

**EDDY COUNTY BOARD OF COMMISSIONERS
MINUTES OF A REGULAR MEETING
FEBRUARY 16, 2021**

Be it remembered that the Eddy County Board of Commissioners held a regular meeting in the Eddy County Administration Complex-Room 211 on February 16, 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. Cordova gave the invocation.

PRESENT:

STEVE MCCUTCHEON	CHAIR, DISTRICT 4
FRED BEARD	VICE-CHAIR, DISTRICT 3
ERNEST CARLSON	COMMISSIONER, DISTRICT 1
JON HENRY	COMMISSIONER, DISTRICT 2
SARAH CORDOVA	COMMISSIONER, DISTRICT 5
ALLEN DAVIS	COUNTY MANAGER
CAS TABOR	COUNTY ATTORNEY
ROBIN VAN NATTA	COUNTY CLERK
MARK CAGE	SHERIFF
WESLEY HOOPER	COMMUNITY ADMIN SRVCS DIR
GAY WEST	EXECUTIVE ADMINISTRATIVE ASST
CAROL HENNINGTON	INFO SYSTEMS DIRECTOR
KEN KEMP	INFO SYSTEMS
ANDREW MEDRANO	INFO SYSTEMS
JERI STRONG	PIO/O&G LIAISON
JERRY FANNING	PUBLIC GOVT AFFAIRS DIRECTOR
JASON BURNS	PUBLIC WORKS DIRECTOR
JOSHUA MACK	FIRE SERVICE DIR/FIRE MARSHAL
BRIAN STEPHENS	M&O SUPERVISOR
STEPHANIE YBABEN	RED ROCKET MEDIA

TIMED AGENDA

8:30 A.M.:

- 1. PUBLIC COMMENTS/ANNOUNCEMENTS. (WILL BE READ BY THE COUNTY MANAGER.)** None.
- 2. SERVICE AWARDS:**
 - a. MARIA MALDONADO – MERJIL, DETENTION – 20 YEARS.**
 - b. ALAN GRIFFITH, CHIEF DEPUTY SHERIFF – 15 YEARS.**
 - c. JAMI EAGLE, ASSESSORS – 10 YEARS.**
 - d. LANNETTE RUIZ, DETENTION – 5 YEARS.**

- e. **JOSHUA MACK, FIRE SERVICE DIRECTOR – 5 YEARS.**
- f. **GABRIEL PARRAZ, LANDFILL – 5 YEARS**

Service awards were acknowledged by the Commission.

- 3. **ANNUAL PRESENTATION/REPORT FROM EDDY COUNTY EXTENSION – WAYNE SHOCKEY, 4-H AGENT AND INTERIM PROGRAM DIRECTOR:**
Shockey gave an annual presentation/report which was recorded as Timed Agenda Exhibit 3.

TRAILING AGENDA:

1. APPROVE:

- a. ***COMMISSION MEETING MINUTES FOR FEBRUARY 2, 2021:**
Carlson moved, seconded by Beard to approve the Commission Meeting Minutes for February 2, 2021. Voting yes: Cordova, Henry, McCutcheon, Beard and Carlson. Passed 5-0.
 - b. ***EXPENSE APPROVAL REPORT FOR JANUARY 2021:** Cordova moved, seconded by Carlson to approve the January 2021 Expense Report. Voting yes: Cordova, Henry, McCutcheon, Beard and Carlson. Passed 5-0. The January 2021 Expense Report was recorded as Exhibit 1.b.
2. ***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-21-23; RESOLUTION OPPOSING HOUSE BILL 4 OF THE FIRST SESSION OF THE 55TH LEGISLATURE; URGING THE NEW MEXICO LEGISLATURE TO PROVIDE MORE RESOURCES FOR BEHAVIORAL HEALTH PREVENTION AND TREATMENT, SINCE BEHAVIORAL HEALTH ISSUES ARE THE ROOT CAUSE OF MANY CIVIL RIGHTS CLAIMS AGAINST LOCAL GOVERNMENTS; AND RECOMMENDING DAMAGE CAPS ON ANY NEW CIVIL RIGHTS CAUSE OF ACTION, AS WELL AS, FUNDING FOR ANY ASSOCIATED COSTS – ALLEN DAVIS.**
- ii. **R-21-24; DISPOSAL, REMOVAL, OR REVISE ITEMS IN THE EDDY COUNTY INVENTORY/ASSETS – JESSICA STYGAR.**

iii. R-21-25; INDIGENT MEDICAL/HOSPITAL CLAIMS REPORT – VERONICA PARRAS.

b. AGREEMENTS:

i. A-21-17; DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT SUB-GRANT AGREEMENT FEMA-4199-50 – ROBERTA SMITH.

ii. A-21-18; DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT SUB-GRANT AGREEMENT FEMA-4199-52 – ROBERTA SMITH.

iii. A-21-19; MAILROOM EQUIPMENT, SUPPLIES AND MAINTENANCE RENEWAL AGREEMENT – ALLEN DAVIS.

iv. A-21-20; ROVER ENROUTE APPLICATION – JOSHUA MACK.

v. A-21-21; FY22 DISTRIBUTION AND GRANT FUNDING APPLICATION – CYNTHIA SHARIF.

vi. A-21-22; INTER-GOVERNMENTAL SERVICE AGREEMENT WITH THE NEW MEXICO DEPARTMENT OF PUBLIC SAFETY AND THE EDDY COUNTY SHERIFF'S OFFICE – SHERIFF MARK CAGE.

