarding the removal of trees in preparation of upgrading the employee parking lot. He stated the improvements would help with safety issues and lighting during the dark hours of coming and going from work. Burns stated he would be meeting with the engineer/consultant regarding the West Loop path. There was some discussion regarding the end point of the relief route. He was hoping to get the majority of the road projects which had been bid completed during this fiscal year.

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: None.

FUTURE:

a) **ALEXANDER CAPRILOZZI AND ALICIA MORENO TO ATTEND 40TH AMERICAN JAIL ASSN. CONFERENCE IN COLUMBUS, OH FROM APRIL 9 THRU APRIL 14, 2021.**

Cordova moved, seconded by Beard to approve the Travel Request Consent Agenda. Voting yes: Beard, Carlson, Cordova, Henry and McCutcheon. Passed 5-0.

12. EMERGENCY BUSINESS: None.

13. LEGISLATIVE UPDATE: Fanning addressed the Commission stating he was concerned about the OCD rule that was being developed regarding methane gasses which would affect mainly stripper wells. There were public hearings regarding the rule. He asked the Commissioners to consider a Resolution voicing their concerns, asking for an extension and the need to delay until more data was available. Fanning reported the Legislature opened today, stating he would be following several bills and would keep the Commission updated. He expressed concern about how the legislature had chosen to operate this session and refusing to postpone until March. Fanning reported statistics showed positive cases of the virus would be lower in March due to vaccinations.

14. LEGISLATORS AND ELECTED OFFICIALS' COMMENTS/ANNOUNCEMENTS/UPDATES: Artesia Mayor Raye Miller introduced himself to the new Commissioners and stated the North 26th Street project was well coordinated which made it also cost effective. He appreciated the willingness to work together and felt future collaborations would help facilitate projects.

15. COUNTY MANAGER'S COMMENTS/ANNOUNCEMENTS/UPDATES: Davis stated the number of cases reported in the County this last week had been moderate. He had spoken with the superintendents from Loving, Artesia and had plans to speak with Mr. Washburn from Carlsbad regarding support in getting the schools open. Davis stated testing and vaccinations were still important in the plan to get schools opened. He appreciated the support and would continue to work with all entities. The County participated in an event to vaccinate residents. It was well organized with 50% of the significant population interested in being vaccinated. He had been contacted by the Governor's staff about a campaign of positivity in Southeast New Mexico. He hadn't heard back as of today. He felt those events were also important in getting the schools open. The county continued to provide service to residents, a lot of work done behind the scenes. Davis appreciated the continued support.

16. COUNTY COMMISSIONERS' COMMENTS/ANNOUNCEMENTS/UPDATES: McCutcheon voiced his support in getting the schools open in any way possible and encouraged the school board to do that as well. Cordova agreed and would give up her spot for vaccination to any teacher that wanted and hadn't been able to get it. Henry agreed stating his son who was attending school in Lubbock was doing great. He encouraged all to pay attention to HB 29 and HB 37 addressing paid sick leave which he felt would hurt small businesses. He also noted HB 40 regarding detention needed to be followed as well. Beard stated it should be the #1 goal to get the kids back

to school, once the door was cracked open we needed to charge through it. He joined Cordova in letting a teacher have his vaccine. Beard felt long term success in opening the schools was to get them vaccinated. Carlson agreed with all the Commissioners stating it was our obligation to protect our kids and give them a good education. He suggested doing a resolution to help with the opening of schools. Carlson stated he felt all were unaware of the ramifications of passing the recreational marijuana bill. A standard needed to be developed to avoid liability for driving while impaired.

Davis stated he would prepare a Resolution in support of opening the schools to be placed on the next agenda.

17. EXECUTIVE SESSION: None.

18. ADJOURN: At 11:02 a.m. Beard moved, seconded by Henry to adjourn the meeting. Voting yes: Beard, Carlson, Cordova, Henry and McCutcheon. Passed 5-0.

~Asterisk denotes vote is required~

COMMISSION CHAIR, STEVEN MCCUTCHEON

ATTEST:

COUNTY CLERK, ROBIN VAN NATTA

DATE