

**EDDY COUNTY BOARD OF COMMISSIONERS
MINUTES OF A REGULAR MEETING
JUNE 7, 2022**

Be it remembered that the Eddy County Board of Commissioners held a regular meeting in the Eddy County Administration Complex-Room 211 on June 7, 2022 at 8:30 a.m. Hooper called the meeting to order and led the Pledge of Allegiance and the Salute to the New Mexico State flag. Pruitt 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
WES HOOPER	COMMUNITY/ADMIN SRVCS DIR
CARA COOKE	CHIEF DEPUTY CLERK
CAS TABOR	COUNTY ATTORNEY
MARK CAGE	SHERIFF
CAROLYN STROBLE	CHIEF DEPUTY TREASURER
ROBERTA SMITH	FINANCE DIRECTOR
ANISIA CERNA	PROCUREMENT MANAGER
BILLY MASSINGILL	DETENTION WARDEN
ADRIENNE JONES	EXEC ADMIN ASSISTANT
ROXANN BRANNON	HR DIRECTOR
CAROL HENNINGTON	IT DIRECTOR
ANDREW MEDRANO	IT SPECIALIST I
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

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).*** None.
- 2. IFB/RFP/BID AWARDS:**

- a. ***RFP 22-01 MENTAL HEALTH AND OTHER SERVICES – ANISIA CERNA.** Henry moved, seconded by Beard, to award RFP 22-01 to Carlsbad Lifehouse Inc. Voting yes: Cordova, Henry, McCutcheon, Beard and Carlson. Passed 5-0. RFP 22-01 was recorded as Timed Agenda Exhibit 2.a.
- b. ***RFP 22-02 INMATE COMMISSARY FOR DETENTION FACILITY – ANISIA CERNA.** Cordova moved, seconded by Carlson, to award RFP 22-02 to Keefe Commissary Network, the current vendor. Voting yes: Cordova, Henry, McCutcheon, Beard and Carlson. Passed 5-0. IFB 22-02 was recorded as Timed Agenda Exhibit 2.b.
- c. ***RFP 22-03 GENERAL LEGAL SERVICES FOR EDDY COUNTY – ANISIA CERNA.** Carlson moved, seconded by Henry, to award RFP 22-03 to Tabor and Byers LLP. Voting yes: Cordova, Henry, McCutcheon, Beard and Carlson. Passed 5-0. IFB 22-03 was recorded as Timed Agenda Exhibit 2.c.

TRAILING AGENDA:

1. APPROVE:

- a. ***COMMISSION MEETING MINUTES FOR MAY 17, 2022.** Cordova moved, seconded by Henry, to approve the Commission Meeting Minutes for May 17, 2022. Voting yes: Cordova, Henry, McCutcheon, Beard and Carlson. Passed 5-0.
- b. ***PURCHASE CARD APPROVAL REPORT FOR APRIL 2022.** Beard moved, seconded by Henry, to approve the Purchase Card Approval Report for April 2022. Voting yes: Cordova, Henry, McCutcheon, Beard and Carlson. Passed 5-0. The Purchase Card Approval Report for April 2022 was recorded as Exhibit 1.b.

2. TREASURER’S REPORT FOR APRIL 2022 – LAURIE PRUITT – FYI ONLY. The April 2022 Treasurer’s Report was recorded as Exhibit 2.

3. *APRIL 2022 REVENUE REPORT – ROBERTA SMITH. Carlson moved, seconded by Cordova, to approve the April 2022 Revenue Report. Voting yes: Cordova, Henry, McCutcheon, Beard and Carlson. Passed 5-0. The April 2022 Revenue Report was recorded as Exhibit 3.

4. *BUDGET VS. ACTUAL – APRIL REVENUES AND EXPENSES – ROBERTA SMITH. Beard moved, seconded by Carlson, to approve the Budget vs. Actual April 2022 Revenue and Expenses Report. Voting yes: Cordova, Henry, McCutcheon, Beard and Carlson. Passed 5-0. The April 2022 Revenues and Expenses Report was recorded as Exhibit 4.

5. *EDDY COUNTY COMPENSATION PLAN – ROXANN BRANNON: Brannon presented an update on the Compensation Plan that included changes to the upcoming FY budget. The Fire Services would get a 5%

increase which would be added into the Compensation Plan. The Ordinance O-11-73 stated upon promotion a 5% increase would be provided. Carlson felt rather than a step-type raise, at some point the County should look at a merit-type raise system. Henry moved, seconded by Cordova, to approve the Eddy County Compensation Plan with the proposed additions and budget changes presented. Voting yes: Cordova, Henry, McCutcheon, Beard and Carlson. Passed 5-0. The Compensation Plan was recorded as Exhibit 5.

6. ***SET MEETING TO APPROVE THE PRIMARY 2022 CANVASS ON JUNE 14TH AT 8:30 A.M. – DARLENE ROSPRIM.** Beard moved, seconded by Henry, to set the meeting to approve the Primary 2022 Canvass on June 14, 2022 at 8:30 a.m. Voting yes: Cordova, Henry, McCutcheon, Beard and Carlson. Passed 5-0.

