

**EDDY COUNTY BOARD OF COMMISSIONERS
MINUTES OF A REGULAR MEETING
March 20, 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 March 20, 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. Crockett 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
ROBIN VAN NATTA	COUNTY CLERK
CAS TABOR	COUNTY ATTORNEY
GEMMA FERGUSON	ASSESSOR
LAURIE PRUITT	TREASURER
MARK CAGE	SHERIFF
RONDA NELSON	DEPUTY CLERK
GAY WEST	ADMINISTRATIVE ASSISTANT
BILLY MASSINGILL	WARDEN
VERONICA PARRAZ	COMMUNITY SERVICES ASSISTANT
RHONDA HATCH	SUPERVISOR ASSESSORS OFFICE
ROBERTA SMITH	FINANCE DIRECTOR
JESSICA STYGAR	ASSISTANT FINANCE DIRECTOR
ROXANN BRANNON	HR DIRECTOR
ANNA VASQUEZ	ASSISTANT HR DIRECTOR
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	FINANCIAL OFFICER PUBLIC WORKS
DEBRA HICKS	PETTIGREW & ASSOCIATES
JADY KING	KING INDUSTRIES
LINDA P. MARTINEZ	INDIGENT CLAIMS ADMINISTRATOR
JOSHUA MACK	FIRE MARSHAL/FIRE SERVICE DIRECTOR
ROBERT CASTILLO	ASST.FIRE MARSHAL/FIRE SERVICE DIRECTOR
DEJANAY BOOTH	CARLSBAD CURRENT ARGUS
JOHN WATERS	CARLSBAD DOD
AUBREY HOBSON	ARTESIA CITY CLERK

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)* Aubrey Hobson, Artesia City Clerk, apologized the new Mayor was unable to attend today's meeting. He reported Mayor Miller was looking forward to working with the County on key issues that impact our community. Hobson thanked the County for their assistance with the recent Municipal Elections.

Haley Klein, Artesia Chamber of Commerce, presented the Board with a book by Alex Epstein titled A Moral Case for Fossil Fuels. Klein stated the Chamber would host Epstein April 2nd and 3rd, 2018. Epstein would have a workshop on April 2, 2018 and would be the keynote speaker at a dinner on the evening of April 3, 2018. Klein invited everyone to attend one or both of the events.

2. **SERVICE AWARDS:** Walterscheid presented service awards to the following employees.

- a. **TRAVIS HATCH, PUBLIC WORKS – 5 YEARS:**
- b. **KENNETH KEMP, IT DEPARTMENT – 5 YEARS:**

3. **PRESENTATION BY SENDERO CARLSBAD MIDSTREAM, LLC – CLAY BRETCHES, CEO:** Bretches started his presentation by complementing the community. He stated Eddy County was the friendliest place he had every worked. The people were helpful and responsive to business and its needs. Bretches reported the focus of the company was in Eddy County. They had built a processing plant near Loving and were in process of constructing another facility in the area that would double production. Bretches stated these types of plants were valuable to the community and helped protect its infrastructure by taking semi-trucks off the roads. The new pipeline would cross over into Lea County to gather gas processing. Bretches stated the company had already invested over \$200M over the last few years and planned to spend over \$215M in 2018/2019. Sendero employed 27 full time employees and had numerous local contactors on site. Bretches stated the average salary would be over \$90K for permanent employees. John Waters, Carlsbad DOD, reported Sendero was the only oil and gas company to receive money from the State to expand in New Mexico. These plants could be put in anywhere along the line and we were fortunate they had chosen

Eddy County to set up their business. Bretches explained the Cryogenic process for Commissioner Walterscheid. The plant in Loving had the highest recovery rate of any processing plant in operation. Tabor clarified the company would come back at a later date to consider IRB for the construction of the new facility. Crockett thanked Bretches for his presentation and the company's commitment to the community.

Short break for pictures.

