

**EDDY COUNTY BOARD OF COMMISSIONERS  
MINUTES OF A REGULAR MEETING  
January 23, 2018**

**BE IT REMEMBERED** that the Eddy County Board of Commissioners held a regular meeting in Room 211 of the Eddy County Administration Complex on January 23, 2018 at 8:30 a.m. Crockett called the meeting to order. Rudometkin led the Pledge of Allegiance and the Salute to the New Mexico State Flag. Wood gave the invocation.

**Present:**

SUSAN CROCKETT	CHAIR, DISTRICT 5
JAMES WALTERSCHEID	VICE-CHAIR, DISTRICT 1
STELLA DAVIS	COMMISSIONER, DISTRICT 4
LARRY WOOD	COMMISSIONER, DISTRICT 3
JON HENRY	COMMISSIONER, DISTRICT 2
RICK RUDOMETKIN	COUNTY MANAGER
KENNEY RAYROUX	ASSISTANT COUNTY MANAGER
CAS TABOR	COUNTY ATTORNEY
GEMMA FERGUSON	ASSESSOR
MELISSA WASHBURN	CHIEF DEPUTY ASSESSOR
ANNA GALINDO	CHIEF DEPUTY TREASURER
MARK CAGE	SHERIFF
ROBIN VAN NATTA	COUNTY CLERK
DARLENE ROSPRIM	CHIEF DEPUTY CLERK
GAY WEST	ADMINISTRATIVE ASSISTANT
BILLY MASSINGILL	WARDEN
ROBERTA SMITH	FINANCE DIRECTOR
KATIE GOMEZ	PROCUREMENT OFFICER
ROXANN BRANNON	HR DIRECTOR
ANNA VASQUEZ	ASSISTANT HR DIRECTOR
CHARLIE POWELL	SAFETY OFFICER
CAROL HENNINGTON	IT DIRECTOR
SHARON DODSON	ASSISTANT IT DIRECTOR
ROLAND RODRIGUEZ	IT DEPARTMENT
WESLEY HOOPER	COMMUNITY SERVICES DIRECTOR
STEVE MCCROSKEY	COUNTY PLANNER
BRIAN STEPHENS	FACILITIES DIRECTOR
RAY ROMERO	PUBLIC WORKS DIRECTOR
CHRISTINE MCCROSKEY	PUBLIC WORKS FINANCE DIRECTOR
LINDA P. MARTINEZ	INDIGENT CLAIMS ADMINISTRATOR
JOSHUA MACK	FIRE MARSHAL/FIRE SERVICE DIRECTOR
ROBERT CASTILLO	ASST. FIRE MARSHAL/FIRE SERVICE DIRECTOR
JENNIFER ARMENDARIZ	EMERGENCY MANAGER
JESSICA ONSUREZ	CARLSBAD CURRENT ARGUS

## **TIMED AGENDA**

**8:30 A.M.:**

1. **PUBLIC COMMENTS/ANNOUNCEMENTS:** **(THREE-MINUTE TIME LIMIT PER PERSON):** Rudometkin reminded everyone of standard protocol to be respectful when speaking to the Board and address the Chair as Madam Chair. All questions or comments should be addressed through Madam Chair. Crockett asked if public comments were directed at county employees that they be made in a respectful manner. If they were not tasteful she would ask the offender to leave.

**Stacy Blackmon:** Blackmon, a realtor with Century 21 and President of the Local Realtor Association, thanked the Board for allowing her to speak and inviting her to the meeting about the 4-10 work schedule. Blackmon stated since the last meeting she had done some research on the 4-10 work week. She found that it was beneficial to employees who were engaged in the creative process. It was also beneficial to employees that had a long commute to work to have Friday off. The State of Colorado implemented a 4-10 work week and found it to be such a problem for government services they went back to a 5-8 work schedule. WIPP was going to a 4-day work week but had found a way to split Monday and Friday's in order to be open 5 days a week. Blackmon stated she had called every county in the State and there were 5 that were currently on the 4-10 schedule.

**Tess Gadbury:** Gadbury, a realtor with ERA Real Estate, stated the laws had changed since the mortgage melt down. The requirements of the law accompanied with the influx of people buying homes had stretched the title companies to the max. After all the obstacles to have the county offices closed on Fridays was a big inconvenience. Gadbury suggested e-recording while keeping the doors locked to the general public.

**Robin Bostick:** Bostick, a realtor with Century 21 Real Estate, reiterated what had been said. They were not asking for the entire county to open on Friday, just the Clerk's Office for a few hours. It would make a huge difference to those coming in to Eddy County. They were not a special interest group and a government office being closed on Friday was a hardship for residents.

**Shelly Garrett:** Garret, a realtor with Dunagan and Associates, stated it was the number of days the county was closed over the holidays which made it difficult on the real estate industry.

**Bob Yeager:** Yeager with Century 21 Associates Professionals stated it had nothing to do with the service that was provided, but the change in federal laws regarding mortgages. Yeager explained 2 years ago TRID went into effect. He stated the requirements of TRID required a 3-day waiting period after the documents were signed. This put a hardship on buyers if that fell on a Friday. Yeager stated 90% of the deals they closed were completely out of their control and virtually impossible to schedule. Out of state lenders who had no idea how business was done in Eddy County or that the county offices were closed had a hard time if their customers couldn't move in or receive funding. Yeager stated even half a day on Friday's would be helpful.