7. ***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-22-41; REMOVAL OF ADDITIONAL ROAD MAINTENANCE AND REPAIRS FROM THE FEMA CONSTRUCTION IN PROGRESS LISTING – JESSICA STYGAR.**
- ii. **R-22-46; FY 2021-2022 4TH QUARTER BUDGET ADJUSTMENTS – ROBERTA SMITH.**
- iii. **R-22-47; NEW FUND CREATION – SHERIFF'S EVIDENCE FUND – ROBERTA SMITH.**
- iv. **R-22-49; INDIGENT MEDICAL/HOSPITAL CLAIMS REPORT – VERONICA PARRAS.**
- v. **R-22-50; DISPOSAL, REMOVAL, OR REVISE ITEMS IN THE EDDY COUNTY INVENTORY/ASSETS – JESSICA STYGAR.**
- vi. **R-22-51; AMENDING R-21-68 BY ADDING CERTIFIED FIREFIGHTER INCENTIVE AND LONGEVITY PAY TO INCENTIVES PROGRAM – ROXANN BRANNON.**

b. **AGREEMENTS:**

- i. **A-22-47; MARKETING SERVICES BY RED ROCKET MEDIA – CAROL HENNINGTON.**
- ii. **A-22-81; MEMORANDUM OF AGREEMENT BETWEEN THE NEW MEXICO DEPARTMENT OF TRANSPORTATION, THE CITY OF CARLSBAD, AND EDDY COUNTY FOR THE NM 200/SE LOOP SAFETY IMPROVEMENTS PROJECT,**

- CARLSBAD, NEW MEXICO – PROJECT/CONTROL NUMBER 2104670 – WESLEY HOOPER.
- iii. A-22-82; MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF CARLSBAD AND EDDY COUNTY CONCERNING EDDY COUNTY AGREEMENT A-22-81 FOR THE NM 200/SE LOOP SAFETY IMPROVEMENTS PROJECT, CARLSBAD, NEW MEXICO – PROJECT CONTROL NUMBER 2104670 – WESLEY HOOPER.
 - iv. A-22-85; SOFTWARE SERVICES ORDER FORM AND AGREEMENT FOR BLAZESTACK AUTOMATION SYSTEMS – JAROD ZUNIGA.
 - v. A-22-86; STREAMLINE AUTOMATION SYSTEMS AGREEMENT - JAROD ZUNIGA.
 - vi. A-22-87; MEMORANDUM OF AGREEMENT WITH THE CITY OF CARLSBAD FOR DWI OFFENDER TRACKING SERVICES – CYNTHIA SHARIF.
 - vii. A-22-88; CONTRACT WITH KAREN HULSE FOR CLINICAL ASSESSMENT - CYNTHIA SHARIF.
 - viii. A-22-89; CONTRACT WITH FRANK MAGOURILOS FOR DWI PREVENTION PROGRAM AND OVERSIGHT AND EVALUATION – CYNTHIA SHARIF.
 - ix. A-22-90; MEMORANDUM OF AGREEMENT WITH THE CITY OF ARTESIA FOR DWI OFFENDER TRACKING SERVICES - CYNTHIA SHARIF.
 - x. A-22-91; CONTRACT WITH NANCY HUSSELMAN FOR DWI PREVENTION AND EDUCATION SERVICES - CYNTHIA SHARIF.
 - xi. A-22-92; CONTRACT WITH DR. VAN WARREN FOR AURICULAR DETOXIFICATION SUPERVISION - CYNTHIA SHARIF.
 - xii. A-22-93; CONTRACT WITH PETE MARQUEZ FOR DWI PREVENTION AND EDUCATION SERVICES - CYNTHIA SHARIF.
 - xiii. A-22-94; CONTRACT WITH EDWARD SANCHEZ FOR DWI PROGRAM CLINICAL SERVICES - CYNTHIA SHARIF.
 - xiv. A-22-95; CONTRACT WITH PHYLLIS LUNA FOR CLINICAL ASSESSMENT - CYNTHIA SHARIF.
 - xv. A-22-96; SERVICE CONTRACT WITH SPARKS OFFICE SOLUTIONS FOR COPIER IN ASSESSOR'S OFFICE - 3RD FLOOR, SUITE 319 - GEMMA FERGUSON.
 - xvi. A-22-97; FY23 DWI GRANT AGREEMENT - CYNTHIA SHARIF.
 - xvii. A-22-98; CREDIT CARD AGREEMENT WITH GOVOLUTION FOR INTERNET-BASED ELECTRONIC PAYMENT SERVICES - DARLENE ROSPRIM.

