

**EDDY COUNTY BOARD OF COMMISSIONERS
MINUTES OF A REGULAR MEETING
MAY 16, 2023**

Be it remembered that the Eddy County Board of Commissioners held a regular meeting in the Eddy County Administration Complex-Room 211 on May 16, 2023 at 8:30 a.m. Carlson called the meeting to order and led the Pledge of Allegiance and the Salute to the New Mexico State flag. Burns gave the invocation.

PRESENT:

ERNEST CARLSON
FRED BEARD
JON HENRY
ROBERTA GONZALES
CAS TABOR
CARA COOKE
TAMI WHITE
RHONDA HATCH
MARK CAGE
ADRIENNE JONES
TEANNA ROMERO
JESSICA STYGAR
STEVE MCCROSKEY
JASON BURNS
ANISIA CERNA
ROXANN BRANNON
BILLY MASSENGILL
JOSHUA MACK
JAROD ZUNIGA
KEN KEMP
ANDREW MEDRANO
TRENT MOORE
STEPHANIE YBABEN

CHAIRMAN
VICE-CHAIR
COMMISSIONER, DISTRICT 2
COUNTY MANAGER
COUNTY ATTORNEY
COUNTY CLERK
CHIEF DEPUTY COUNTY CLERK
COUNTY ASSESSOR
SHERIFF
EXEC ADMIN ASSISTANT
ADMIN ASSISTANT
ACTING INTERIM FINANCE DIR
ACTING COMMUNITY DIR
PUBLIC WORKS DIRECTOR
PROCUREMENT
HUMAN RESOURCES DIRECTOR
DETENTION WARDEN
FIRE CHIEF
DEPUTY FIRE CHIEF
SYSTEMS ADMINISTRATOR
IT SPECIALIST I
M&O SUPERVISOR
RED ROCKET MEDIA

ABSENT:

SARAH CORDOVA
JAMES (BO) BOWEN

COMMISSIONER, DISTRICT 5
COMMISSIONER, DISTRICT 4

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)**. Michael Smith, Managing Director of the Permian Road Safety Coalition, informed the Commission of the mission of the non-profit Coalition to reduce fatal crashes and fatalities in the 27 counties in the Permian Basin. The Coalition covered an area from Roswell to Presidio, Texas and from the Guadalupe Peak to Big Spring, Texas. He invited all to the Road Safety Luncheon at the Walter Gerrells Civic Center at 11:00 a.m. He related that the oil and gas industry and the nuclear industry were participating. SIMCO was the sponsor of the luncheon. He introduced Ellen Ramsey, Executive Director of the organization. She ran the day-to-day affairs of the organization. He noted 30 companies sponsored the organization. Relating statistics of the past year, he noted fatalities were down, although they had approached 300, about the same as Los Angeles, California with a significantly larger population. He cautioned that there was, however, an increase in commercial accidents and also an increase in accidents involving 18 to 35 year old drivers. He noted the organization had donated nearly \$300K for equipment to Eddy County, Carlsbad and Artesia first responders.
2. **SERVICE AWARDS.**
 - a. **JOSE MARTINEZ, DETENTION CENTER – 10 YEARS**
 - b. **BRIANNA NOWLIN, DETENTION CENTER – 5 YEARS**

Service awards were presented to the employees for their years of service to Eddy County.

Short break for pictures.

TRAILING AGENDA:

1. **APPROVE:**
 - a. ***COMMISSION MEETING MINUTES FOR MAY 2, 2023.** Henry moved, seconded by Beard, to approve the Commission Meeting Minutes for May 2, 2023. Voting yes: Henry and Beard. Abstaining: Carlson. Passed 2-0.
 - b. ***EXPENSE APPROVAL REPORT FOR APRIL 2023.** Beard moved, seconded by Henry, to approve the Expense Approval Report for April 2023. Voting yes: Henry, Carlson and Beard. Passed 3-0. The Expense Approval Report for April 2023 was recorded as Trailing Agenda 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-23-41; DISPOSAL, REMOVAL, OR REVISE ITEMS IN THE EDDY COUNTY INVENTORY/ASSETS – JESSICA STYGAR.**
- ii. **R-23-42; FY 2023-2024 INTERIM BUDGET APPROVAL – JESSICA STYGAR.**
- iii. **R-23-43; INDIGENT MEDICAL/HOSPITAL CLAIMS REPORT – VERONICA PARRAS.**

b. **AGREEMENTS:**

- i. **A-23-40; MEMORANDUM OF AGREEMENT – INDIGENT HEALTHCARE SOLUTIONS SOFTWARE – VERONICA PARRAS.**
- ii. **A-23-81; EQUIPMENT SERVICE CONTRACT WITH SPARKS OFFICE SOLUTIONS FOR COPIER BEHIND RECEPTION DESK IN ADMINISTRATION COMPLEX – UNIT #7447 – ROBERTA GONZALES.**
- iii. **A-23-82; EXECUTE CONTRACT FOR SE LOOP PHASE 3A FOR CONSTRUCTORS INC. – JASON C. BURNS.**
- iv. **A-23-83; AMENDMENT TO SERVICE AGREEMENT BETWEEN BI INCORPORATED AND EDDY COUNTY DETENTION CENTER – BILLY MASSINGILL, WARDEN.**

Henry moved, seconded by Beard, to approve the Resolution and Agreement Consent Agenda. Voting yes: Henry, Carlson and Beard. Passed 3-0. R-23-41 – R-23-43 were recorded as Exhibits 2.a.i – 2.a.iii., respectively. A-23-40, A-23-81 – A-23-83 were recorded as Exhibits 2.b.i – 2.b.iv, respectively.