2. **SERVICE AWARDS:** Commissioner Wood presented service awards to the following:

a. **MARK CAGE, SHERIFF – 5 YEARS:**

b. **DANIELA RIOS – SHERIFF'S DEPARTMENT – 5 YEARS:**

*Short break for pictures.*

3. **BID AWARD:**

a. **IFB-17-17; STANDPIPE ROAD PHASE II – KATIE GOMEZ:**

Gomez reported IFB-17-17 received 3 bidders. It was the recommendation of the Finance Department to award the bid to Constructors Inc. Walterscheid questioned why there were 3 lot designations in the bid. Gomez explained lot 1 was the street portion of the project, lot 2 included the road, curb and gutter and lot 3 included sidewalks, curb, gutter and the road. Gomez stated there was enough money to do all three. Romero explained Phase II included the lighting down to Radio Boulevard. Walterscheid questioned the cost of the structural concrete. Jeremy Baker, with Pettigrew & Associates, clarified the estimate was for installation and material. Crockett stated she had been working on this project since the beginning. She thanked everything staff had done to make the next few months easier for area residents. Davis moved, seconded by Walterscheid to award IFB-17-17 as recommended. Voting yes: Walterscheid, Henry, Wood, Davis and Crockett. Passed 5-0. Publication of IFB-17-17 was recorded as Timed Agenda Exhibit 3.a.

**TRAILING AGENDA:**

1. & 2. **RECESS EDDY COUNTY COMMISSION MEETING & CONVENE AS INDIGENT HOSPITAL CLAIMS BOARD:** At 8:54 a.m. Davis moved,

seconded by Walterscheid to approve recess of the Eddy County Commission meeting & convene the Indigent Hospital Claims. Voting yes: Walterscheid, Henry, Wood, Davis and Crockett. Passed 5-0.

3. **INDIGENT HOSPITAL CLAIMS BOARD CONSENT AGENDA:** Since all of the items listed on the agenda 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 Indigent Hospital Claims Board Consent Agenda if separate discussion is desired. Any item so removed shall be placed on the Trailing Agenda immediately following this Indigent Hospital Claims Board Consent Agenda or later, at a specific time or place on the Trailing Agenda.

**See Indigent Minutes.**

4. & 5. **ADJOURN INDIGENT HOSPITAL CLAIMS BOARD & RECONVENE EDDY COUNTY COMMISSION MEETING:** At 8:56 a.m. Walterscheid moved, seconded by Henry to Adjourn Indigent Hospital Claims Board & reconvene the Eddy County Commission Meeting. Voting yes: Walterscheid, Henry, Wood, Davis and Crockett. Passed 5-0.

6. **APPROVE/DISAPPROVE ONE (1) INDIGENT BURIAL – LINDA P. MARTINEZ:** Davis moved, seconded by Henry to approve one indigent burial. Voting yes: Walterscheid, Henry, Wood, Davis and Crockett. Passed 5-0.

7. **APPROVE:**

- a. **EXPENSE APPROVAL REPORT FOR DECEMBER 2017:**

Walterscheid moved, seconded by Davis to approve the Expense Approval Report for December 2017. Voting yes: Walterscheid, Henry, Wood, Davis and Crockett. Passed 5-0. The Expense Approval Report for December 2017 was recorded as Exhibit 7.a.

8. **BUDGET VS ACTUAL – NOVEMBER REVENUE AND EXPENSES – ROBERTA SMITH:** Smith stated the county as a whole had collected 60% of revenues and had expensed 43%. The general fund was below what was expected in revenue collecting 35% and expending 44% which was slightly high. The expected number for expenditures was 42%. Davis moved, seconded by Henry to approve the Budget vs Actual November Revenue and Expenses Report. Voting yes: Walterscheid, Henry, Wood, Davis and Crockett. Passed 5-0. The Budget vs Actual November Revenue and Expenses Report was recorded as Exhibit 8.

