

**EDDY COUNTY BOARD OF COMMISSIONERS
MINUTES OF A REGULAR MEETING
JULY 5, 2022**

Be it remembered that the Eddy County Board of Commissioners held a regular meeting in the Eddy County Administration Complex-Room 211 on July 5, 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. Beard gave the invocation.

PRESENT:

STEVE MCCUTCHEON
FRED BEARD
ERNEST CARLSON
SARAH CORDOVA
ALLEN DAVIS
WES HOOPER
CAS TABOR
CARA COOKE
MARK CAGE
KIMBERLY BALLARD
GEMMA FERGUSON
ROBERTA SMITH
BILLY MASSINGILL
ADRIENNE JONES
ROXANN BRANNON
CAROL HENNINGTON
ROLAND RODRIGUEZ
ROSE R MUNOZ
JERI STRONG
STEVE MCCROSKEY
JASON BURNS
JOSHUA MACK
JAROD ZUNIGA
CYNTHIA SHARIF
STEPHANIE YBABEN

CHAIR, DISTRICT 4
VICE-CHAIR, DISTRICT 3
COMMISSIONER, DISTRICT 1
COMMISSIONER, DISTRICT 5
COUNTY MANAGER
COMMUNITY/ADMIN SRVCS DIR
COUNTY ATTORNEY
CHIEF DEPUTY CLERK
SHERIFF
ADMIN ASSISTANT SHERIFF
COUNTY ASSESSOR
FINANCE DIRECTOR
DETENTION WARDEN
EXEC ADMIN ASSISTANT
HR DIRECTOR
IT DIRECTOR
IT SPECIALIST III
IT SPECIALIST II
PUBLIC INFO COORDINATOR
COUNTY PLANNER
PUBLIC WORKS DIRECTOR
FIRE SERVICE DIRECTOR/MARSHAL
DEPUTY FIRE MARSHAL/FIRE SV DIR
DWI COORDINATOR
RED ROCKET MEDIA

ABSENT:

JON HENRY

COMMISSIONER, DISTRICT 2

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.

TRAILING AGENDA:

- 1. FYI FOR THE COUNTY COMMISSION REGARDING THE TERMINATION OF THE SUMMIT MIDSTREAM INDUSTRIAL REVENUE BONDS (IRB'S) – CAS TABOR, COUNTY ATTORNEY – FYI ONLY.** Davis stated the industrial revenue bond with Summit Midstream had concluded, the bond paid out, and the contract ended according to the terms of the contract approved by the Commission in 2017. Notifications were sent to the Treasurers and Assessors with those assets coming back on the tax rolls in 2023.
- 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-22-54; FY 2021-2022 EDDY COUNTY ANNUAL INVENTORY CERTIFICATION – JESSICA STYGAR.**
 - ii. R-22-55; DISPOSAL, REMOVAL, OR REVISE ITEMS IN THE EDDY COUNTY INVENTORY/ASSETS – JESSICA STYGAR.**
 - iii. R-22-60; COMPANION TO AGREEMENT A-22-144 REGARDING COUNTY OF EDDY'S PARTICIPATION IN LOCAL GOVERNMENT ROAD FUND PROGRAM – STEVEN MCCROSKEY.**
 - iv. R-22-61; DONATION OF A LIGHT TOWER TO THE CARLSBAD POLICE – CYNTHIA SHARIF.**
 - v. R-22-62; SECOND AMENDMENT TO R-22-13; 2022 COMMITTEES, BOARDS, AND COMMISSION APPOINTMENTS AND DESIGNATIONS – ALLEN DAVIS.**
 - b. AGREEMENTS:**
 - i. A-22-144; SECOND AMENDMENT TO A-20-05, LOCAL GOVERNMENT TRANSPORTATION PROJECT FUND – STEVEN MCCROSKEY.**

- ii. A-22-145; REDA DFA GRANT AGREEMENT FY23 23-E-46 – BAMBI KERN.
- iii. A-22-146; WORK AND FINANCIAL PLAN WITH UNITED STATES DEPARTMENT OF AGRICULTURE (USDA) ANIMAL AND PLANT HEALTH INSPECTION SERVICE WILDLIFE SERVICES (APHIS-WS) FOR JULY 1, 2022 THROUGH JUNE 30, 2023 – ALLEN DAVIS.
- iv. A-22-147; FIRST RENEWAL OF A-21-43; CONTRACT WITH VISION SERVICE PLAN INSURANCE COMPANY (VSP) FOR EMPLOYEE GROUP VISION INSURANCE (PER RFP 20-08) – ROXANN BRANNON.
- v. A-22-148; UNIVERSAL BACKGROUND SCREENING, INC. – ROXANN BRANNON.
- vi. A-22-149; MOU BETWEEN EDDY COUNTY, ON BEHALF OF THE EDDY COUNTY SHERIFF’S OFFICE AND NM DPS FOR FBI BACKGROUND CHECKS – FINGERPRINT RESULTS ACCESS USER AGREEMENT – MARK CAGE.
- vii. A-22-150; MEMORANDUM OF UNDERSTANDING REGARDING THE ROLES AND RESPONSIBILITIES OF THE EDDY COUNTY DWI PROGRAM WITH THE EDDY DWI/DRUG COURT PROGRAM OPERATED BY THE EDDY COUNTY MAGISTRATE COURT – CYNTHIA SHARIF.

