

**EDDY COUNTY BOARD OF COMMISSIONERS
MINUTES OF A REGULAR MEETING
April 21, 2020**

Be it remembered that the Eddy County Board of Commissioners held a regular meeting in the Eddy County Administration Complex-Room 211 on April 21, 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 - REMOTE
STEVE MCCUTCHEON	VICE-CHAIR, DIST 4
JON HENRY	CHAIR, DIST 2 - REMOTE
LARRY WOOD	COMMISSIONER, DIST 3 - REMOTE
SUSAN CROCKETT	COMMISSIONER, DIST 5 - REMOTE
ALLEN DAVIS	COUNTY MANAGER
CAS TABOR	COUNTY ATTORNEY - REMOTE
ROBIN VAN NATTA	COUNTY CLERK
RONDA NELSON	DEPUTY CLERK - REMOTE
CAROL HENNINGTON	INFO SYSTEMS DIR
STEPHANIE YBABEN	RED ROCKET MEDIA

TIMED AGENDA

8:30 A.M.:

1. **PUBLIC COMMENTS/ANNOUNCEMENTS. (ONLY EMAILED, MAILED, OR ONLINE SUBMITTED PUBLIC COMMENTS WILL BE READ.)** Davis stated the public comments received were more pertinent to tomorrow afternoon's meeting, so they would be read tomorrow afternoon at that meeting.
2. **SERVICE AWARDS – SERVICE AWARDS HAVE BEEN GIVEN TO THE EMPLOYEE'S SUPERVISOR TO DISTRIBUTE. EMPLOYEES WILL BE RECOGNIZED AT THE NEXT AVAILABLE OPEN COMMISSION MEETING.**
 - a. **RHONDA HATCH, ASSESSOR'S OFFICE – 15 YEARS**
 - b. **JUDY JENSEN, CLERK'S OFFICE – 15 YEARS**
 - c. **KATHY WALTERS, PUBLIC WORKS, ARTESIA – 10 YEARS**
 - d. **ANTHONY PONCE, DETENTION – 10 YEARS**
3. **BID AWARDS:**
 - a. ***RFP 20-02 ANNUAL AUDIT SERVICES – ROBERTA SMITH:** Smith stated a solicitation for the annual audit of the Finance Department records had been submitted on March 16. Three proposals had been received; Carr, Riggs & Ingram, Beasley Mitchell & Co., and Johnson

Miller & Co. Each had been deemed responsive, qualified and acceptable. The recommendation was to award the RFP to Carr, Riggs & Ingram for Annual Audit Services. Crockett moved, seconded by Wood, to award RFP 20-02 as recommended. Voting yes: Wood, Crockett, McCutcheon, Carlson and Henry. Passed 5-0. RFP 20-02 was recorded as Timed Agenda Exhibit 3.a.

b. *RFP 20-03 OIL AND GAS PERSONAL PROPERTY AUDIT –

ROBERTA SMITH: Smith stated the RFP had been solicited March 11, 2020. One proposal had been received by Total Assessment Solutions Corporation (TASC). The company had been deemed responsive and the recommendation was to award RFP 20-03 to Total Assessment Solutions Corporation, aka TASC. Henry stated he was aware of this being a continuation of the oil and gas audit. He referenced a letter sent December 1, 2017 from the Taxation and Revenue Department. He quoted the second paragraph, “If there is any question that Taxation Revenue Department is solely responsible for valuing centrally-assessed property, it is definitively answered by the New Mexico Court of Appeals in the recent decision of Cable One Inc. v. New Mexico Department Taxation and Rev dated October 30th of 2107.” Henry inquired what had changed to make the County think it had any responsibility to do this. He added according to the letter, it was the sole responsibility of the Taxation Revenue Department and no one else. Smith answered she was not sure that she could completely answer that question. She noted when a Department Head/Elected Official reached out to do an RFP for procurement of services or a product, the Finance Department followed their lead, and as long as they were not purchasing anything illegal or misusing funds in doing that, their lead was followed and that was the service that Finance Department provided to the Elected Officials/Department Heads. Finance did not get into details if they should be providing the service or the product itself. Carlson asked for a legal comment on that issue. Tabor felt the Eddy County Assessor Gemma Ferguson could perhaps further explain why the County continued to need the services. He stated Commissioner Henry had questioned this in the past. He added these did not come out of General Fund monies; they came out of taxpayer money in the One Percent Funds. Those funds were expended pursuant to a specific statute that dealt with those funds. He added that it said, “The expenditures from this fund will be made pursuant to a property valuation program presented by the Assessor that was approved by a majority of the County Commissioners.” He agreed that the letter from the State indicating that the Tax and Revenue Department was responsible. He added whether they were able to handle it or if there were other items that it didn’t take care of in their valuation, Ferguson would need to answer that. Carlson felt one of the questions that Henry had asked was, who was constitutionally responsible to do that assessment; was it the County, with Tabor responding, “No.”; or was it the

