

**EDDY COUNTY BOARD OF COMMISSIONERS
MINUTES OF A REGULAR MEETING
MAY 3, 2022**

Be it remembered that the Eddy County Board of Commissioners held a regular meeting in the Eddy County Administration Complex-Room 211 on May 3, 2022 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. Hennington 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
WES HOOPER	COMMUNITY/ADMIN SRVCS DIR
CAS TABOR	COUNTY ATTORNEY
DARLENE ROSPRIM	COUNTY CLERK
CARA COOKE	CHIEF DEPUTY CLERK
MARK CAGE	SHERIFF
KIMBERLY BALLARD	ADMIN ASSISTANT SHERIFF
ROBERTA SMITH	FINANCE DIRECTOR
ANISIA CERNA	PROCUREMENT MANAGER
BILLY MASSINGILL	DETENTION WARDEN
TERRA DOUGAN	EXEC ADMIN ASSISTANT
ADRIENNE JONES	EXECUTIVE ADMIN ASSISTANT
TIANNA ROMERO	ADMINISTRATIVE ASSISTANT
ROXANN BRANNON	HR DIRECTOR
CAROL HENNINGTON	IT SYSTEMS SUPERVISOR
KEN KEMP	INFO SYSTEMS
JERI STRONG	PUBLIC INFO COORDINATOR
JASON BURNS	PUBLIC WORKS DIRECTOR
JOSHUA MACK	FIRE SERVICE DIRECTOR/MARSHAL
JAROD ZUNIGA	DEPUTY FIRE MARSHAL/FIRE SV DIR
JENNIFER ARMENDARIZ	EMERGENCY MANAGER
BRIAN STEPHENS	M&O SUPERVISOR
STEPHANIE YBABEN	RED ROCKET MEDIA
MIKE SMITH	CARLSBAD CURRENT ARGUS

TRAILING AGENDA:

1. APPROVE:

- a. ***COMMISSION MEETING MINUTES FOR APRIL 19, 2022.** Carlson moved, seconded by Beard, to approve the Commission Meeting Minutes for April 19, 2022. Voting yes: Beard, Carlson, Henry and McCutcheon. Abstaining: Cordova. Passed 4-0.
 - b. ***PURCHASE CARD APPROVAL REPORT FOR MARCH 2022.** Cordova moved, seconded by Henry, to approve the Purchase Card Report for March, 2022. Voting yes: Beard, Carlson, Henry, Cordova and McCutcheon. Passed 5-0. The Purchase Card Report for March, 2022 was recorded as Exhibit 1.b.
- 2. TREASURER'S REPORT FOR MARCH 2022 – LAURIE PRUITT:** The March 2022 Treasurer's Report was recorded as Exhibit 2.
- 3. *MARCH 2022 REVENUE REPORT – ROBERTA SMITH.** Smith stated GRT revenue of \$3.2M had been received and O&G revenue received was \$5.6M. Carlson moved, seconded by Beard, to approve the March, 2022 Revenue Report. Voting yes: Beard, Carlson, Henry, Cordova and McCutcheon. Passed 5-0. The March 2022 Revenue Report was recorded as Exhibit 3.
- 4. *BUDGET VS. ACTUAL – MARCH REVENUE AND EXPENSES – ROBERTA SMITH.** Smith stated over 100% of revenue had been received and expenditures were about at 56%. The General Fund revenue was over 100% and expenses were about 75%. Beard moved, seconded by Carlson, to approve the March, 2022 Revenue and Expenses. Voting yes: Beard, Carlson, Henry, Cordova and McCutcheon. Passed 5-0. The Budget vs. Actual March Revenue and Expenses Report was recorded as Exhibit 4.
- 5. *FY 2021-2022 3RD QUARTER LODGER'S TAX REPORT – ROBERTA SMITH.** Smith noted the fund balance was \$219K. Four recent events benefitted from the fund this quarter. Hooper added there had been several applications recently and would affect that balance amount. Carlson and McCutcheon felt that spending the funds promoting Eddy County benefitted the industries and businesses. Beard was in favor of expanding Red Rocket to promote Eddy County. Cordova moved, seconded by Beard, to approve the FY 2021-2022 3rd Quarter Lodger's Tax Report. Voting yes: Beard, Carlson, Henry, Cordova and McCutcheon. Passed 5-0. The FY 2021-2022 3rd Quarter Lodgers' Tax Report was recorded as Exhibit 5.
- 6. *APPROVE/DISAPPROVE – ONE (1) INDIGENT BURIAL – VERONICA PARRAS.** Henry moved, seconded by Beard, to approve one indigent burial. Voting yes: Beard, Carlson, Henry, Cordova and McCutcheon. Passed 5-0.