TRAILING AGENDA:

1. & 2. **RECESS EDDY COUNTY COMMISSION MEETING & CONVENE AS INDIGENT HOSPITAL CLAIMS BOARD:** At 9:11 a.m. Davis moved, seconded by Walterscheid to recess the Eddy County Commission Meeting & Convene Indigent Hospital Claims Board..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 9:12 a.m. Henry moved, seconded by Walterscheid to adjourn the Indigent Hospital Claims Board and reconvene Eddy County Commission Meeting. Voting yes: Walterscheid, Henry, Wood, Davis and Crockett. Passed 5-0.
6. **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-18-25; FTI CONSULTING'S MONTHLY REPORT FOR DECEMBER 2017 – RICK J. RUDOMETKIN:** Pulled for further discussion.

b. AGREEMENTS:

- i. **A-18-28; CARLSBAD INMATE HOUSING AGREEMENT – WARDEN MASSINGILL:**
- ii. **A-18-30; ARTESIA INMATE HOUSING AGREEMENT – WARDEN MASSINGILL:**
- iii. **A-18-32; THIRD AND FINAL RENEWAL OF AGREEMENT FOR FEMA RELATED SERVICES WITH KING INDUSTRIES – KATIE GOMEZ:**

Davis moved, seconded by Walterscheid to approve the resolution and agreement consent agenda pulling R-18-25. Voting yes: Walterscheid, Henry, Wood, Davis and Crockett. Passed 5-0. A-18-28, A-18-30 and A-18-32 were recorded as 6.b.i-iii. respectively.

- i. **R-18-25; FTI CONSULTING'S MONTHLY REPORT FOR DECEMBER 2017 – RICK J. RUDOMETKIN:** Walterscheid wanted an explanation as to why the reports were 2 months behind. Rudometkin stated the company was very busy and had several other clients they reported to. Walterscheid felt the report should be submitted in a timelier manner. Walterscheid moved, seconded by Crockett to approve R-18-25. Voting yes: Walterscheid, Henry, Wood, Davis and Crockett. Passed 5-0. R-18-25 was recorded as 6.a.i..

7. PROJECT UPDATES: None.

- 8. 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. **WARDEN MASSINGILL ATTENDED NMAC WORK GROUP MEETING – OUD WORK GROUP FROM FEBRUARY 20 THRU FEBRUARY 21, 2018 IN ALBUQUERQUE, NM.**
- b. **ERIC K. THRELKELD ATTENDED FBI ILEDA COMMAND COURSE FROM FEBRUARY 25 THRU MARCH 2, 2018 IN SANTA FE, NM.**
- c. **BRANDON GUTIERREZ ATTENDED EMT-B NATIONAL REGISTRY TEST ON MARCH 9, 2018 IN EL PASO, TX.**

- d. RODNEY CAMPBELL AND KYLE CAIN TRAVELED TO DELIVER ENGINE 2 FOR REPAIR ON MARCH 9, 2018 TO ALBUQUERQUE, NM.

FUTURE

- e. MELISSA WASHBURN TO ATTEND NM EDGE CLASSES FROM APRIL 8 THRU APRIL 13, 2018 IN LAS CRUCES, NM.
- f. LT. ALEXANDER CAPROLOZZI, SGT. MICHAEL CORONA, SGT. FELICIA VOLDAHL AND CAPT. SHERRY HALL TO ATTEND 37TH ANNUAL AMERICAN JAILS ASSOCIATION CONFERENCE FROM APRIL 20 THRU APRIL 25, 2018 IN SACRAMENTO, CA.
- g. VICTOR LARA, JOHNNY MUNOZ AND RAY ROMERO TO ATTEND ANNUAL VECTOR CONTROL CONFERENCE FROM APRIL 23 THRU APRIL 25, 2018 IN ALBUQUERQUE, NM.

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

9. **LEGISLATIVE UPDATE:** None.

10. **EMERGENCY BUSINESS:** None.

11. **ELECTED OFFICIALS/DEPARTMENT HEADS**
COMMENTS/ANNOUNCEMENTS/UPDATES: Ferguson reported everyone should receive their notice of values after March 30, 2018. She requested everyone open them and review them for accuracy. They had 30 days to protest the notice.