Taxation and Revenue? Carlson noted that the court case had ruled that the resources were given to the Elected Officials to perform their duties, but did that mean that the County was constitutionally responsible or was it the State of New Mexico Taxation and Revenue that was responsible? Carlson continued that if so, should the County look for the Taxation and Revenue to reimburse the County for the cost of this? Henry reiterated by reading the first paragraph of the letter from Taxation and Revenue, "By this letter, I am informing you that neither the statutes nor the order," stating this was talking about the very court case Carlson had just spoken of, and in that court case, they had said that, "The County Commission could allow..." Henry added that it did not say they had to allow it, that it could allow it to spend these monies. Again, he read, "But I am informing you that neither the State Statute nor the Order invested you with such authority. The Taxation and Revenue Department is vested with the sole responsibility of valuing this property." Henry stated that was the first paragraph of the letter sent from Taxation and Revenue. Carlson inquired if clarification should be received from the Attorney General's Office before going forward. Henry felt if there was no further discussion, he would make a motion to table it until further information was obtained. Tabor stated he didn't know if the Attorney General would assist in a decision. Tabor continued that the court case centered around whether or not the County Assessor at that time could contract with someone else to assist her with the valuation of properties. That is what went up on appeal and it was determined—an old case stated the Assessor as an elected official could not hire independent contractors to do your job. The Supreme Court had stated that the case was an old case and, yes, she could hire that, but it was subject to the approval of the County Commission because it was under this particular Statute 7-3838.1 stating it was subject to the majority of the County Commissioners' approval. Tabor understood that Ferguson may want TASC to provide the services. He felt she could inform the Commission what TASC did that the State did not do that would assist her in that regard. Carlson questioned if the Commission had the requirement to do that. Ferguson stated that the State did not do field inspections and that is why this had been done all along. TASC did do the field inspections and had given that data to the State. She added that by law, the County Assessors were supposed to discover it. She stated a lot of other equipment was also found like generators and salt water disposals and things like that. It was not as limited as it was at the very first year. She felt this was no different than what had been done before that had gone to the Supreme Court. One Percent Monies were used and it did not affect the General Fund. She stated she knew the industry was in dire straits at this time but that may not be what tomorrow brought. She added, in January, it had been phenomenal and could be so in another three months. Ferguson added that Tabor also knew the dollar figure on this issue and had helped the department to settle two cases that would be over \$100K in additional income. McCutcheon understood a need for that

