

**EDDY COUNTY BOARD OF COMMISSIONERS
MINUTES OF A REGULAR MEETING
MARCH 19, 2019**

Be it remembered that the Eddy County Board of Commissioners held a regular meeting in the Artesia School Administration Board Room on March 19, 2019 at 6:00 p.m. Henry 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:

JON HENRY	CHAIR, DISTRICT 2
ERNEST CARLSON	VICE-CHAIR, DISTRICT 1
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
MARK CAGE	SHERIFF
LAURIE PRUITT	COUNTY TREASURER
BILLY MASSINGILL	DETENTION WARDEN
MARIA MALDONADO-MERJIL	CHIEF DEPUTY ADMINISTRATOR
GAY WEST	ADMINISTRATIVE ASSISTANT
ROBERTA SMITH	FINANCE DIRECTOR
ROXANN BRANNON	HR DIRECTOR
ANNA VASQUEZ	ASSISTANT HR DIRECTOR
CHARLIE POWELL	SAFETY
EULALIA STROMAN	ARTESIA MVD
CAROL HENNINGTON	IT DIRECTOR
SHARON DODSON	ASSISTANT IT DIRECTOR
STEVE MCCROSKEY	COUNTY PLANNER
VERONICA PARRAS	HEALTHCARE ASST PRGRM ADMIN/CS
BRIAN STEPHENS	FACILITIES DIRECTOR
CHRISTINE MCCROSKEY	PUBLIC WORKS FINANCE
NATHAN GUSTIN	ASSISTANT ROAD II MANAGER
RICHARD BURKS	FIRE SERVICES/CAPITAN/TRAINING OFFICER
DYLAN BARRERA	RED ROCKET MEDIA
TERESA LEAMON	ARTESIA DAILY PRESS

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):***

William Kalka stated the decision to hire an engineer for the county was a big decision. He urged the Board to proceed with caution, take their time and be thorough when the final selection was made. Kalka thanked the County for being in Artesia for the meeting

Alvy Williams and Shannette Wilson spoke in support of R-19-27 and R-19-29.

2. **PRESENTATION BY THE DEPARTMENT OF HEALTH-ANTHONY COOK:** Cook discussed all programs and services offered by the Department of Health. He reviewed comparative data on health issues in Eddy County versus the United States. Cook and one of his co-workers showed increases and decreases in areas of concern. Henry requested that additional information on the report be sent to West to disseminate to the Board of County Commissioners. The Report was recorded as Timed Agenda Exhibit 2.

Henry requested that R-19-27 and R-19-29 be pulled and moved up on agenda.

McCutcheon moved to address R-19-27 and R-19-29 before the first item on the Trailing Agenda, seconded by Crockett. Voting yes: Crockett, McCutcheon, Henry, Carlson and Wood. Passed 5-0.

TRAILING AGENDA:

9.ii.R-19-27; RESOLUTION IN SUPPORT OF THE UNBORN - RICK J. RUDOMETKIN: Crockett moved to approve R-19-27, seconded by McCutcheon. Voting yes: Crockett, McCutcheon, Henry, Carlson and Wood. Passed 5-0. R-19-27 was recorded as Agenda Exhibit 9.a.ii.

iii. R-19-29; SUPPORTING THE PRESIDENTIAL DECLARATION OF A NATIONAL EMERGENCY CONCERNING THE SOUTHERN BORDER OF THE UNITED STATES - RICK RUDOMETKIN: McCutcheon stated while he agreed with the President on the content of the declaration, he would have suggested a different way to get the project started. He was concerned that future Presidents may use the Emergency Declaration to push other items such as global warming. McCutcheon fully supported the President and his commitment to building the wall. Carlson moved to approve R-19-29, seconded by Wood. Voting yes: Crockett, McCutcheon, Henry, Carlson and Wood. Passed 5-0. R-19-29 was recorded as Agenda Exhibit 9.a.iii.

1. APPROVE:

- a. **COMMISSION MEETING MINUTES FOR MARCH 5, 2019:** Crockett moved to approve the Commission Meeting Minutes for March 5, 2019, seconded by McCutcheon. Voting yes: Crockett, McCutcheon, Henry, Carlson and Wood. Passed 5-0.

- b. **EXPENSE APPROVAL REPORT FOR FEBRUARY 2019:** Carlson moved to approve the Expense Report for February, 2019, seconded by McCutcheon. Voting yes: Crockett, McCutcheon, Henry, Carlson and Wood. Passed 5-0. The Expense Approval Report for February 2019 was recorded as Exhibit 1.b

- 2. **APPROVE/DISAPPROVE ONE (1) INDIGENT BURIAL - VERONICA PARRAS:** Crockett moved to approve one (1) indigent burial, seconded by Carlson. Voting yes: Crockett, McCutcheon, Henry, Carlson and Wood. Passed 5-0.