- 9. BUDGET VS ACTUAL – DECEMBER REVENUE AND EXPENSES – ROBERTA SMITH:** Smith stated the county as a whole had collected 71%, of which \$24M of those funds were from FEMA. Smith pointed out the county as a whole was right on target for budget. The road department had only expended 25% and due to the FEMA monies revenue was high. Walterscheid moved, seconded by Davis to approve the December Revenue and Expenses Report. Voting yes: Walterscheid, Henry, Wood, Davis and Crockett. Passed 5-0. The Budget vs Actual December Revenue and Expenses Report was recorded as Exhibit 9.
- 10. DECEMBER 2017 REVENUE REPORT – ROBERTA SMITH:** Smith reported GRT increased which put the county at \$1.4M over budget. Oil and gas was down slightly but still \$213K over budget. Henry questioned what they should look for when it came to oil and gas and budget numbers. Rudometkin stated the budget for oil and gas was very conservative this fiscal year. Henry questioned if the county could tell how much revenues would increase for every dollar the barrel of oil increased. Smith explained there was no way to figure those numbers at this level. The main reason being the state's report regarding oil and gas distribution was not very detailed and hard to understand. Counties had requested a more detailed, clearer report from the State. Walterscheid asked if the county had seen an increase from the oil and gas audit. Smith explained the budget was based off numbers from the State not the Assessor's Office. Crockett stated she had tried to get information about PILT funding and it was impossible to get from the State. Walterscheid moved, seconded by Wood to approve the Expense Approval Report for December 2017. Voting yes: Walterscheid, Henry, Wood, Davis and Crockett. Passed 5-0. The December 2017 Revenue Report was recorded as Exhibit 10.
- 11. FY2017-2018 2<sup>ND</sup> QUARTER LODGER'S TAX REPORT – ROBERTA SMITH:** Smith reported the ending cash balance was \$108,696.96 with \$34K collected in revenue and only \$1,900 spent. Crockett explained most requests for lodger tax money usually came in the spring. Rudometkin reminded everyone the Governor signed a measure which allowed counties to use lodger's tax money for the minimum revenue guarantee agreed upon for the flights out of Roswell. Davis moved, seconded by Henry to approve the FY2017-2018 2<sup>nd</sup> Quarter Lodger's Tax Report. Voting yes: Walterscheid, Henry, Wood, Davis and Crockett. Passed 5-0. The FY2017-2018 2<sup>nd</sup> Quarter Lodger's Tax Report was recorded as Exhibit 11.
- 12. TREASURER'S REPORT FOR NOVEMBER AND DECEMBER 2017 – LAURIE PRUITT:** The Treasurer's Reports for November and December 2017 were recorded as Exhibit 12.
- 13. BUDGET INCREASE TO SUPPORT ELEVEN (11) NEW POSITIONS FOR SHERIFF'S OFFICE – SHERIFF CAGE:** Cage gave a PowerPoint

presentation which outlined his department's responsibilities and the justification for additional deputies and personnel. Cage cited the increase in population, the elevated crime rate, the demands of a 24/7 operation and increased drug activity as reasons to expand his staff. He reported this was an optimal time for hiring as there were a lot of certified deputies available who wanted to work in Eddy County. It was difficult to maintain his department safely and protect the county from litigation with limited staff. Wood expressed concern over the re-occurring cost of personnel. Oil and gas would bottom out and Wood asked how the county would fund those positions. Cage stated if that were to happen his department would absorb the extra people through attrition. Wood questioned if the additional employees would decrease overtime costs. Cage stated he would like to think so, but in reality overtime would probably not decrease. Walterscheid saw the need for more deputies with the influx of traffic and people in the area. Walterscheid suggested the item be tabled until mid-year budget review was complete. It was not just the Sheriff's Office who needed staff but the road department, emergency management and detention as well. Walterscheid did not see how the Board could fulfill the whole request. Davis stated she had talked with the Finance Director and there was a strong need for the request; however, she agreed with Commissioner Walterscheid's suggestion to wait for the mid-year budget report to see if money would be available. Henry asked what number of employees would work for now. Cage stated his biggest need was the Community Action Team if he could get that up and running it would help all the departments. Rudometkin stated he had some ideas to run by the Sheriff to help with the situation. Crockett asked over the next five years how many deputies would the department lose to retirement. Cage stated in the next year he could lose 10-20 people. Crockett asked how many people were in the hiring que for the Sheriff's Department. Brannon stated there were 13 in process. Cage stated he was concerned Eddy County would miss the wave of qualified personnel available at this point in time. Crockett expressed the same concerns about the availability of qualified personnel. There was no way the department could continue to cover the amount of calls with the current staffing shortages. Part of her oath as a Commissioner was to protect the health, safety and welfare of the residents. State Police Captain Bateman had expressed concerns that they would not be able to respond to all the accidents on state roads. He had called and asked the Board to consider the importance of enough deputies in the field. The Sheriff's Department assisted many other agencies besides their regular responsibilities and they were spread very thin. Crockett stated she did not like to sit on qualified applicants and suggested hiring 4- 5 with vehicles until next year's budget was more concrete. Davis clarified she was not suggesting that extra positions were denied, but to wait 2 weeks until mid-year budget was complete. Davis stated the Sheriff and his department did a great job and the need for additional staff was justified, but in all fairness the Board needed to be prudent with the budget. Wood agreed, and added 2 weeks was not a long time to wait. Cage stated his deputies would do their