service to take place but he understood the letter and the discussion to state it was not the Commissioners' responsibility to provide that. He did not want to get into the business of providing something for the State just because they were incapable of providing it and then the County incurred the cost. Ferguson stated the State was severely understaffed and did not have the people to go out there and do that. The State loved the fact that the County had been doing it because the information found was then given to the State. She added TASC had been working with the State for several years and that it was the County's responsibility to be out there finding any kind of valuation in the County. She noted some of it was not centrally assessed. She stated it had gone to the Supreme Court and stated it was that, and she would fight for it. Henry read the letter further, "Further, Judge Singleton's order is of no precedence for the residential value in Eddy County and does not give you explicit or direct authority to assess the property at issue. The Department has the sole authority to value all property that is the subject prescribed special method of valuation. The property you wish to value is subject to the subscribed special method and therefore subject to valuation exclusively by the Department. The Department's authority and responsibility to value centrally-assessed property promotes uniformity and certainty, conditions that help develop a thriving business sector." Henry thought until he saw something different from Taxation and Revenue, he could not support this because they were saying it was their sole responsibility. He knew that we were helping them, but, again, it felt like an unfunded mandate that the County had placed on itself and had spent well over \$1M on this assessment and he had never heard that **the County was not even** close to paying it back. Wood had been in support of Ferguson doing this audit for a long time. He noted the Supreme Court allowed it, using the One Percent Money and felt she was doing the right thing. Crockett concurred with Wood. She added it was agreed to do this with Ferguson and that it did feel like an unfunded mandate but the State did not have the people to do the audit and the County was required to do it. Henry moved, seconded by McCutcheon, to table the award of RFP 20-03 until further clarification from Taxation and Revenue was obtained that the Commissioners had the authority to do so. Voting yes: McCutcheon, Carlson and Henry. Voting no: Wood and Crockett. Passed 3-2.

4. **ANNUAL REPORT FROM ASSESSOR – GEMMA FERGUSON:**
Ferguson reviewed the annual report from the State as well as her own assessment. The Assessor's Annual Report was recorded as Exhibit 4.

TRAILING AGENDA:

1. **APPROVE:**
 - a. ***COMMISSION MEETING MINUTES FOR MARCH 17, 2020:**
Crockett moved, seconded by McCutcheon to approve the

Commission Meeting Minutes for March 17, 2020. Voting yes: Wood, Crockett, McCutcheon, Carlson and Henry. Passed 5-0.

- b. ***SPECIAL COMMISSION MEETING MINUTES FOR MARCH 31, 2020:** McCutcheon moved, seconded by Crockett to approve the Commission Meeting Minutes for March 31, 2020. Voting yes: Wood, Crockett, McCutcheon, Carlson and Henry. Passed 5-0.
 - c. ***PURCHASE CARD APPROVAL LIST FOR FEBRUARY 2020:** McCutcheon moved, seconded by Henry to approve the Purchase Card List for February 2020. Voting yes: Wood, Crockett, McCutcheon, Carlson and Henry. Passed 5-0. The Purchase Card List for February 2020 was recorded as Exhibit 1.c.
 - d. ***PURCHASE CARD APPROVAL LIST FOR MARCH 2020:** Crockett moved, seconded by McCutcheon to approve the Purchase Card List for March 2020. Voting yes: Wood, Crockett, McCutcheon, Carlson and Henry. Passed 5-0. The Purchase Card List for March 2020 was recorded as Exhibit 1.d.
 - e. ***EXPENSE APPROVAL REPORT FOR MARCH 2020:** Wood moved, seconded by Henry to approve the Expense Report for March 2020. Voting yes: Wood, Crockett, McCutcheon, Carlson and Henry. Passed 5-0. The Expense Report for March 2020 was recorded as Exhibit 1.e.
2. **TREASURER'S REPORT FOR FEBRUARY 2020 – LAURIE PRUITT:** This is a FYI item. The February 2020 Treasurer's Report was recorded as Exhibit 2.
 3. ***MARCH 2020 REVENUE REPORT – ROBERTA SMITH:** Smith updated the Commission on the Revenue Report stating the County had received \$1.6M in GRT. Roughly, \$15.1M of the budgeted \$13.8M had been collected for the General Fund. For Oil and Gas in March, a little over \$3M had been collected for the business month of January. Oil and Gas Equipment collected \$186, bringing the total to \$4.8M for equipment. Over \$600 in royalties had been collected. Overall, a little over \$3M had been collected for O&G production and equipment. Carlson inquired where the County sat with Oil and Gas for the Year. Smith stated the County was budgeted at \$20M and \$27.5M had been collected thus far. McCutcheon moved, seconded by Henry to approve the March 2020 Revenue Report. Voting yes: Wood, Crockett, McCutcheon, Carlson and Henry. The March 2020 Revenue Report was recorded as Exhibit 3.
 4. ***BUDGET VS. ACTUAL – FEBRUARY 2020 – ROBERTA SMITH:** Smith stated County-wide revenue, \$110M had been collected out of \$118M, putting