3. COMMITTEE RECOMMENDATION FOR COUNTY ENGINEER - RICK RUDOMETKIN:

The Committee which consisted of Rudometkin, Carlson, Crockett, Hooper and Smith, had developed a job description, salary, and duties for the position. Rudometkin explained the employee would become a part of the Administrative Executive Team. Carlson believed that an on-staff engineer would save the County thousands of dollars. He also stated it was smart business. He had reviewed invoices from recent projects and felt the position would pay for itself. Crockett agreed with Carlson stating they needed someone who would report to the Board of County Commissioners and that could oversee projects. She believed the cost savings would be significant. McCutcheon stated he supported the position. He also stated that we needed to hire someone who was a practical engineer. Wood stated that due to the growth of the department, he believed more than one person was needed. Crockett stated there would still be a need to hire outside engineering firms for projects; however, a county staff engineer could be oversight which would save the county and hold the contract company accountable for their work. Henry supported the position, but was concerned about liability of the county. He also questioned if it was required in state statutes that an engineer be hired for certain projects. Tabor stated for public works projects you did have to have an engineer. The county would be named in any law suit filed regardless. He did not anticipate the liability would be greater for the county. Crockett moved to go out for an RFP for the position, seconded by Carlson. After discussion, Crockett moved to amend her motion to begin the hiring process of County Engineer with a hiring range of \$120K to \$132K, with a full salary range of \$120K to \$153K, seconded by Carlson. Voting yes: Crockett, McCutcheon, Henry and Carlson. Voting no: Wood. Passed 4-1.

4. COMMITTEE RECOMMENDATION FOR COUNTY ADMINISTRATIVE SERVICES/DEPARTMENT DIRECTOR - RICK RUDOMETKIN:

Rudometkin stated that in lieu of Rayroux's position, they would like to open a position to a current Director and give that person the additional responsibility of the Director of Administrative Services. It would be an internal posting only and would be an additional cost to the County of approximately \$12K. McCutcheon stated he felt the requirements for the job needed to be revised and make the bachelor degree in business an option and not a requirement. Smith stated she felt the position was definitely needed. After discussion, Henry moved to table the approval of the recommendation for County Administrative Services/Department

Director until the next meeting, so that he could learn more about the position and what it would entail, seconded by McCutcheon. Voting yes: Crockett, McCutcheon, Henry, Carlson and Wood. Passed 5-0.

5. VILLAGE OF HOPE CLEAN-UP - RICK J. RUDOMETKIN: The Village of Hope requested assistance from the Road Department for their clean up on March 25, 2019. Wood moved to approve the assistance to the Village of Hope for clean-up at an approximate cost of \$2,500, seconded by McCutcheon. Voting yes: Crockett, McCutcheon, Henry, Carlson and Wood. Passed 5-0.

6. SET SPECIAL MEETING DATE FOR CANVASS OF CARLSBAD MUNICIPAL SCHOOL ELECTION FOR MAY 8, 2019 - ROBIN VAN NATTA: Van Natta stated a Carlsbad Municipal School Election would be held on May 7, 2019 and a special meeting date for canvass needed to be scheduled. Crockett moved to set Special Meeting Date for Canvass on May 8, 2019 at 8:30 a.m., seconded by McCutcheon. Voting yes: Crockett, McCutcheon, Henry, Carlson and Wood. Passed 5-0.

7. PURCHASE OF MOTOROLA APX 8000 ALL BAND PORTABLE RADIOS - SHERIFF MARK CAGE: Cage stated in his opinion these were absolutely needed and he knew his request was an unbudgeted expense, but they had zero replacements. Carlson moved to approve the purchase of Motorola APX 8000 all band portable radios, seconded by Crockett. Voting yes: Crockett, McCutcheon, Henry, Carlson and Wood. Passed 5-0.

8. DEPUTY SHERIFF'S PAY INCREASE-SHERIFF MARK CAGE: Rudometkin stated the finance department needed to know if the Board was going to approve the pay increase, as the change would have a dramatic effect on the budget. They would have to make changes and put it in the budget before they go into the budget process. Cage stated that he previously requested a 30% raise. Surrounding areas were paying larger incentive bonuses and wages. He stated the salaries needed to be more competitive and housing was a problem in this area as well. Rudometkin made a point that the detention center would be a part of the increase at approximately \$650K. Brannon stated that what was done for one department should be done for all departments. She further stated housing was an issue for all employees, not just the sheriff's department. McCutcheon asked if we had any type of 3rd party analysis to compare with other agencies. McCutcheon asked Brannon to get him numbers comparing County and City pay and benefits. He also challenged all Directors to show up at the next meeting and have one idea on how to recruit people. Cage stated he was looking at retention, not recruitment. Rudometkin asked the Board if a decision could not be made, if they would give permission to put it in the budget that they were preparing and discuss at a later date. The Board gave direction to do so.

