

**EDDY COUNTY BOARD OF COMMISSIONERS  
MINUTES OF A REGULAR MEETING  
March 5, 2019**

Be it remembered that the Eddy County Board of Commissioners held a regular meeting in room 211 of the Eddy County Administration Complex on March 5, 2019 at 8:30 a.m. Henry 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:**

JON HENRY	CHAIR, DISTRICT 2
LARRY WOOD	COMMISSIONER, DISTRICT 3
STEVE MCCUTCHEON	COMMISSIONER, DISTRICT 4
SUSAN CROCKETT	COMMISSIONER, DISTRICT 5
CAS TABOR	COUNTY ATTORNEY
ROBIN VAN NATTA	COUNTY CLERK
DARLENE ROSPRIM	CHIEF DEPUTY CLERK
ANITA JONES	DEPUTY CLERK
MARK CAGE	SHERIFF
KIM BALLARD	ADMINISTRATIVE ASSISTANT
GEMMA FERGUSON	ASSESSOR
MELISSA WASHBURN	CHIEF DEPUTY ASSESSOR
RHONDA HATCH	SUPERVISOR ASSESSOR
CAROLYN STROBLE	CHIEF DEPUTY TREASURER
BILLY MASSINGILL	DETENTION WARDEN
MARIA MALDONADO-MERJIL	ADMINISTRATIVE ASSISTANT
GAY WEST	ADMINISTRATIVE ASSISTANT
ROBERTA SMITH	FINANCE DIRECTOR
JESSICA STYGAR	ASSISTANT FINANCIAL DIRECTOR
ROXANN BRANNON	HR DIRECTOR
CAROL HENNINGTON	IT DIRECTOR
SHARON DODSON	ASSISTANT IT DIRECTOR
ROSIE MUNOZ	IT DEPARTMENT
WESLEY HOOPER	COMMUNITY SERVICES DIRECTOR
STEVE MCCROSKEY	COUNTY PLANNER
JERI STRONG	PIO/OIL AND GAS LIAISON
VERONICA PARRAS	HEALTHCARE ASST PRGRM ADMIN/CS
BRIAN STEPHENS	FACILITIES DIRECTOR
JENNIFER ARMENDARIZ	EMERGENCY MANAGER
CYNTHIA SHARIF	DWI COORDINATOR
MIKE SMITH	CARLSBAD CURRENT ARGUS
DYLAN BARRERA	RED ROCKET MEDIA

**ABSENT:**

ERNEST CARLSON	VICE-CHAIR, DISTRICT 1
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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):***

There were no public comments/announcements.

**2. SERVICE AWARDS:**

- a. **ROBIN VAN NATTA, CLERK'S OFFICE-30 YEARS:**
- b. **MAGDALENA MENDOZA, FACILITIES DEPARTMENT -20 YEARS:**
- c. **JASON DECKER, SHERIFF'S OFFICE-15 YEARS:**
- d. **ORLANDO VILLEGAS, SHERIFF'S OFFICE-5 YEARS:**
- e. **ALEXANDER DUCHENE, SHERIFF'S OFFICE-5 YEARS:**

McCutcheon presented the service awards to the employees, with the exception of Alexander Duchene, who was not available.

***SHORT BREAK FOR PICTURES***

**3. ANNUAL REPORT ON COUNTY EXTENSION SERVICES – WOODS**

**HOUGHTON:** Houghton stated the Extension Office was in its 104<sup>th</sup> year of serving Eddy County. He said agriculture was on the upswing in Eddy County. Alfalfa production had increased by 5,000 acres, cotton production increased by 3,000 acres, and approximately 1,200 acres in pecans. The price of alfalfa was stable and the price of cotton was horrible. He reported cattle prices were low but were climbing back up. The expected revenue in agriculture for Eddy County next year should be around \$165 million. Shockey, the 4-H and Adult Volunteer Development Agent, stated he was in his 3<sup>rd</sup> year with Eddy County. He reported 4-H was still on an upswing in Eddy County. In comparison to 2 years ago, they were up 100 youth and had 24 volunteers. There was approximately a 300% increase in youth activities at the state level and a big upswing in the Home Economics School. The Junior Market Livestock Sale last year made approximately \$740K, which did not include the \$5K sales on indoor projects or the \$13K from the auction that went strictly to 4-H and FFA Chapters within the County.