job regardless of the staffing situation, and requested the hiring process continue so when a position became available they would be ready. Rayroux suggested the Sheriff over-hire three positions that the current employees had been out long term. That would provide a mechanism to hire the qualified personnel, give the Board time to make a decision about how many to hire, and once they did the over-hire, personnel could be moved to the new positions. Rudometkin stated there were 4 critical departments that needed personnel; the Sheriff, Detention, Fire Services and Public Works. As a rule, you should have 1 agency member for every 1000 people, which would mean we should have 600 employees. It was not customary for the Board to add positions mid-year. The Sheriff was grossly understaffed as were other departments. Rudometkin pointed out the county had been flat with its budget for so long we were constantly playing catchup. The budget would finish this fiscal year in the black and staff would have a better idea with the mid-year review. Rudometkin pointed out this county was growing and it was time to start looking to the future. He was good with whatever the Board decided to do today. Crockett asked the Sheriff if the 3 over-hire positions would be sufficient until mid-year or next budget? Cage stated his department would do its job regardless if the request was approved. Henry stated the safety of our residents was important and he would like to see deputies added to get done what needed to be done. Davis stated it was a tough choice but she stood by her earlier statement to wait until the mid-year report. Crockett stated she felt pretty strong about adding positions now. At least 4 positions now and then look at the rest during budget. Cage requested the motion include a provision for HR to keep accepting applications even when there were no open positions in his department. Wood moved, seconded by Walterscheid to approve the over-hire of 2 deputies and 1 records clerk position, to allow HR to continue to process applications, and table the Sheriff's request until after the mid-year budget review. Voting yes: Walterscheid, Henry, Wood, Davis and Crockett. Passed 5-0. Crockett wanted the request back on the agenda the meeting after mid-year budget review. The PowerPoint presentation was recorded as Exhibit 13.

**14. CHANGES IN THE HIRING PROCESS – ROXANN BRANNON:** Brannon reviewed the changes that had been made since her last presentation. Positions were now being posted for 2 weeks instead of 2 1/2 weeks and a link was on Facebook that lead directly to the applications had been added. The Sheriff's positions had been posted on New Mexico's Department of Public Safety website. They went to 5 business days on submission of paper work. Brannon stated information from Justifax was being sent out right away. The physical testing for the Sheriff's Department was being done every Thursday and a Kiosk had been added at that facility. Brannon stated the process had been streamlined and was taking less time. Crockett thanked Brannon and stated she had received compliments on the work being done by the HR Department from the public and Work Force Solutions.

Crockett questioned if there was a Kiosk in Artesia? Brannon stated she would look into that possibility. Henry thanked HR for thinking outside the box and moving forward. Brannon thanked Chaney, Courtney and Anna who all worked very hard to make the department a success.

Crockett recognized former Commissioner Tony Hernandez in the audience.

**15. LETTER OF SUPPORT FOR CARLSBAD MAINSTREET – RICK J. RUDOMETKIN:**

Rudometkin explained the letter was in support of the Arts and Cultural District Designation for the City of Carlsbad. Crockett stated it would allow the City of Carlsbad to get grant money and hire a director for their Arts and Cultural project which tied in with Mainstreet. Davis moved, seconded by Walterscheid to approve the Letter of Support for Carlsbad Mainstreet. Voting yes: Walterscheid, Henry, Wood, Davis and Crockett. Passed 5-0.

**16. FOUR-DAY WORKWEEK SCHEDULE – RICK J. RUDOMETKIN:**

Rudometkin stated an initial meeting was held with Elected Officials and county staff. Van Natta then organized a meeting with industry, the Commission Chairman, Finance Director, Manager and Elected Officials. Rudometkin stated as far as he was concerned the 4-day schedule was in place and he remained in favor of leaving it that way. Van Natta reviewed the comments and recommendations she had handed the Board before the meeting. The meeting had been held to take suggestions from those who felt it was an issue for the Clerk to be closed on Friday. The banking industry, realtors, oil & gas and the title companies from both North and South Eddy County had been invited to attend. The concerns voiced had not changed from those stated at the Commission meeting, and while Van Natta sympathized with their problems she did not feel their issue would be solved by opening the Clerk's Office on Friday. The Clerk had no control over the problems and actual things that had been delaying closings. There were many components to closing a real estate deal and the Clerk's Office was not the hold up. At the last Commission meeting those who spoke implied that fund distribution, buyers moving into homes and the bank losing interest income was being delayed due to the Clerk's Office being closed on Friday. Van Natta stated she had learned some things; i.e. interest started when the loan was signed, buyers were moving in and sellers were being paid before the documents had been recorded. Van Natta asked how often a situation like the HUD funding emergency happened and the response was "almost never". She also reported rough numbers gathered from staff for just the Clerk's Office indicated 260 hours of sick leave that would have been charged to the county had been saved by scheduling appointments on Fridays. That was approximately \$4K in savings to the county in the last 6 months alone. Employees had scheduled their lives for the next year around this schedule. Van Natta stated based on the evidence presented she could not change the schedule back to the old schedule in good conscience. She understood the