Carlson moved, seconded by Beard, to approve the Resolution and Agreement Consent Agenda. Voting yes: Beard, Carlson, Cordova and McCutcheon. Passed 4-0. R-22-54, R-22-55, R-22-60 through R-22-62 were recorded as Exhibits 2.a.i through 2.a.v. respectively. A-22-144 through A-22-150 were recorded as Exhibits 2.b.i through 2.b.vii., respectively.

3. ELECTED OFFICIAL/DEPARTMENT UPDATES. None.

4. LEGISLATIVE UPDATES. Davis stated there had been nothing new since the last meeting. He had continued contact with local legislators. He had seen Rep. Brown, who had returned from various committee meetings. Davis stated the Supreme Court of the United States ruled that the Environmental Protection Agency (EPA) was not given authority by the US Legislature to make law and the EPA’s interpretation of enforcing those laws was beyond their remit. The reported emissions of ozone in the Permian Basin would bring more strenuous regulations from the federal and state government. These issues had inhibited initial industrial investment in SE New Mexico, impacting Eddy and Lea County. The Supreme Court outcome should remove some of the risk for the industry in SE New Mexico, benefitting Eddy and Lea County.

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: None.

FUTURE:

- a. **NICK CASTILLE TO ATTEND THE EMERGENCY SERVICES TRAINING INSTITUTE (ESTI) FACILITY FIRE BRIGADE LEADER TRAINING FROM JULY 16, 2022 THROUGH JULY 20, 2022.**

Cordova moved, seconded by Beard, to approve the Travel Request Consent Agenda. Voting yes: Beard, Carlson, Cordova and McCutcheon. Passed 4-0.

6. **EMERGENCY BUSINESS.** None.

7. **LEGISLATORS AND ELECTED OFFICIALS' COMMENTS/ANNOUNCEMENTS/UPDATES.** None.

8. **COUNTY MANAGER'S COMMENTS/ANNOUNCEMENTS/UPDATES.**
Davis read from the June NM Economic Development Department report, stating that Eddy and Lea Counties had generated nearly 24% of the State's monthly total gross receipts for Q3 FY 2022, an increase of 15% from the previous quarter. He noted Lea and Eddy County are each about 3% of the state's population, but contributed nearly 12% of the economic impact due to GRT activity in our counties. Bernalillo had contributed 28% of the total but had 32% of state population. He added Eddy County had a diverse economic base with multiple varied industries and resources. He noted the lack of commensurate State investment in this area and hoped citizens recognized the impact of activity in Lea and Eddy County.

9. **COUNTY COMMISSIONERS' COMMENTS/ANNOUNCEMENTS/UPDATES.**
Cordova had participated in the recent Veterans' Memorial, noting the oldest veteran attending was 103, a WWII vet. She wanted to recognize and thank County employees who cleaned up and kept things going during the holiday weekend. Carlson noted new businesses were moving into Carlsbad and felt the County was helping facilitate the movement forward in Eddy County. Beard felt Eddy County did not get its fair share of funds from the State. McCutcheon felt the abortion issue was a complex issue. He quoted the Declaration of Independence, emphasizing the sentence stating the rights of "Life, Liberty and the Pursuit of Happiness." He noted slavery had been corrected giving liberty to all. He added that even though the culture at the

time may have been in favor of slavery, it did not make it right. He added that life was also a right and that the job of government was to protect those that could not protect themselves. He noted the Supreme Court decision put that issue back on the States. He stated that no state should deprive any US citizen of life, liberty or property without due process of law or deny any protection of the law. He spoke to focusing on laws and sequences leading up to the issue of abortions, specifically the current social constructs, the culture, family and home. He was grateful for the Supreme Court of the United States decision. He added since the law passed, vasectomies had increased 900%.

10. EXECUTIVE SESSION: None.

Meeting closed at 8:54 a.m.

~Asterisk denotes vote is required~

COMMISSION CHAIR, STEVEN MCCUTCHEON

ATTEST:

COUNTY CLERK, DARLENE ROSPRIM

DATE