**TRAILING AGENDA:**

**1. APPROVE:**

- a. **SPECIAL COMMISSION MEETING MINUTES FOR FEBRUARY 13, 2019:** Crockett moved to approve the Special Commission Meeting Minutes for February 13, 2019, seconded by McCutcheon. Voting yes: Wood, Crockett, McCutcheon and Henry. Passed 4-0.

**b. COMMISSION MEETING MINUTES FOR FEBRUARY 19, 2019:**

Crockett moved to approve the Commission Meeting Minutes for February 19, 2019, seconded by McCutcheon. Voting yes: Wood, Crockett, McCutcheon and Henry. Passed 4-0.

2. **BOARD OF REGISTRATION APPOINTMENT-ROBIN VAN NATTA:** Van Natta requested approval for the Board of Registration Appointment. She stated this was a statutory requirement to assist the Clerk and purge the voter file. McCutcheon moved to approve the Board of Registration Appointments, seconded by Wood. Voting yes: Wood, Crockett, McCutcheon and Henry. Passed 4-0.
3. **TREASURER'S REPORT FOR JANUARY 2019-LAURIE PRUITT:** This was an FYI item. The January 2019 Treasurer's Report was recorded as Exhibit 3.
4. **APPROVE SAFETY CARE NET POOL CERTIFICATION OF PUBLIC FUNDS FOR FY 2018-2019 3<sup>RD</sup> QUARTER PAYMENT-VERONICA PARRAS:** Parras stated the 3<sup>rd</sup> Quarter Safety Care Net Pool was due. Wood moved to approve the Safety Care Net Pool Certification of Public Funds for FY 2018-2019 3<sup>rd</sup> Quarter Payment, seconded by McCutcheon. Voting yes: Wood, Crockett, McCutcheon and Henry. Passed 4-0. The Safety Care Net Pool Certification of Public Funds for FY 2018-2019 3<sup>rd</sup> Quarter Payment was recorded as Exhibit 4.
5. **FY 2018-2019 PERSONNEL CHANGES-ROBERTA SMITH:** Smith stated this was for informational purposes only and had already been approved by the Commission. The only change was the DMV Clerk, which was unfrozen at the February 19<sup>th</sup> meeting. This was a summary of everything that had already been approved for this fiscal year that would affect the next fiscal year. The 2018/2019 Personnel Changes was recorded as Exhibit 5.
6. **BUDGET V. ACTUAL-JANUARY REVENUE AND EXPENSES-ROBERTA SMITH:** Smith stated the County as a whole had collected 73% in revenue and 54% in expenses for January. She stated at this point we should be at 58% for the fiscal year, of which most were under that mark. Crockett moved to approve the Budget v. Actual-January Revenue and Expenses, seconded by McCutcheon. Voting yes: Wood, Crockett, McCutcheon and Henry. Passed 4-0. The Budget v. Actual-January Revenue and Expenses was recorded as Exhibit 6.
7. **JANUARY 2019 REVENUE REPORT-ROBERTA SMITH:** Smith stated gross receipts were about \$3.8M over budget and about \$8.3M over in oil and gas production and equipment. In the month of January, the County received about \$1.3M for GRT and almost \$2.2M for oil and gas production and equipment. Crockett moved to approve the January 2019 Revenue Report, seconded by McCutcheon. Voting yes: Wood, Crockett, McCutcheon and Henry. Passed 4-0. The January 2019 Revenue Report was recorded as Exhibit 7.
8. **FEBRUARY 2019 REVENUE REPORT-ROBERTA SMITH:** Smith stated Gross Receipts Tax went up \$4.6M over budget and oil and gas receipts went up about \$9.7M, making about \$14M over for those two. We received \$1.6M in GRT and about \$2.4M in oil and gas. McCutcheon moved to approve the February 2019 Revenue Report, seconded by

Crockett. Voting yes: Wood, Crockett, McCutcheon and Henry. Passed 4-0. The February 2019 Revenue Report was recorded as Exhibit 8.