7. ***APRIL 2022 FREEHOLDERS BOARD RECOMMENDATIONS – JASON BURNS.** The Freeholders Board recommended accepting and adding Hackberry Lane and Manor Court into the County maintained mileage. Beard moved, seconded by Henry, to approve the Freeholders Board recommendations. Voting yes: Beard, Carlson, Henry, Cordova and McCutcheon. Passed 5-0.
8. ***BUDGET ADJUSTMENT FOR PUBLIC WORKS LANDFILL EQUIPMENT – JASON BURNS.** The adjustment was for a new compactor. Leasing options had recently changed and it was felt purchasing a new compactor and doing maintenance in-house was a better situation for the County. Carlson moved, seconded by Beard, to approve the budget adjustment for Public Works Landfill Equipment. Voting yes: Beard, Carlson, Henry, Cordova and McCutcheon. Passed 5-0.
9. ***60% APPLICATION FUND FOR ATOKA STATION 3 – JOSHUA MACK.** The current Atoka Fire Station was occupying part of the County Road Department yard. With the proposed changes, they recommended to utilize this as the North Primary facility with an administrative portion and housing for personnel to respond from that location. Cost should be recouped within four months with the project taking 12-18 months for completion. This could coordinate with La Huerta and Whites City builds, saving costs. The new location was hoped to relocate ¼ to ½ mile north of the current location, possibly purchasing land from a private citizen or go south to the Fairgrounds area. Beard moved, seconded by Henry, to approve the 60% Application Fund for Atoka Station 3. Voting yes: Beard, Carlson, Henry, Cordova and McCutcheon. Passed 5-0.
10. ***60% APPLICATION – MOTOROLA RADIO PROJECT – JOSHUA MACK.** The Motorola Radio Project had been a long process with \$16M initially spent. For an additional \$2.5M, the State contract could be joined, enhancing guaranteed coverage for microwave communications by Emergency Fire Service. The State would carry the extended warranty and cover maintenance service 100%. The service could be used by multiple agencies with the SO paying for their usage. Two additional towers were expected in SE New Mexico. Carlson moved, seconded by Beard, to approve the 60% Application for the Motorola Radio Project. Voting yes: Beard, Carlson, Henry, Cordova and McCutcheon. Passed 5-0.
11. ***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-22-35; FY 2021-2022 DFA 3RD QUARTERLY REPORT – ROBERTA SMITH.
- ii. R-22-36; DONATION OF A 1998 DODGE RAM TO THE MALAGA MD WATER C & SW ASSOCIATION – JASON BURNS.
- iii. R-22-37; DISPOSAL, REMOVAL, OR REVISE ITEMS IN THE EDDY COUNTY INVENTORY/ASSETS – JESSICA STYGAR.
- iv. R-22-39; INDIGENT MEDICAL/HOSPITAL CLAIMS – VERONICA PARRAS.
- v. R-22-40; ADOPTION OF REQUIRED CDBG ANNUAL CERTIFICATIONS AND COMMITMENTS – STEVEN MCCROSKEY.

b. AGREEMENTS:

- i. A-22-33; APPROVE AGREEMENT A-22-33 PROFESSIONAL SERVICE AGREEMENT WITH PRESBYTERIAN MEDICAL SERVICES FOR HEALTHCARE – VERONICA PARRAS.
- ii. A-22-34; APPROVE/DISAPPROVE AGREEMENT WITH NEW MEXICO MORTUARY/RIVERSIDE FUNERAL HOME FOR CREMATION SERVICES – VERONICA PARRAS.
- iii. A-22-36; APPROVE PROFESSIONAL SERVICE AGREEMENT WITH CARLSBAD MEDICAL CENTER FOR HEALTH CARE SERVICES FOR EDDY COUNTY DETENTION CENTER INMATES – VERONICA PARRAS.
- iv. A-22-37; APPROVE PROFESSIONAL SERVICE AGREEMENT WITH ARTESIA GENERAL HOSPITAL FOR HEALTH CARE SERVICES FOR EDDY COUNTY DETENTION CENTER INMATES – VERONICA PARRAS.
- v. A-22-44; FY 2021-2022 ANNUAL AUDIT SERVICES WITH CARR, RIGGS & INGRAM, LLC – ROBERTA SMITH.
- vi. A-22-45; AGREEMENT FOR MODIFICATION OF JPA A-11-02 CITY OF ARTESIA-EDDY COUNTY JOINT POWERS AGREEMENT GOVERNING THE REGIONAL EMERGENCY DISPATCH AUTHORITY (REDA) – ALLEN DAVIS.
- vii. A-22-46; APPROVAL OF THE SETTLEMENT AND RELEASE AGREEMENT EXECUTED BY LEXON INSURANCE COMPANY AND EDDY COUNTY – CAS TABOR.