issues and the Clerk's Office if opened would be open for all residents not just a select few and it was undecided what hours would be best on Friday. There was no way to make everyone happy. Rosprim mentioned e-recording and the fact that it was not open to everyone. The Clerk's Office would treat everyone the same regardless if they were an individual or a business. Crockett stated the meeting with industry was open and everyone got to speak their mind. Crockett stated the title companies had a disclosure statement at the beginning of every real estate deal and the hours of the county were included in that statement. Crockett stated from what she gathered from the meeting was the title industry would like the county to be open but they would adjust and move on. The others in the room seemed to think it would be great for the Clerk to be open on Friday but could not agree on what hours would be best for everyone. Crockett stated the definition of an emergency was different for everyone and there were too many variables that were beyond the county's control. Crockett was interested in the electronic filing component and asked for more information on how that might help. The one thing everyone could agree on was there were too many days off at the holidays. Van Natta mentioned that in order to do an e-recording you had to contract through a third-party vendor and there were costs associated with that service. The general public would not benefit from that. Crockett stated the realtors had indicated in their suggestions that not all the county had to be opened just the Clerk's Office. Crockett did not agree with that and felt it was unfair to the clerk's employees. The savings that had resulted from sick leave payout were overwhelming and hoped to see a report on that sometime soon. Wood questioned if someone called during hours closed was there a recording to let them know the hours. Van Natta stated at present there was not a recording; however, it should exist and that was on her list of things to get corrected. Rudometkin stated once the Board decided on a permanent schedule those would be adjusted. Wood felt information to the public was essential. Van Natta stated the hours and the confusion would be worse during Elections but her office would be proactive in informing the public about hours her office was opened. Davis stated she agreed with what had been said and wanted to remind everyone they voted on the 4-10 schedule; however, there were other Elected Officials involved. The Clerk was elected and the Board could not or should not override what she had recommended. Henry stated he had not changed his position at all. He quoted a former legislator who said "public service employees are there to serve the public, the public should not arrange their schedule to satisfy the employees". That was a powerful statement and if another Elected Official decided to go to a 4-10 schedule that should be their decision. Henry stated his concern was how do we service the public. He was a real estate agent and had made very clear his opinion on this subject. Henry stated it was impossible to schedule their closings. He had one in the works now that could not get closed because the title company was backed up and the county being closed on Friday compounded the issue. It was a burden on the oil companies to have to get their work done in four days. He was under the

impression that proposals that offered a solution would be brought back today. Henry questioned if there were any other schedules that would offer a solution, such as open five days and schedule employees to cover the hours open. If WIPP could figure it out then surely the county could come up with something to service the residents of Eddy County. Van Natta stated she was not against the Monday/Friday split schedule; however, if that was the way this went she would be back to request additional staff. WIPP had the employees to cover that schedule we did not. The Clerk's Office was shorthanded now and if you cut it to half on Monday and Fridays I am going to need more help to serve the public. Van Natta stated the key word in his previous statement was "servant", county employees were not making loads of money due to the oil boom they were just working harder. After 28 years of public service I am more than aware of how this all works. To have given them a 4-10 schedule which they love and then take it from them was not right. It was perceived as a benefit, because get rich they won't, by working as public servants. There was no perfect answer and you couldn't make everyone happy. Walterscheid had heard many comments about this subject, one of which the county staff were also constituents. He was leaning toward the Clerk's recommendation, she had really stepped up to the plate as an Elected Official on this issue and he would back that. Rudometkin clarified due to staffing issues alternate schedules were ruled out as were other suggestions. It boiled down to: do we stay on the 4-10 schedule or revert back to the old 5-8 schedule. Rudometkin asked a decision be made and then a campaign to inform the public would start. The initial intent was not for the employee but to give the public the extra time in the morning and the evening to do business. Henry asked if a 9/80 schedule was explored. Rudometkin reported it was looked at and an issue with overtime put it out of the mix. Henry stated the original intent was for cost savings but when he asked for those numbers he got nothing. The next reason was for the moral of the employees, never was the convenience to the public mentioned. The reality was the 4-10 schedule did not work for the realtors, oil companies or the banks and we were unwilling to revise our schedule to accommodate industry. Van Natta stated we were going to have to agree to disagree on this subject, Commissioner Henry. Henry had indicated that he had received complaints from the oil industry about the hours. Van Natta stated there was an office full of Landmen and women who loved the schedule. My office was open 40 hours a week just like before, or actually 44 hours as we were opened through the lunch hour. So a hard line in the sand statement like "it doesn't work" was not entirely correct. It works for some people others it doesn't. The minutes reflected the initial intent was for cost savings, but when it went to the vote the reasons had changed. The public was mentioned in the decision and they did utilize the extra hours. Romero stated his department was on 4-10's and it worked for them and helped when requiring employees. Mack stated it worked well for his department and when dealing with volunteers who had regular day jobs it provided access to county services that were not there previously. He recommended the Board make a

decision so employees could move on. Ferguson stated the new hours were on the website, e-mails and voice mails. If the Monday/Friday split was implemented she would have departments that would not be covered. The public did utilize the extra hours and employee morale was up. Cage stated he personally did not like not seeing his administrative staff for three days. But half of his staff liked it and the other half did not. Walterscheid questioned if the Clerk would continue to serve the public on holidays as previously stated. Van Natta stated the Clerk's Office would continue to provide service above and beyond what was required or expected. Wood moved, seconded by Davis to approve continuation of the Four-Day Workweek Schedule. Voting yes: Walterscheid, Wood, Davis and Crockett. Voting no: Henry. Passed 4-1.

**17. RADIO SUPERVISOR VEHICLE – ROBERT CASTILLO:** Walterscheid moved, seconded by Wood to approve the Radio Supervisor Vehicle. Voting yes: Walterscheid, Henry, Wood, Davis and Crockett. Passed 5-0.