the County at about 93% collected. She noted not even half of the County expenses County-wide had been realized at \$68M over \$139M overall. For General Funds, about 97% of the overall budgeted amount had been collected with almost \$54M collected in revenue; expenses were right at 67%, having spent about \$49M out of \$73M General Fund budget. The Road Fund had collected about 83% of revenue, having expensed about 31% of expenses. Crockett moved, seconded by Henry to approve the Budget vs. Actual for February 2020. Voting yes: Wood, Crockett, McCutcheon, Carlson and Henry. Passed 5-0. The Budget vs. Actual for February 2020 was recorded as Exhibit 4.

5. ***FY 2019-2020 3RD QUARTER LODGER'S TAX REPORT – ROBERTA SMITH:** Smith stated the beginning cash balance had been \$235K, with the March ending balance of \$246K. Almost \$79K had been collected in revenue for the FY. Expenses for the quarter of \$60K were for tourist-related events, operating expenses and contracts with *Albuquerque Special Edition*. Henry moved, seconded by McCutcheon to approve the FY 2019-2020 3rd Quarter Lodger's Tax Report. Voting yes: Wood, Crockett, McCutcheon, Carlson and Henry. Passed 5-0. The FY 2019-2020 3rd Quarter Lodger's Tax Report was recorded as Exhibit 5.
6. ***G20SN0017A GRANT AWARD AGREEMENT REGION VI DRUG TASK FORCE ADMIN AND PVDTF – WM. ROBERT SULLIVAN:** Sullivan stated Lea County was the grantee for all of Region VI, which covered five counties in SE New Mexico. Eddy County also took care of the Pecos Valley Drug Task Force. The HIDTA-approved budget was for \$101,315 for admin and \$365,498 for PVDTF. The Federal Uniform Guidance required a sub-award be made to allow funds from Lea County, as grantee, to be given to Eddy County. Sullivan was requesting approval of the award. Wood moved, seconded by Crockett to approve G20SN0017A Grant Award Agreement Region VI Drug Task Force Admin and PVDTF. Voting yes: Wood, Crockett, McCutcheon, Carlson and Henry. Passed 5-0. G20SN0017A Grant Award Agreement Region VI Drug Task Force Admin and PVDTF was recorded as Exhibit 6.
7. ***HIDTA GRANT MODIFICATION (FISCAL YEAR 2019) – LENIN LEOS:** Leos stated a request for supplemental funding had been submitted. The additional funds in the amount of \$13,532 were for baseline funding, a new server and surveillance equipment. Crockett moved seconded by McCutcheon to approve the HIDTA Grant Modification for the FY 2019. Voting yes: Wood, Crockett, McCutcheon, Carlson and Henry. Passed 5-0. The HIDTA Grant Modification for the FY 2019 was recorded as Exhibit 7.
8. ***APPROVAL TO SOLICIT REQUESTS FOR BIDS FOR KEY WATCHER TOUCH SYSTEM – WARDEN BILLY MASSINGILL:** Warden Massingill stated the device would be for staff to securely stash their devices and keys

up front. It was biometric and keyed in with the existing software platform. The item would only require a budget adjustment within the Detention budget. Crockett moved seconded by Wood to solicit requests for bids for Key Watcher Touch System for the Detention Center. Voting yes: Wood, Crockett, McCutcheon, Carlson and Henry. Passed 5-0.