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 items 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-19-07; AUTHORIZING EDDY COUNTY TO NAME A ROAD AS HUCKLEBERRY LANE - STEVEN MCCROSKEY:

ii. R-19-28; INDIGENT MEDICAL/HOSPITAL CLAIMS REPORT - VERONICA PARRAS:

b. AGREEMENTS:

i. A-19-11; APPROVE PROFESSIONAL SERVICE AGREEMENT WITH ARTESIA GENERAL HOSPITAL FOR HEALTH CARE SERVICES FOR EDDY COUNTY DETENTION CENTER INMATES - VERONICA PARRAS:

ii. A-19-12; APPROVE PROFESSIONAL SERVICE AGREEMENT WITH CARLSBAD MEDICAL CENTER FOR HEALTH CARE SERVICES FOR EDDY COUNTY DETENTION CENTER INMATE - VERONICA PARRAS:

iii. A-19-15; PURCHASE/REPLACE MICROFILM READER/PRINTER - ROBIN VAN NATTA:

iv. A-19-16; CVE ALL NIGHT LIGHTING SERVICE AGREEMENT FOR SUN COUNTRY VFD - BRIAN STEPHENS:

Crockett moved to approve the Resolution and Agreement Consent Agenda having already pulled R-19-27 and R-19-29, seconded by McCutcheon. Voting yes: Crockett, McCutcheon, Henry, Carlson and Wood. Passed 5-0. R-19-07 and R-19-28 were recorded as Exhibits 9.a.i and iv, respectively. A-19-11, A-19-12, A-19-15 and A-19-16 were recorded as Exhibits 9.b.i-iv, respectively.

10. PROJECT UPDATES: None.

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. CHARLIE POWELL ATTENDED CIVILIAN CRISIS INTERVENTION TRAINING IN ROSWELL NM ON FEBRUARY 5 AND FEBRUARY 6, 2019:
- b. AISSA LARA ATTENDED AN EXCEL TRAINING CLASS IN HOBBS, NM ON FEBRUARY 5, 2019:
- c. CYNTHIA SHARIF ATTENDED DWI CRASH SURVIVOR SPEAKER PRESENTATION IN HAGERMAN, NM ON FEBURARY 28, 2019:
- d. DEPUTY ALFREDO GUEVARA ATTENDED IR8000 INSTRUCTOR CERTIFICATION IN ALBUQUERQUE NM FROM MARCH 10 THRU MARCH 14, 2019:
- e. COMMISSIONER SUSAN CROCKETT ATTENDED THE REGULAR MEETING FOR THE BOARD OF DIRECTORS OF THE EDDY-LEA ENERGY ALLIANCE ON MARCH 13, 2019 IN HOBBS, NM:
- f. STEVEN MCCROSKEY ATTENDED ASBESTOS INSPECTOR REFRESHER IN ALBUQUERQUE, NM FROM MARCH 18 THRU MARCH 19, 2019:
- g. SONIA LOPEZ TO ATTEND NMPPA IN RUIDOSO, NM FROM MARCH 19 THRU MARCH 22, 2019:

FUTURE

- h. JASON FLOREZ AND CAROL HENNINGTON TO ATTEND 2019 NM BROADBAND SUMMIT IN ALBUQUERQUE, NM ON MARCH 22, 2019:
- i. ROBERTA SMITH TO ATTEND 2019 STATE AUDIT RULE IN LAS CRUCES, NM ON MARCH 26, 2019:
- j. ROXANN BRANNON AND ANNA VASQUEZ TO ATTEND SHRM NEW MEXICO IN ALBUQUERQUE, NM FROM MARCH 31 THRU APRIL 2, 2019:
- k. SHEENA VASQUEZ TO ATTEND CONFERENCE FOR ADMINISTRATIVE ASSISTANTS IN ALBUQUERQUE NM FROM APRIL 3 THRU APRIL 4, 2019:
- l. CHRISTOPER CHAVARRIA, TOM NAVARRETTE AND ANDRES HOLGUIN TO ATTEND FDIC IN INDIANAPOLIS, IN FROM APRIL 9 THRU APRIL 14, 2019:
- m. BRENDEN HARVEY, ROBBIE SMITH, JAROD ZUNIGA AND RYAN ZUNIGA TO ATTEND IAAI INTERNATIONAL CONFERENCE IN JACKSONVILLE, FL FROM APRIL 13 THRU APRIL 21, 2019:
- n. GERARD GREEN TO ATTEND 2019 VECTOR COURSE CEU'S FOR PESTICIDE LICENSE IN ALBUQUERQUE, NM FROM APRIL 15 THRU APRIL 17, 2019:
- o. WES HOOPER TO ATTEND TRANSPORTATION CONSTRUCTION CONFERENCE IN LAS CRUCES, NM FROM APRIL 23 THRU APRIL 26, 2019:

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

12. EMERGENCY BUSINESS: None.

13. LEGISLATIVE UPDATE: None.

14. LEGISLATORS, ELECTED OFFICIALS AND COUNTY DEPARTMENT HEADS COMMENTS/ANNOUNCEMENTS/UPDATES: Cage commended the Board of County Commissioners on the approval of R-19-27 and R-19-29.

Brannon stated True Connect was up and running and employees who chose to take advantage of that program would see a withdrawal of payments beginning on April 12 from their paychecks.

15. COUNTY MANAGER'S COMMENTS/ANNOUNCEMENTS/UPDATES:
None.

16. COUNTY COMMISSIONERS' COMMENTS / ANNOUNCEMENTS / UPDATES: Crockett stated the Leadership Eddy County, a class for Governmental Relations, took a tour of county offices. She thanked the Assessor's Office, Jerri Strong, the County's Oil and Gas Liaison/Public Information Officer, the Clerk's Office and the Detention Center. Although the Warden was short staffed, they did a great job. She also thanked the staff in HR for hosting the event in their classroom. McCutcheon stated the Carlsbad City Council approved \$1M for the bypass around Carlsbad. He believed this was a great step in the right direction. Mayor Miller attended all the task force meetings in support. He stated he appreciated Carlsbad and Artesia for supporting the bypass. Carlson stated that he and Rudometkin attended the NACO conference in Washington, D.C. He felt it went well and our concerns were well received. At the reception for New Mexico, Eddy County was last to speak. Everyone outlined the projects they had planned and Carlson was able to point out that they were able to proceed with their planned projects due to the huge amount of revenue Eddy County was sending to Santa Fe. He stated it was important to remember that the legislation proposed in Santa Fe which sent the message to the industry that they were not welcome in New Mexico would be detrimental to our way of life. They discussed how important it was to support the infrastructure of SENM with Torres-Small. The group discussed PILT funding with other Legislators and how important the rural security was for schools. Henry stated he agreed with the Sheriff in that the House didn't listen to us, but the Senate did. He stated he had received several calls regarding the Electoral College issue. He realized it was too late for a resolution, but thought it was a ridiculous and stupid idea. He believed we needed to fight back against ridiculous legislation. Henry thanked Carlsbad for hosting the baseball tournament.

17. EXECUTIVE SESSION: The Board may go into Executive session in accordance with the State Of New Mexico Open Meetings Act, section 10-15-1-H (7), which authorized the Board of County Commissioners to go into Executive Session to discuss:

- a. **THREATENED OR PENDING LITIGATION:**
 - i. **EDDY COUNTY DETENTION CENTER - RICK J. RUDOMETKIN:**
 - ii. **SHERIFF'S DEPARTMENT - RICK J. RUDOMETKIN**

At 9:02 p.m., Crockett moved to go into the Executive Session, seconded by McCutcheon, to reconvene at approximately 9:30 p.m. Voting yes: Crockett, McCutcheon, Henry, Carlson and Wood. Passed 5-0.

18. RE-OPEN MEETING: At 9:27 p.m. Crockett moved to re-open the meeting and certified the only items discussed were,

- THREATENED OR PENDING LITIGATION:**
 - i. **EDDY COUNTY DETENTION CENTER.**
 - ii. **SHERIFF'S DEPARTMENT.**

seconded by McCutcheon. Voting yes: Crockett, McCutcheon, Henry Carlson and Wood. Passed 5-0.

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

- a. **THREATENED OR PENDING LITIGATION:**
 - i. **EDDY COUNTY DETENTION CENTER-RICK J. RUDOMETKIN:**
 - ii. **SHERIFF'S DEPARTMENT-RICK J. RUDOMETKIN**

No action taken.

20. ADJOURN: At 9:28 p.m., Carlson moved, seconded by Crockett to adjourn the meeting. Voting yes: Crockett, McCutcheon, Henry, Carlson and Wood. Passed 5-0.

CHAIR: _____

ATTEST: _____

DATE: _____