**18. DONATION TO LOVING VFD – JOSHUA R. MACK:** Mack explained Loving had expressed a need for SCVA Units. The County had kept several on hand after existing units had been replaced. Mack stated he would like to donate 14 of them to the Loving Department. Walterscheid moved, seconded by Davis to approve the donation to the Loving VFD of 14 SCVA Units. Voting yes: Walterscheid, Henry, Wood, Davis and Crockett. Passed 5-0.

**19. STATE FIRE FUND 2<sup>ND</sup> QUARTER DISTRIBUTION APPROVAL – JOSHUA R. MACK:** Mack explained they had received all the funds listed on the form thanks to the Sheriff and NMAC. He needed the Commission's approval of that receipt. Walterscheid moved, seconded by Davis to approve the State Fire Fund 2<sup>nd</sup> Quarter Distribution. Voting yes: Walterscheid, Henry, Wood, Davis and Crockett. Passed 5-0.

**20. APPOINTMENT OF SEARCH AND RESCUE COORDINATOR – JOSHUA R. MACK:** Mack explained Rick Wiedemann had volunteered to be the Coordinator for the Search and Rescue Team. The paperwork that should have been submitted to the State in order to put the team on the State resource list was not completed. This oversight was being corrected and Mack felt the appointment of a coordinator would help keep things up to date in the future. Davis moved, seconded by Wood to approve the appointment of the Search and Rescue Coordinator. Voting yes: Walterscheid, Henry, Wood, Davis and Crockett. Passed 5-0.

**21. MAYDAY AND ACCOUNTABILITY POLICIES – JOSHUA R. MACK:** Mack asked for an extension on the effective date to July 1, 2018. Henry moved, seconded by Wood to approve the Mayday and Accountability Policies. Voting yes: Walterscheid, Henry, Wood, Davis and Crockett. Passed 5-0. .

**22. ADJUSTMENTS TO MALAGA VFD – JOSHUA R. MACK:** Mack stated they had issues with the Malaga Fire Department and participation was down. He proposed the appointment of Alton Walker as Chief and Gabe Morales as Assistant Chief with a 90-day trial period. The following goals would be met during the trial period: response time should improve; membership and participation would improve and the station would be kept clean and in order. After review, if the goals were not achieved the station would be merged with Otis. Walker had the qualifications to be Chief, but Morales lacked one year to meet the requirements. The appointment would require a waiver from the Fire Board to allow Morales 1 year to complete the needed training to fill the Deputy Chief position. Walker and Morales thanked the Board for the opportunity to improve the department. Walterscheid moved, seconded by Wood to approve the adjustments to the Malaga VFD and approval of a waiver for 1 year to allow Morales to complete the required training to fill the Deputy Chief position. Voting yes: Walterscheid, Henry, Wood, Davis and Crockett. Passed 5-0.

**23. 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-18-01; PER DIEM, MILEAGE, AND OUT OF COUNTY TRAVEL – JESSICA STYGAR.**
- ii. **R-18-02; 2018 HOLIDAY SCHEDULE – RICK J. RUDOMETKIN.**
- iii. **R-18-03; EDDY COUNTY BOARD AND COMMITTEE DESIGNATIONS AND APPOINTMENTS FOR 2018 – RICK J. RUDOMETKIN:**
- iv. **R-18-04; DISPOSAL, REMOVAL, OR REVISE ITEMS IN THE EDDY COUNTY INVENTORY/ASSETS – JESSICA STYGAR:**
- v. **R-18-05; NEW MEXICO FINANCE AUTHORITY LOAN NO. PPRF-4436 AND RELATED DOCUMENTS – ROBERTA SMITH:**
- vi. **R-18-06; APPROVE FY18/19 BUDGET PREPARATION METHODOLOGY – RICK J. RUDOMETKIN:**
- vii. **R-18-07; RESOLUTION ESTABLISHING FEES AND FORMS FOR THE EDDY COUNTY, NEW MEXICO, ADDRESSING ORDINANCE – STEVEN MCCROSKEY:**