9. *APPROVAL TO PURCHASE VULCAN SERIES GAS RANGE – WARDEN

BILLY MASSINGILL: Massingill stated the item would come out of the Detention budget. The existing oven/range would be replaced. Wood moved, seconded by McCutcheon, to approve the purchase of a Vulcan Series Gas Range for the Detention Center. Voting yes: Wood, Crockett, McCutcheon, Carlson and Henry. Passed 5-0.

10. *APPROVAL TO CONTRACT WITH DONNER PLUMBING AND HEATING INC. FOR WATER HEATER SYSTEM INSTALLATION FOR ECDC ALPHA UNIT – WARDEN BILLY MASSINGILL:

Massingill stated the existing water heater was on top of a room in the gym. He felt the water heater may have been installed after the wall had been constructed, or may have been installed and then a wall had been erected rendering the water heater unserviceable. A new heater would be brought to the ground level. The item would come from the Detention budget. Stephens added that the water heater had failed at the end of last summer. He stated parts were very hard to get and were very expensive. Contractors had advised that the requested change was the best turn-key solution. He noted the water heater had been installed directly above all of the switch gear for the facility and a major rupture would cause other issues. Wood moved, seconded by Crockett to approve a contract with Donner Plumbing and Heating Inc. for a water heater system installation for ECDC Alpha Unit. Voting yes: Wood, Crockett, McCutcheon, Carlson and Henry. Passed 5-0.

11. *DELL HOST MACHINE FOR VIRTUAL SERVERS – CAROL

HENNINGTON: Hennington stated the original three host machines were aging. This request would replace one of the original machines with a new one. The item was in next year's budget but Davis had advised to submit the request at this time and to get it in place. Crockett moved seconded by Wood to approve replacement of the Dell Host Machine for Virtual Servers. Voting yes: Wood, Crockett, McCutcheon, Carlson and Henry. Passed 5-0.

12. *RECLASSIFICATION OF 1 TRACKER/TECHNICAL ASSISTANT TO DATA ENTRY CLERK/RECEPTIONIST – CINDY SHARIF:

Sharif stated the reclassification would be more in line with the actual job responsibilities. There was no change in the amount of pay for this vacant position. Wood moved, seconded by Henry, to reclassify 1 Tracker/Technical Assistant to Data Entry Clerk/Receptionist. Voting yes: Wood, Crockett, McCutcheon, Carlson and Henry. Passed 5-0.

- 13.*BUDGET ADJUSTMENT REQUEST – JOSHUA MACK:** Crockett moved, seconded by Henry, to approve the budget adjustment request to move \$50K from professional services to light trucks. Voting yes: Wood, Crockett, McCutcheon, Carlson and Henry. Passed 5-0.
- 14.*SUN COUNTRY VOLUNTEER FIRE DEPARTMENT-KENWORTH 4000-GALLON TANKER – JOSHUA MACK:** Mack stated this item had been presented in March. This truck had been approved by the Fire Board for 60% funding. Henry moved, seconded by Wood, to approve the purchase of a 4000-gallon tanker for Sun Country Volunteer Fire Department. Voting yes: Wood, Crockett, McCutcheon, Carlson and Henry. Passed 5-0.
- 15.*STATE FIRE FUND APPLICATION APPROVAL – JOSHUA MACK:** This annual application was required by the State Fire Marshall’s Office for State Fire Funds. Henry moved, seconded by Crockett, to approve the State Fire Fund Application. Voting yes: Wood, Crockett, McCutcheon, Carlson and Henry. Passed 5-0.
- 16.*BUDGET RE-ALLOCATION FOR PUBLIC WORKS DUMP TRUCK – JASON BURNS:** Burns stated the trucks would be purchased with budgeted funds. Henry moved, seconded by Wood, to approve the budget re-allocation for a public works dump truck. Voting yes: Wood, Crockett, McCutcheon, Carlson and Henry. Passed 5-0.
- 17.*BUDGET RE-ALLOCATION FOR PUBLIC WORKS TRACTOR & MOWERS – JASON BURNS:** Burns stated the existing mower was needing expensive repairs to regain use. It was decided to purchase a new tractor and mowers with existing budgeted funds. Crockett moved, seconded by McCutcheon to approve the budget re-allocation for a public works tractor and mower. Voting yes: Wood, Crockett, McCutcheon, Carlson and Henry. Passed 5-0.
- 18.*BUDGET ADJUSTMENT FOR TWIN WELLS CHIP SEAL – JASON BURNS:** Burns stated the item was in the budget and approval was needed to expend the funds. The project would finish chip-sealing the pavement currently existing on Twin Wells. McCutcheon inquired if the area would be fenced or open range when completed. Burns stated no plans had been made for building a fence and the item was strictly for road repairs. The road section had been previously paved and pavement would be lost if a chip seal was not added to it. McCutcheon inquired if pavement would be extended. Burns stated the plan was to save the current pavement. Burns replied that if the price were to come out right, then it would be extended; but the plan was to save the pavement that was currently out there. Henry moved, seconded by Wood, to approve a budget adjustment for Twin Wells chip seal. Voting yes: Wood, Crockett, Carlson and Henry. Abstaining: McCutcheon. Passed 4-0.