Cordova moved, seconded by Henry, to approve the Resolution and Agreement Consent Agenda. Voting yes: Beard, Carlson, Henry and Cordova. Passed 5-0. R-22-35 – R-22-37, R-22-39 and R-22-40 were recorded as Exhibits 11.a.i. – 11.a.v., respectively. A-22-33, A-22-34, A-

22-36, A-22-37, A-22-44 through A-22-46 were recorded as Exhibits 11.b.i. and 11.b.vii., respectively.

- 12. ELECTED OFFICIAL/DEPARTMENT UPDATES.** Sheriff Cage updated the Commissioners on the upcoming NMC Executive Board Meeting and on the SENM College Budget of \$90M. NMSU-C commencement would be Friday. Recruiting efforts for the SO were increasing and he was working on relief of the FOIA requests for others. He invited all to the dedication of the Law Enforcement Memorial to be held on May 23.

Mack reported on the recent fires in the area and restrictions the State put on burning and smoking, etc. Locally, cigarettes tossed out and chains dragging seemed to be sources of fires in this area. Weekly County burn schedules were posted on social media.

- 13. LEGISLATIVE UPDATES.** Davis would continue to monitor ongoing LFC meetings. He noted that Secretary Sandoval had retired and Justin Reese was filling the position for the rest of the year from the NMDOT.

- 14. TRAVEL REQUEST CONSENT AGENDA.** None.

- 15. EMERGENCY BUSINESS.** None.

- 16. LEGISLATORS & ELECTED OFFICIALS' COMMENTS/ANNOUNCEMENTS/UPDATES.** None.

- 17. COUNTY MANAGER'S COMMENTS/ANNOUNCEMENTS/UPDATES.** Davis acknowledged a lot of work and effort had gone into making next FY's budget. He had enjoyed the recent WIPP tour and felt it was informative.

- 18. COUNTY COMMISSIONERS' COMMENTS/ANNOUNCEMENTS/UPDATES.** Cordova enjoyed the WIPP tour, learned a lot and was proud to have the project in Eddy County. She appreciated the employees and the flowers recently planted in front of the Admin Building, the informative insert in the tax notices from the Assessors, and Emergency Services, Jennifer and Lucy's for providing food for the Fire Responders. Henry congratulated Artesia and Carlsbad for qualifying for State tournaments, and those with upcoming graduations. Carlson thanked Stephens for cleaning up Malaga Park and was glad to see additional work planned for the park. Beard felt it would be good to do something in the nature of the Arrowhead Study with reference to the WIPP Site. McCutcheon felt the WIPP tour was great. He noted the Mexican Economy Minister was moving a long-planned railroad from El Paso to the NM side due to Texas' increased border initiatives. He noted that NM was now partnering with the Mexican government, one of the most corrupt governments. Truck traffic had been rerouted from El Paso to the Santa

Teresa area also due to Texas' border initiatives. The NM governor was the only one who could do anything to secure the NM/Mexico border.

19. EXECUTIVE SESSION: None.

FIVE MINUTE BREAK – 10:00 a.m.

20. FY 2022-2023 PRELIMINARY BUDGET REVIEW, DISCUSSION AND DIRECTION WORKSHOP #1 – ROBERTA SMITH. Smith and Davis reviewed the preliminary budget and changes previously made. Smith summarized that the FY2022-2023 budget presented was a balanced budget of \$91.8M, showing Revenue of \$142.9M, Expenses of \$158M and Personnel in the amount of \$45.7M reflecting 23 new positions and 15 reclassified positions. Davis noted the outlook of increased revenue was not due to increasing taxes but the budgeted amount was increased. The increased O&G Revenue of \$11M was still a conservative approach. The step up in expenditures noted in personnel included 21 new positions in Fire Service, and if approved, would improve public safety by allowing two full-time staffed stations in Eddy County, one in the north and one in the south. The summary was recorded as Exhibit 20.

21. *R-22-38; FY 2022-2023 INTERIM BUDGET APPROVAL – ROBERTA SMITH. Carlson moved, seconded by Cordova, to approve the R-22-38; FY 2022-2023 Interim Budget. Voting yes: Beard, Carlson, Henry and Cordova. Passed 5-0. R-22-38 was recorded as Exhibit 21.

22. *ADJOURN. Business concluded and McCutcheon adjourned the meeting at 10:28 a.m.

~Asterisks denote vote is required~

EDDY COUNTY BOARD OF COMMISSIONERS

CHAIR

ATTEST: _____

DATE: _____