- viii. R-18-08 AND A-18-04; COMPANION RESOLUTION TO A-18-04 AMENDMENT #2 TO COOPERATIVE AGREEMENT A-15-101 AND AMENDMENT #2 AGREEMENT A-18-04 EXTENDING TERMINATION DATE TO 12-31-2018 – RAY ROMERO:
- ix. R-18-09 AND A-18-05; COMPANION RESOLUTION TO A-18-05 AMENDMENT #1 TO COOPERATIVE AGREEMENT A-16-101 AND AMENDMENT #1 AGREEMENT A-18-05 EXTENDING TERMINATION DATE TO 12-31-2018 – RAY ROMERO:
- x. R-18-10 AND A-18-06; COMPANION RESOLUTION TO A-18-06 AMENDMENT #2 TO COUNTY ARTERIAL PROGRAM AGREEMENT A-15-102 AND AMENDMENT #2 AGREEMENT A-18-06 EXTENDING TERMINATION DATE TO 12-31-2018 – RAY ROMERO:
- xi. R-18-11 AND A-18-07; COMPANION RESOLUTION TO A-18-07 AMENDMENT #1 TO COOPERATIVE AGREEMENT A-16-102 AND AMENDMENT #1 AGREEMENT A-18-07 EXTENDING TERMINATION DATE TO 12-31-2018 – RAY ROMERO:
- xii. R-18-12 AND A-18-08; COMPANION RESOLUTION TO A-18-08 AMENDMENT #2 TO COOPERATIVE AGREEMENT A-15-103 AND AMENDMENT #2 AGREEMENT A-18-08 EXTENDING TERMINATION DATE TO 12-31-2018 – RAY ROMERO:
- xiii. R-18-13 AND A-18-09; COMPANION RESOLUTION TO A-18-09 AMENDMENT #1 TO COOPERATIVE AGREEMENT A-16-103 AND AMENDMENT #1 AGREEMENT A-18-09 EXTENDING TERMINATION DATE TO 12-31-2018 – RAY ROMERO:
- xiv. R-18-14; FY 2017-2018 DFA 2<sup>ND</sup> QUARTERLY REPORT – ROBERTA SMITH:
- xv. R-18-15; FTI CONSULTING’S MONTHLY REPORT FOR NOVEMBER 2017 – RICK J. RUDOMETKIN:

**b. AGREEMENTS:**

- i. A-18-10; RENTAL AGREEMENT FOR USAGE OF PECOS RIVER VILLAGE CONFERENCE CENTER CAROUSEL HOUSE AND COLONNADE FOR TEAM BUILDING RETREAT – RICK J. RUDOMETKIN:

Wood moved, seconded by Davis to approve the Resolution/ Agreement consent agenda pulling R-18-02, R-18-03, and R-18-06. Voting yes: Walterscheid, Henry, Wood, Davis, and Crockett. Passed 5-0. R-18-01, 18-04, 18-05, 18-07 -

R-18-15 were recorded as Exhibits 23.a.i., iv., v., vii. – xv. respectively. A-18-10 was recorded as Exhibit 23.b.i.

- ii. **R-18-02; 2018 HOLIDAY SCHEDULE – RICK J. RUDOMETKIN:** Rudometkin stated the first 3 holidays for the year had previously been approved. Finance needed to get the schedule this set for payroll. He pointed out the ½ day at Thanksgiving was removed from the 4-10 schedule and it was suggested maybe another holiday be removed. Van Natta suggested the Board approve a holiday schedule and she would adjust the Clerk’s Office schedule to better accommodate the public, with the understanding that staff would be paid accordingly. Wood suggested removing the ½ day for Good Friday, and remove the 1½ days at Thanksgiving. Rudometkin suggested the Columbus Day holiday be noted as being observed at Christmas. Henry moved, seconded by Davis to approve the 2018 4-10 Holiday Schedule with the following changes: the Good Friday 1/2 day be removed, remove 1½ days at Thanksgiving and permanently observe Columbus Day on Christmas Eve. Voting yes: Walterscheid, Henry, Wood, Davis, and Crockett. Passed 5-0.

Walterscheid moved, seconded by Davis to approve the 2018 5-8 Holiday Schedule with the following changes; the ½ day at Thanksgiving be added and the Columbus Day Holiday be permanently observed on Christmas Eve. Voting yes: Walterscheid, Henry, Wood, Davis, and Crockett. Passed 5-0. R-18-02 was recorded as Exhibit 23.a.ii.

- iii. **R-18-03; EDDY COUNTY BOARD AND COMMITTEE DESIGNATIONS AND APPOINTMENTS FOR 2018 – RICK J. RUDOMETKIN:** West reviewed the list and made changes according to the Boards wishes. Rudometkin outlined the Finance Committee proposal and the items to be decided by the Board. The first item was the purpose of the committee, Davis and Wood wanted to leave it as is, Walterscheid supported a variation of proposal A, Crockett and Henry wanted A as presented. Walterscheid moved, seconded by Davis to stay with the current purpose of the Finance Committee. Voting yes: Walterscheid, Wood and Davis. Voting no: Henry and Crockett. Passed 3-2.

The second item was composition of the Committee. After discussion and comments from Rudometkin and Tabor concerning the manager being on the committee, Crockett

moved, seconded by Henry to approve proposal A. Voting yes: Walterscheid, Henry, Davis, and Crockett. Voting no: Wood. Passed 4-1.

The third and final item was how often the Committee was to meet. Henry moved, seconded by Davis to direct the Finance Committee to meet at least quarterly. Voting yes: Walterscheid, Henry, Wood, Davis, and Crockett. Passed 5-0.

The Board decided to appoint Davis and Henry to fill the Boards seats. Henry stated Mike Phipps, former Artesia School Superintendent, would like to serve. Crockett asked Tom Hollis from Carlsbad National Bank to remain on the committee, and Davis requested Jason Wyatt from Western Commerce Bank also remain.

Walterscheid moved, seconded by Wood to direct staff to make the changes as discussed and bring it back for approval. Voting yes: Walterscheid, Henry, Wood, Davis, and Crockett. Passed 5-0.