3. **ELECTED OFFICIAL/DEPARTMENT UPDATES.** Stygar presented the financials indicating revenue was near \$193M, expenses were under \$200M and the personnel budget was just under \$51M. General Fund revenue and expenses were \$118M. She noted the third quarter had two new positions, two reclassifications and two over-hires. Budget adjustments show transfers under \$8M and YTD a total of \$91M had been transferred. Projects showed \$4.9M for the SE Loop with a YTD total of \$18.7M. The West Loop project showed \$4.7M reflecting a YTD total of \$13.1M. There had been 31 active grants totaling \$42.7M and \$24K had been received in donations. She presented a matrix of the amount of revenue the State had received from Eddy and Lea

Counties and how much Eddy and Lea Counties had received back from the State. Cage stated his department had completed testing for promotions and three academy attendants would graduate. He still had six openings. He reminded of the annual Law Enforcement Memorial tomorrow at 10:00 a.m. in Artesia with Jon Henry as the speaker. Friday, the Steve Ackerman memorial golf tournament would be held. Cage stated he would be installed as President of NMC and invited all to attend June 12 through 16. The NMC Board Meeting would be held in Carlsbad in August.

4. **LEGISLATIVE UPDATES.** Gonzales explained a State Assessment from HB2 had been received that would retroactively increase the General Services Insurance invoice to Eddy County in the amount of \$1.2M. She stated she and Tabor were working to get further information before paying the invoice.
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:

- a. **JAROD ZUNIGA, KC CARPENTER AND AARON BESGROVE
ATTENDED TRUCK INSPECTION IN TAMPA, FL FROM MAY 1, 2023
THROUGH MAY 5, 2023**

FUTURE: None.

Henry moved, seconded by Beard, to approve the Travel Request Consent Agenda. Voting yes: Henry, Carlson and Beard. Passed 3-0.

6. **EMERGENCY BUSINESS.** None.
7. **LEGISLATORS AND ELECTED OFFICIALS'
COMMENTS/ANNOUNCEMENTS/UPDATES.** None.
8. **COUNTY MANAGER'S COMMENTS/ANNOUNCEMENTS/UPDATES.** Gonzales stated the Commission-approved interim budget would be submitted to DFA and should be approved before July 1. She is still working on the Community Service Program. She congratulated all the graduates and encouraged all to be safe. The Carlsbad Water Park would open May 27. She wished all to have a good and safe Memorial Day Weekend. She had attended a dinner in Artesia with Alan Gilmore speaking and relating information on the Yates family. She congratulated all the sports teams, with special

congratulations to the Loving Lady Falcons and Carlsbad Cavegirls teams who both won State.

9. COUNTY COMMISSIONERS' COMMENTS/ANNOUNCEMENTS/UPDATES.

Henry stated kids graduating brought lots of excitement and asked to lift them up and do all we could to help them be successful, as they would be our future leaders. He congratulated all the sports teams on their accomplishments. He had received lots of questions on what was happening on the federal level and how it would affect us and stated he would like to have that conversation to understand where we were at. Beard felt we had the best run county in the entire state and he thanked the county employees for doing their job. Carlson echoed what the others said with congratulating the Lady Falcons and Cavegirls for winning State. He had a concern that a new airline was coming into Carlsbad and the flight between Carlsbad and DFW had been discontinued. He felt that discontinued flight was important to the industry in this area. He encouraged anyone to speak to that issue and hoped we could continue the flight between Carlsbad and DFW.

10. 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 AUTHORIZES THE BOARD OF COUNTY COMMISSIONERS TO GO INTO EXECUTIVE SESSION TO DISCUSS:

a. THREATENED OR PENDING LITIGATION.

i. ESTATE OF OROSCO V. EDDY COUNTY, ET AL.

At 8:58 a.m., Beard moved, seconded by Henry, to go into closed session to discuss the items listed and to reconvene in ten minutes. Voting yes: Henry, Carlson and Beard. Passed 3-0.

11. RE-OPEN MEETING. At 9:19 a.m., Beard moved, seconded by Henry, to end the Executive Session and reconvene the Regular Meeting and certify that the only items discussed were Threatened or Pending Litigation. Voting yes: Henry, Carlson and Beard. Passed 3-0.

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

a. *THREATENED OR PENDING LITIGATION.

i. ESTATE OF OROSCO V. EDDY COUNTY, ET AL.

Henry moved, seconded by Beard, to allow County Attorney Tabor, to settle up to \$100K.

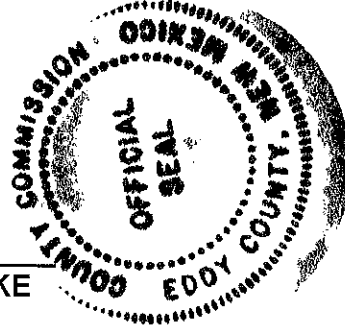
Meeting adjourned at 9:20 a.m.

~Asterisk denotes vote is required~

EDDY COUNTY BOARD OF COMMISSIONERS



CHAIR, ERNEST CARLSON



ATTEST: 

COUNTY CLERK, CARA COOKE

DATE: June 6, 2023