9. **EDDY COUNTY WORK SCHEDULE-ROBERTA SMITH:** Smith stated if a department felt it necessary to exceed the hours mandated by the Commission, the County Manager would be given the ability to approve or disapprove any written requests of those schedules to better serve the public. It would be a minimum of Monday through Friday, 8-5, no exceptions. Crockett moved to approve the Eddy County Work Schedule granting authority to the County Manager to approve or disapprove requests, seconded by McCutcheon. Voting yes: Wood, Crockett, McCutcheon and Henry. Passed 4-0.

10. **RESOLUTION AND AGREEMENT CONSENT AGENDA:**

a. **RESOLUTIONS:**

- i. **R-19-23; OPPOSING HOUSE BILL 206, THE ENVIRONMENTAL REVIEW ACT-WES HOOPER:**
- ii. **R-19-24; INDIGENT MEDICAL/HOSPITAL CLAIMS REPORT-VERONICA PARRAS:**
- iii. **R-19-25; EDDY COUNTY HOLIDAY PAY-ROXANN BRANNON:**
- iv. **R-19-26; EDDY COUNTY HOLIDAY'S OBSERVED-ROXANN BRANNON:**

b. **AGREEMENTS:**

- i. **A-19-13; SITE USE AGREEMENT AND APPLICATION TO USE THE ARTESIA SCHOOL ADMINISTRATION FACILITY TO HOLD THE MARCH 19, 2019 AND OCTOBER 16, 2019 BOCC MEETING-ROBERTA SMITH:**
- ii. **A-19-14; CIVIC PLUS RENEWAL AGREEMENT-ROXANN BRANNON:**

McCutcheon requested that R-19-24 be pulled for further discussion. Crockett moved to approve the Resolution and Agreement Consent Agenda pulling R-19-24, seconded by McCutcheon. Voting yes: Wood, Crockett, McCutcheon and Henry. Passed 4-0. R-19-23, R-19-25 and R-19-26 were recorded as Exhibits 10.a.i. iii, and iv, respectively. A-19-13 and A-19-14 were recorded as Exhibits 10.b.i-ii, respectively.

- ii. **R-19-24; INDIGENT MEDICAL/HOSPITAL CLAIMS REPORT-VERONICA PARRAS:** McCutcheon questioned where medical treatment was sought for inmates. Parras stated typically it was Carlsbad Medical Center, unless the office in Artesia needed to use facilities in Artesia. McCutcheon moved to approve R-19-24 Indigent Medical/Hospital Claims Report seconded by Wood. Voting yes: Wood, Crockett, McCutcheon and Henry. Passed 4-0. R-19-24 was recorded as Exhibit 10.a. ii.

**11. TRAVEL REQUEST CONSENT AGENDA:**

**PRIOR**

- a. **JIMMY POWELL AND CASEY WHITE MET IN VAUGHN TO PICK UP NEW BRUSH TRUCK ON FEBURARY 11, 2019 IN VAUGHN, NM.**
- b. **STEVEN MCCROSKEY ATTENDED ASBESTOS INSPECTOR REFRESHER IN ALBUQUERQUE, NM FORM MARCH 3, 2019 THRU MARCH 4, 2019.**

**FUTURE**

- c. **TERRA DOUGAN TO ATTEND CONFERENCE FOR ADMINISTATIVE ASSISTANTS IN ALBUQUERQUE, NM FROM APRIL 3, 2019 THRU APRIL 4, 2019.**
- d. **JOHNNYMUNOZ AND VICTOR LARA TO ATTEND 2019 VECTOR COURSE CEU'S FOR PESTICIDE LICENSE I ALBUQUERQUE, NM FROM APRIL 15, 2019 THRU APRIL 17, 2019.**
- e. **JERI STRONG TO ATTEND ENERGY AND ENVIRONMENT SYMPOSIUM IN RIFLE, COLORADO FROM APRIL 17, 2019 THRU APRIL 19, 2019.**

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

**12. EMERGENCY BUSINESS:** None.

**13. LEGISLATIVE UPDATE:** Smith stated that the legislative session was ongoing and would be until mid-March.

**14. LEGISLATORS, ELECTED OFFICIALS AND COUNTY DEPARTMENT HEADS COMMENTS/ANNOUNCEMENTS/UPDATES:** Cage stated the background check bill passed. This would mean that all shooting sports programs would be affected and may be illegal. Groups such as 4-H would not be able to share their fire arms under this bill. Cage also stated that 25 counties in New Mexico had voted in favor of becoming 2<sup>nd</sup> Amendment Sanctuary Counties.