At 12:00 p.m. the Board broke for lunch to resume at 1:30 p.m.

- iv. **R-18-06; APPROVE FY18/19 BUDGET PREPARATION METHODOLOGY – RICK J. RUDOMETKIN:** Walterscheid wanted a quarterly report and an MOU to be required from the City of Carlsbad. Rudometkin explained the resolution and its purpose. This was not the time to set out requirements. The time to do that would be when the budget was in development. Walterscheid questioned the required reserve. Rudometkin stated it was his policy to try to keep double the requirement. Davis moved, seconded by Walterscheid to approve R-18-06. Voting yes: Walterscheid, Henry, Wood, Davis, and Crockett. Passed 5-0. R-18-06 was recorded as Exhibit 23.iv.

#### **24.PROJECT UPDATES:**

- a. **CLASS A BURN BUILDING PROJECT – TRAVIS OLBERT:** Rudometkin announced the item was being pulled and would be brought back at a later date.

**25.TRAVEL REQUEST CONSENT AGENDA:** Since all of the items listed below had been distributed to the Commissioners in advance for review and

are of a routine and non-controversial nature, they would 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 was 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. **MELISSA WASHBURN TO ATTEND BAT BRIGADE FROM JANUARY 28 THRU JANUARY 30, 2018 IN SANTA FE, NM:**
- b. **COMMISSIONER STELLA DAVIS TO ATTEND BAT BRIGADE FROM JANUARY 28 THRU JANUARY 30, 2018 IN SANTA FE, NM:**
- c. **NATALIE MANN TO ATTEND BUCKLE-UP NEW MEXICO CONFERENCE 2018 FROM MARCH 14 THRU MARCH 15, 2018 IN ALBUQUERQUE, NM:**

Davis moved, seconded by Henry to approve the travel request consent agenda as presented. Voting yes: Walterscheid, Henry, Wood, Davis, and Crockett. Passed 5-0.

**26. LEGISLATIVE ISSUES:** Rudometkin stated the legislative session had started. The GRT reform bill had been watered down and he was watching to see what would happen. He would keep the Board updated.

**27. EMERGENCY BUSINESS:** None.

**28. ELECTED OFFICIALS/DEPT HEADS COMMENTS/ANNOUNCEMENTS/UPDATES:** Martinez clarified on claim #21733 the amount approved as payable was correct but the amount on the report as billed was incorrect.

**29. COUNTY MANAGER'S AND ASSISTANT COUNTY MANAGER'S COMMENTS/ANNOUNCEMENTS/UPDATES:** Rudometkin reported most of us had been in Santa Fe at the NMAC Conference. The meetings were good and had been productive. Rudometkin stated they would give a mid-year budget report at the next meeting.

**30. COUNTY COMMISSIONERS' COMMENTS/ANNOUNCEMENTS/UPDATES:** Davis reported HB137 to allow retired law enforcement to return to work without losing their pensions was moving through the legislature. It would help with recruitment. Representative Brown thought it had a good chance to pass this time. Bills to remediate the brine well were also being introduced. Davis felt we would be lucky if one were passed. People up north did not understand the gravity of the situation. NMAC meetings were good and she



clarified she was not part of the Dreamer protest but happened to get caught in a photo of the event. Walterscheid had attended a meeting concerning the Southeast New Mexico Roadway Integrated Project. He reported the project had been resurrected with WIPP spearheading the push to get it back on track. Walterscheid stated anyone who wanted to get involved to do so as it was important to highway safety. The brine well was definitely misunderstood by legislators and education was important. Walterscheid stated the VFDs were busy last weekend with various fires. He commended Castillo for his resilience and thanked all of Fire Services for the job they did. Davis stated the state had informed SECAC that the program providers for senior centers and meal sites contract had not been renewed. The State would be responsible for the project. Davis was concerned services would be interrupted, and small communities would suffer. Henry reported Representative Townsend had carried a bill to replace the \$40M swept from the Schools in Eddy County. The rumor had been it was only for the Artesia Schools which was false. He had attended NMAC and spent a lot of time with Lea County and felt there was opportunity to work together to benefit the southeast part of the State. Crockett reported NMAC had been productive. She reiterated the brine well legislation was top priority. Several people would be in Santa Fe until the end of the session to lobby on behalf of our community. There were boots on the ground who had passed out information and educating legislators. The State Land Commissioner was against all but one of the proposed bills on the brine well. Crockett stated NMDOT would be putting all the data from the brine well on their website and contacting residents who might be affected. She wanted to let everyone know in case they received calls. Crockett clarified the county had not committed \$500K to the Brine Well Authority as stated in the newspaper.

**31. EXECUTIVE SESSION:** None.

**32. COMMISSIONER WORKSHOP – BEST PRACTICES:**

**33. ADJOURN:** At 2:03 p.m. Davis moved, seconded by Wood to adjourn the meeting. Voting yes: Walterscheid, Henry, Wood, Davis and Crockett. Passed 5-0.

**EDDY COUNTY BOARD OF COMMISSIONERS**

**CHAIR:** \_\_\_\_\_

**ATTEST:** \_\_\_\_\_

**DATE:** \_\_\_\_\_