19. *BUDGET ADJUSTMENT FOR RED/CAMPBELL ROAD ENGINEERING –

JASON BURNS: Burns stated a partnership with Lea County had been previously approved to reconstruct and repair Campbell and Red Roads from US62/180 to NM128. This item would allow engineering design for the road in conjunction with the agreement. This item had been budgeted for next year by both Eddy and Lea County. He had spoken with Cory Needham who stated it was their number one project. Burns added Needham stated they were reviewing their budgets but it was still their intention to move forward with the project. Smith clarified that the funding would actually come out of **the Road Construction/Road Fund**. Wood moved, seconded by Henry to approve the budget adjustment for Red/Campbell Road engineering. Voting yes: Wood, Crockett, McCutcheon, Carlson and Henry. Passed 5-0.

20. *COUNTY EXECUTION OF A RELEASE OF CLAIM OF LIEN – CAS

TABOR: Tabor stated Code Enforcement had cleaned up the location at 4503 Single Tree. The County had filed a lien on the property for \$10,740. It was agreed that the owners would pay \$10K and the lien would be released. Tabor stated the funds had been paid and the lien should be released. Henry moved, seconded by Crockett, to approve execution of a Release of Lien. Voting yes: Wood, Crockett, McCutcheon, Carlson and Henry. Passed 5-0. The Release of Lien was recorded in the Eddy County Records in Book 1135 Page 898 on April 23, 2020.

21. *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-20-33; ADOPTION OF REQUIRED COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ANNUAL CERTIFICATION AND COMMITMENTS – STEVEN MCCROSKEY.**
- ii. **R-20-34; DONATION OF RESCUE AND BRUSH TRUCK FROM SAN JUAN COUNTY FIRE DEPARTMENT – JOSHUA MACK.**
- iii. **R-20-35; INDIGENT MEDICAL/HOSPITAL CLAIMS REPORT – VERONICA PARRAS.**

b. AGREEMENTS:

- i. **A-20-28; WINDSTREAM 1GB CIRCUIT UPGRADE – ADMINISTRATION – CAROL HENNINGTON.**

- ii. A-20-34; AMENDMENT TO A-19-26; PERMANENT EASEMENT AGREEMENT – CAS TABOR.
- iii. A-20-35; WORK AND FINANCIAL PLAN WITH THE UNITED STATES DEPARTMENT OF AGRICULTURE (USDA) ANIMAL PLANT HEALTH INSPECTION SERVICE WILDLIFE SERVICES (APHIS-WS) FOR JULY 1, 2020 THROUGH JUNE 30, 2021 – ALLEN DAVIS.

Crockett moved, seconded by Henry, to approve the Resolution/Agreement Consent Agenda. Voting yes: Wood, Crockett, McCutcheon, Carlson and Henry. Passed 5-0. R-20-33 through R-20-35 was recorded as Exhibit 21. A. i. - iii., respectively. A-20-28, A-20-34 and A-20-35 were recorded as Exhibits 21.b.i. – iii, respectively.