**15. COUNTY MANAGER'S COMMENTS/ANNOUNCEMENTS/UPDATES:** Rudometkin was at the NACO Conference.

**16. COUNTY COMMISSIONERS' COMMENTS / ANNOUNCEMENTS / UPDATES:** Crockett stated Representative Catherynn Brown had pledged the Child Advocacy Center \$50K and Senator Fulfer of Lea County had committed \$50K to the DWI Program. The funds would be processed through the County and used for operating expenses. Representative Brown had also earmarked \$50K for Carlsbad Main Street which would be dispensed by the City. McCutcheon stated he would like our county to become more tech friendly. He asked what the status was with online services. Sharon from IT stated they would be more than happy to go over what they had so far. He also stated we needed to be

more pro-active when fighting for issues we believed in. Lea County talked about the abortion issue, and he believed we needed to visit that issue and make a statement. He was extremely strong pro-life and pro-guns. McCutcheon stated he had been working on a document trying to enumerate some of the principles he believed Eddy County should be beholden to and would bring them back to the Board for more discussion at a later date. Wood stated he agreed with McCutcheon on the abortion issue. He believed Lea County had already passed a Resolution in opposition of that bill. Wood reported he recently took a group of BPA students from Artesia to Albuquerque to compete in the state competition, which they won and would represent NM at the next level. Henry stated he had asked for a Resolution against HB 51, which decriminalized late term abortions. This bill was passed in case Roe vs. Wade was overturned on the federal level. He reported this was already happening and New Mexico was the late term abortion capital of the United States which he felt was disgusting. Henry personally opposed HB 590 which moved the assessment of oil and gas to the County Assessor. He believed this task should remain at the State level and not be pushed back to the county. The Legislature had just passed five hundred million dollars in new taxes and he felt some of that money should be used for the audits of oil and gas. He stated everyone could thank the Democratic Party for the tax hikes. Henry voiced his disappointment with the Governor. He encouraged everyone to opt out of the marijuana issue. Henry stated the State and the Legislature was a complete train wreck.

**EXECUTIVE SESSION:** At 9:28 a.m. Crockett moved to recess the regular meeting and go into Executive Session, in accordance with the State of New Mexico open meetings act, section 10-15-1-h (8), which authorizes the Board of County Commissioners to go into executive session to discuss:

a. **REAL PROPERTY:**

i. **SALE OR LEASE OF COUNTY PROPERTY FOR EASEMENTS  
CROSSING COUNTY-OWNED PROPERTIES-CAS TABOR:**

to reconvene at approximately 9:50 a.m. seconded by McCutcheon. Voting yes: Wood, Crockett, McCutcheon and Henry. Passed 4-0.

17. **RE-OPEN MEETING:** At 10:03 a.m. Crockett moved to reopen the meeting and certify the only items discussed were the sale or lease of county property as stated, seconded by McCutcheon. Voting yes: Wood, Crockett, McCutcheon and Henry. Passed 4-0.

18. **TAKE ACTION, IF ANY, ON ANY MATTER RELATING TO THE EXECUTIVE SESSION.**

b. **REAL PROPERTY.**

i. **SALE OR LEASE OF COUNTY PROPERTY FOR EASEMENTS  
CROSSING COUNTY-OWNED PROPERTIES-CAS TABOR.**

No action taken.

**19. ADJOURN:** At 10:04 a.m., Wood moved, seconded by McCutcheon to adjourn the meeting. Voting yes: Wood, Crockett, McCutcheon and Henry. Passed 4-0.

**CHAIR:** \_\_\_\_\_

**ATTEST:** \_\_\_\_\_

**DATE:** \_\_\_\_\_