Carlson moved, seconded by Beard to approve the Resolution and Agreement Consent Agenda. Voting yes: Cordova, Henry, McCutcheon, Beard and Carlson. Passed 5-0. R-21-23 – R-21-25 were recorded as Exhibits 2.a.i. through 2.a.iii. A-21-17 - A-21-22 were recorded as Exhibits 2.b.i. through 2.b.vi.

3. DEPARTMENT UPDATES: Hooper updated the Board on response to the Arrowhead Study from the 12 counties he had sent County Managers. Grant County had scheduled a meeting in March and Luna County had also responded. The relief route project would begin within a couple of weeks. Davis stated the information was starting to take hold as counties understood the impact of the loss of revenue to their budget. Carlson suggested contacting Bernalillo and be pushy about getting information out. Henry asked for a list of counties that had been sent the information. Cage asked for copies to present to the NMC Board. McCutcheon suggested getting the School Boards the information. The State Land Commissioner was asked how she intended to replace the revenue lost from oil and gas. Her reply was it could not be replaced. State land revenue went straight to fund public schools. Burns stated his crews had been out salting roads. FEMA projects were set to move forward March 1. Davis stated the road department had great success over the last year. Stephens reported the black outs were going to happen over the next day for up to an hour in duration.

4. LEGISLATIVE UPDATES: Fanning stated there was a rumor HB4 was supported by the counties. NMC asked that we contact our legislators and express our opposition to the bill. He would continue to meet with NMC and

keep the Board informed on bills that would have a negative impact on Eddy County. SB 86 was tabled, the Community College Bill was doing well and moved out of committee. Davis stated the Governor would ultimately decide

the issue. Fanning reported over 700 pieces of legislation had been introduced. The brine well was being discussed in capital outlay and were not favorable. He stated Representative Brown was being very helpful. On the national level the permitting issue with BLM was up in the air. McCutcheon reported the basin had put on 14 rigs and we lost 10 to Texas. He asked what recourse did we have. Fanning stated the loss of revenue and getting counties to understand the impact of that was the only way. The Governor and the President had to realize New Mexico voted for Biden. Henry requested a resolution against HB50.

5. ***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. **EDWARD ARANDA, GILBERT GOMEZ, AND KENNETH SMITH TO ATTEND MECHANICAL BREACHING COURSE IN ENNIS, TX FROM MARCH 23 THRU MARCH 26, 2021.**

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

6. **EMERGENCY BUSINESS:** None.

7. **LEGISLATORS AND ELECTED OFFICIALS' COMMENTS/ANNOUNCEMENTS/UPDATES:** Sheriff Cage offered to carry any concerns the Board may have to the NMC Executive Board. They had a standing meeting every Thursday. Cage reported most of the bills that were gaining ground basically crippled law enforcement and would open counties to litigation. His department was out doing a great job for the citizens as were the State Police.

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

Davis stated he had heard back from all the School Superintendents regarding the resolution to get the schools open. He read a personal note from the Artesia Public Schools. He reported since the last meeting they had come to an

agreement with Carlsbad Medical Center for a tentative plan to have a vaccination model occurring weekly. Artesia General was doing a great job and

apologized for any misconception in that area. He recognized Emergency Management and Armendariz for her hard work on the vaccination situation. Davis stated he appreciated the Board and their comments and suggestions and they were acting upon those directives. Budget had been released by Roberta and would keep the Board updated on progress. The Bat Brigade had its meeting by Zoom last week and the in-person contact was lost and it was not the same. He thanked the county employees for their continued work.

9. COUNTY COMMISSIONERS' COMMENTS/ANNOUNCEMENTS/UPDATES:

Cordova stated she was participating in the Mayor's Health Council and the closure of Villa would effectively shut down any treatment for addiction. The director of Lifehouse was looking to purchase Villa and incorporate counselling in conjunction with Avalon Ranch. She was approached to see if the county was willing to help with that project. Her response was the county was waiting until the legislature adjourned to make any large decisions. The county was in dire straits as far as mental health and behavioral health services. People were waiting up to 6 months to be evaluated by a professional. Henry wanted to know if the counties could sue if law enforcement was hurt by one of the ridiculous laws' they had passed at the state level. Kids were back in school not soon enough. He was glad the travel ban had been lifted, regardless of the reason. He was very disappointed that the local media chose to focus on proving him wrong after the last meeting instead of the real issue which was why weren't people receiving vaccinations. Open dialogue was not happening in our legislature and that was very disappointing. Henry thanked everyone for the hard work they were doing on behalf of the County. Carlson reminded everyone of the tragedy that happened with the State Police Officer and we needed to continue to support law enforcement. Beard questioned what the motive was to destroy law enforcement and how could we get the word out. McCutcheon stated we had to find a way to compromise and offer solutions to the renewable energy supporters. We could not legislate ourselves out of a job; we had to focus on the facts and move forward and find solutions. Oil and Gas had more friends than we realized and hopefully people would realize the impact of shutting the industry down. Petroleum was in every product we had and was used in everyday life.

10. EXECUTIVE SESSION: None.

11. *ADJOURN: At 10:21 a.m. Beard moved, seconded by Carlson to adjourn the meeting. Voting yes: Cordova, Henry, McCutcheon, Beard and Carlson. Passed 5-0.

~Asterisk denotes vote is required~

COMMISSION CHAIR, STEVEN MCCUTCHEON

ATTEST:

COUNTY CLERK, ROBIN VAN NATTA

DATE