22. THE FOLLOWING ITEMS WERE APPROVED AND STAMPED ON APRIL 7, 2020, with the Chairman’s signature per direction by Board of County Commissioners to County Manager Davis during Special Commission Meeting on March 31, 2020. The items listed are available at the County Manager’s office upon request:

- a. R-20-26; RESOLUTION RECOGNIZING 2020 NATIONAL PUBLIC SAFETY TELECOMMUNICATIONS WEEK – BAMBI KERN.
- b. R-20-29; INDIGENT MEDICAL/HOSPITAL CLAIMS REPORT – VERONICA PARRAS.
- c. R-20-32; DISPOSAL, REMOVAL, OR REVISE ITEMS IN THE EDDY COUNTY INVENTORY/ASSETS – JESSICA STYGAR.
- d. A-20-21; APPROVE PROFESSIONAL SERVICE AGREEMENT WITH ARTESIA GENERAL HOSPITAL FOR HEALTH CARE SERVICES FOR EDDY COUNTY DETENTION CENTER INMATES – VERONICA PARRAS.
- e. A-20-22; APPROVE PROFESSIONAL SERVICES AGREEMENT WITH CARLSBAD MEDICAL CENTER FOR HEALTH CARE SERVICES FOR EDDY COUNTY DETENTION CENTER INMATES – VERONICA PARRAS.
- f. A-20-29; SERVICE AGREEMENT FOR MAPPING PLOTTER – GEMMA FERGUSON.
- g. A-20-30; MOU BETWEEN THE BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES AND THE EDDY COUNTY SHERIFF’S OFFICE – SHERIFF MARK CAGE.
- h. A-20-31; 2020 HIDTA GRANT SUBAWARD RECIPIENT AGREEMENT FOR REGION VI DRUG TASK FORCE ADMINISTRATION – WM. ROBERT SULLIVAN.
- i. A-20-32; 2020 HIDTA GRANT SUBAWARD RECIPIENT AGREEMENT FOR PVDTF – WM. ROBERT SULLIVAN.

j. **A-20-33; MAINTENANCE CONTRACT WITH SPARKS FOR COPIER AT RECEPTION AREA IN THE ADMINISTRATION BUILDING – ALLEN DAVIS.**

R-20-26, R-20-29, R-20-32, A-20-21, A-20-22, A-20-29 through A-20-33 were recorded as Exhibits 22.a. through j., respectively.

23. DEPARTMENT UPDATES: Smith introduced the County's newly-hired Procurement Manager, Kristin Novotny. Smith stated she had come from Germany and was a recent TAMU graduate. Brannon stated HR had hired eight employees this month. She noted an increase in applicants. Burns stated the road tracker was up to date with the reports. South roads were being constructed, repaired, and chip sealed with additional work planned for the near future. North roads had been paved and additional repair work would be under way in the next couple of weeks. He felt the budget would be expended by the end of the FY. Mack stated the department was actively working with all the other agencies in the County and State on response guidelines. Armendariz stated daily calls were updated with Homeland Security. She was working with the AGH twice weekly, the Agency Working Group weekly and Recovery weekly with Homeland Security, as well. A PPE order had been received from the National Guard. PPE was being provided to assisted-living facilities and doctors' offices. CMC and AGH had recently acquired Abbott machines that would allow them to do testing at the facility, obtaining results within five to fifteen minutes. She added that the test kits that the State were providing were limited and they were working on getting more of the kits. Carlson requested that CMC's protocol be published on how it was addressing the COVID. He had received requests from citizens for the information. AGH had previously published its protocol. Armendariz felt they both had similar protocols but she would get with CMC and request theirs be sent to her. Crockett thanked Armendariz for her updates and for working with all the entities and for keeping the information coming out. Henry inquired of the recent cases were for Eddy County residents or were they from outside. Armendariz replied positive cases reported in Eddy County had an Eddy County address listed and were residing in Eddy County at the time. When a person was filling out paperwork to be tested, if a different address was stated, then it would go to that state but Eddy County would be notified if they were living here. Henry had received questions on how things were reported, if someone lived here but were tested elsewhere, where that fell. Armendariz answered that the "items tested" number would be at the testing site but "positives" would be assigned to Eddy County. Clarifying, Henry stated if a patient were listed as Eddy County, it may not mean the patient was in Eddy County and could be somewhere else but their home was Eddy County. Armendariz agreed. Henry inquired out of the 10 positives in Eddy County, if they all in the county or were there any cases that the person was not in the county but lived in the County or somewhere else and got tested. Armendariz felt with the exception of one, all the rest of the nine had been in Eddy