- xviii. **A-22-100; TRINITY SERVICES INC. FOOD SERVICE AGREEMENT FOR INMATE MEALS – RENEWAL AND AMENDMENT OF AGREEMENT #A-21-98 – ANISIA CERNA.**
- xix. **A-22-101; PROFESSIONAL SERVICES AGREEMENT FOR GENERAL LEGAL SERVICES FOR EDDY COUNTY – ALLEN DAVIS.**

Henry moved, seconded by Carlson, to approve the Resolution and Agreement Consent Agreement, pulling A-22-90. Voting yes: Cordova, Henry, McCutcheon, Beard and Carlson. Passed 5-0. R-22-41, R-22-46, R-22-47, R-22-49 through R-22-51 were recorded as Exhibits 7.a.i. through 7.a.vi., respectively. A-22-47, A-22-81, A-22-82, A-22-85 through A-22-89, A-22-91 through A-22-98, A-22-100 and A-22-101 were recorded as Exhibits 7.b.i. through 7.b.xix., respectively. Voting yes: Cordova, Henry, McCutcheon, Beard and Carlson. Passed 5-0.

Carlson moved, seconded by Cordova, to approve A-22-90. Voting yes: Cordova, McCutcheon, Beard and Carlson. Abstaining: Henry. Passed 4-0. A-22-90 was recorded as Exhibit 7.b.ix.

- 8. **ELECTED OFFICIAL/DEPARTMENT UPDATES.** Strong stated County mugs and t-shirts had been received for Cavern Fest and the Third Thursday event, which would start next Thursday. She was updating the County Facebook page weekly. She thanked Hooper and Davis for approving the conferences she would attend. Hooper stated Red Rocket provided a studio for Strong to do the video updates. Burns stated that the Public Works Department would have a team participating at the Equipment Rodeo at the NMC Conference. Stephens reported progress had been made on the Court House grounds for Cavern Fest. The DWI Program would be moved allowing office space and chambers for the fourth judge. A PO was issued May 23 for maintenance on the offices.
- 9. **LEGISLATIVE UPDATES.** None.
- 10. ***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:

- a. DUSTIN STARR TO ATTEND CERT (CORRECTIONAL EMERGENCY RESPONSE CERTIFICATION) FROM JUNE 12, 2022 THRU JUNE 18, 2022.
- b. KENNETH DEWEY TO ATTEND CERT (CORRECTIONAL EMERGENCY RESPONSE CERTIFICATION) FROM JUNE 12, 2022 THRU JUNE 18, 2022.

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

11. EMERGENCY BUSINESS. None.

12. LEGISLATORS & ELECTED OFFICIALS' COMMENTS/ANNOUNCEMENTS/UPDATES. Cage spoke to the recent Uvalde and other recent events. He noted that his staff had offered in the past and will now refocus on getting the Active Shooter Training available to the community. The SO wanted to make it available the schools and churches "hard targets" to protect the citizens and children. Each County employee had been through the Active Shooter Training. A meeting with the Carlsbad Municipal Schools would take place and he felt it was a good service for Eddy County communities. He stated the training would help citizens to know what to expect from the SO and how to protect themselves. He noted that in the situation, law enforcement would not be rendering aid but advancing to neutralize the shooter. He stated that PVDTF was second to none, leading the State in statistics. The PVDTF recently won a national HIDTA award.

13. COUNTY MANAGER'S COMMENTS/ANNOUNCEMENTS/UPDATES. Hooper stated Davis had been under the weather. Bidding would begin this month for Phase II of the SE Loop. NMDOT would bid the traffic signals for that intersection in October. Grant funding of \$8M for Phase III had been applied for, and an application for \$28M Federal Grant funding for the South Relief route had been submitted. Cordova requested an overpass on Muscatel, with Hooper noting they had visited with the railroad in the past concerning the time that an intersection could be blocked.

14. COUNTY COMMISSIONERS' COMMENTS/ANNOUNCEMENTS/UPDATES. Cordova thanked the Sheriff and the Mayor for the Law Enforcement Dedication Ceremony. She had obtained information on her grandfather, a former State Policeman. She was grateful for the preparation work with reference to the Uvalde situation. She had received medical updates on the consequences of such a situation. She felt if someone saw something or heard something, they must say something. Cordova was appreciative of the work all did at Eddy County. Henry concurred with Cordova's comments on the Law Enforcement Ceremony. He was glad the County was doing things to be prepared for such a situation. Henry was glad the County stepped up

and took care of issues and was grateful for the law enforcement. Carlson echoed Henry's comments stating the County had great Law Enforcement, Drug Task Force and Fire Service. He encouraged all to vote in today's election. Beard revisited the culture from the past, the schools, curriculum and prayer in school. He felt blaming and confiscating guns would not fix the issue but going back to Christian culture could. McCutcheon was grateful that the Lighthouse was awarded to focus mental health, as that was where a lot of those things could start. Referencing the Sheriff's commentary on what the County was doing to prepare for shooting situations, McCutcheon agreed with Henry's comments on the shootings and the County's preparations. Disintegration of the family fabric had been part of the issue. He felt we could strengthen our own families and extinguish evil in the world by doing small acts of kindness daily.

15. EXECUTIVE SESSION: None.

Meeting closed at 9:20 a.m.

~Asterisks denote vote is required~

COMMISSION CHAIR, STEVEN MCCUTCHEON

ATTEST:

COUNTY CLERK, DARLENE ROSPRIM

DATE