County. Wood asked how many of the ten reported in Eddy County had been hospitalized. Armendariz did not have that information. She did not know of any that were still in the hospital; many of them were quarantined at home. Davis noted the one that had been hospitalized was deceased and the rest had been quarantined at home; AGH and CMC had reported they had zero hospitalized for COVID 19. Information about where individuals were located was hard to come by and got updated sporadically by Zip Code. Henry inquired out of the ten positive cases in Eddy County, how many had recovered. Davis stated all but one and the rest were doing well other than the deceased individual. Stephens stated the roof recoating work at the Fire Services had been completed and the work had moved to the Court House, probably finishing there in May or June. He expressed gratitude to his entire team for showing up for work, making sure the buildings were safe for the staff and public.

24. 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: NONE

25. EMERGENCY BUSINESS: None.

26. LEGISLATIVE UPDATE: None.

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

28. COUNTY MANAGER'S COMMENTS/ANNOUNCEMENTS/UPDATES: Davis thanked the Department Heads and Elected Officials for their cooperation in moving items from next year's FY budget into the current fiscal year to get any assets purchased and get that work done to help pull back the next FY budget amounts. He added the objective was to expend the monies on the roads and get them in as good a shape as possible in the remaining months before the end of this FY because of the uncertainty of what the next budget year might look like from a revenue standpoint. He felt the County was close to where it would like to be for the budget proposal, which would be presented the first meeting in May. He thanked the County employees for conducting their business in a professional manor as much as possible given the

circumstances and conditions that we were operating. He encouraged all to not be misled by misinformation, and to verify and confirm facts before assuming the worst and we would work through this. He added everybody was doing the right things, and taking the right precautions. He felt the public now seemed to have grasped the understanding of how business could be conducted at the County at this point. He noted a time when there was a bit of chaos going on, the County operations were as orderly and as consistent as could be made, and that was the result of the employees doing the things they had within their control and carrying on. He expressed thanks to all.

29. COUNTY COMMISSIONERS' COMMENTS/ANNOUNCEMENTS/UPDATES:

Crockett thanked the County employees and manager for their hard work dealing with all the issues. She stated she was praying for our nation and the County, and was looking forward to the April 22 meeting approving the resolution. McCutcheon thanked the County employees and thanked all for their frugality and stated would save his commentary for April 22nd's meeting. Wood stated he was praying for an end to the virus and a return to normalcy. Henry thanked Representative Townsend and Sheriff Cage for their responses and quick actions on the incident closing a business in Artesia the previous day. The business was able to be opened back up. He thanked the employees for continuing to work in this difficult time. Carlson thanked all the County did during this trying time of the virus and troubling oil and gas situation. He would hold other comments for the meeting tomorrow.

30. EXECUTIVE SESSION: None.

31. *ADJOURN: At 10:06 a.m., Wood moved, seconded by McCutcheon to adjourn the meeting. Voting yes: Wood, Crockett, McCutcheon, Carlson and Henry. Passed 5-0.

***ASTERISKS DENOTES VOTE REQUIRED**

COMMISSION CHAIR, ERNEST CARLSON

ATTEST:

COUNTY CLERK, ROBIN VAN NATTA

DATE