Sheriff Cage reported the Governor had signed the bill that would allow counties to give incoming Elected Officials a raise. DFA had issued an opinion that the raises would not go into effect for 2 years. He had turned it over to NMAC who disagreed with that assessment of the law. Cage requested any suggestions for procedure or policy changes in the Sheriff's Department be given to him or his Chief Deputy. He was elected to handle law enforcement for the County and it was inappropriate to present those requests to anyone else in his department. Cage stated he was trying to reinstate some of the traditions in the Sheriff's Department. The first one was to issue a retirement badge. Captain Larry Wood had retired from the department and had not received his badge. Cage presented Wood with the badge and intended to continue the tradition. Cage reported his department would offer active shooter training to the public on a limited basis. He felt it was important as the Sheriff to provide this information to residents.

12. **COUNTY MANAGER'S AND ASSISTANT COUNTY MANAGER'S**
COMMENTS/ANNOUNCEMENTS/UPDATES: Rudometkin stated he would contact FTP Consulting to request they submit their reports sooner. He had attended a Multi-pool meeting and he would keep the Board informed as the committee got to work.

13. COUNTY COMMISSIONERS' COMMENTS/ANNOUNCEMENTS/UPDATES:

Davis reported she and Hooper had attended a meeting on a right to work resolution. Several counties had already passed the resolution and Eddy county would be approached very soon. Walterscheid commented on roads and traffic since the increased oil and gas activity. The loop road discussion was heating up once again. Henry commended the Warden for taking the time to meet with people in Artesia before implementing an increase in fees. He felt the entire county should conduct themselves in a similar manner. Wood thanked the Sheriff for his retirement badge. Crockett also thanked the Warden for the way he handled the fee increase by meeting with the cities before it was passed. She reminded everyone of the meeting in Loving concerning US285 and reported the highway had been designated as a safety corridor. It was a step in the right direction and thanked Secretary Church for his help with that issue. Crockett and Representative Brown made a presented to the National Academy of Science concerning a permit modification which would allow WIPP to store plutonium. She thanked Rayroux and the person who attended the City Council meeting with him to present the Standpipe project.

14. EXECUTIVE SESSION: At 9:33 a.m. Walterscheid moved, seconded by Davis to go into executive session in accordance with the State Of New Mexico Open Meetings Act, section 10-15-1-h(2), (7) & (8), which authorizes the Board Of County Commissioners to go into executive session to discuss:

a. LIMITED PERSONNEL MATTERS:

i. ANNUAL PERFORMANCE EVALUATION OF ASSISTANT COUNTY MANAGER AND DISCUSS ANY PROPOSED REVISIONS TO HIS CONTRACT – CAS TABOR.

to reconvene at approximately 10:00 a.m. Voting yes: Walterscheid, Henry, Wood, Davis and Crockett. Passed 5-0.

15. RE-OPEN MEETING: At 10:03 Davis moved, seconded by Walterscheid to re-open the meeting and certify the only items discussed were limited personnel matters as previously stated. Voting yes: Walterscheid, Henry, Wood, Davis and Crockett. Passed 5-0.

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

a. LIMITED PERSONNEL MATTERS:

i. BASED UPON THE ANNUAL PERFORMANCE EVALUATION OF ASSISTANT COUNTY MANAGER AND REVIEW OF HIS CONTRACT, THE BOARD MAY DISCUSS AND VOTE ON ANY PROPOSED AMENDMENTS TO THE ASSISTANT COUNTY MANAGER CONTRACT, INCLUDING, BUT NOT LIMITED TO, SALARY AND BENEFITS – CAS TABOR. Wood moved, seconded by Walterscheid to approve a 2.5% increase for the

Assistant County Manager. The rest of the contract would remain the same. Voting yes: Walterscheid, Wood, Davis and Crockett. Voting no: Henry. Passed 4-1.

17. FY 2018-2019 PRELIMINARY BUDGET REVIEW, DISCUSSION AND DIRECTION WORKSHOP #1 – ROBERTA SMITH: Rudometkin stated the county had been on a flat based budget for the past 3 years. As a result, our facilities were in need of repair and playing catch up on personnel. This was the initial budget and there would be 3 more and then a final approval meeting. Rudometkin stated the Board should review this budget and ask questions, suggest changes, and come to a consensus on what the Board wanted to see happen. Smith outlined the budget presented and fielded questions from the Board. The Commission would review the preliminary budget and would come back to staff with suggestions and changes before the next meeting.

18. ADJOURN: At 11:22 a.m. Walterscheid moved, seconded by Davis to adjourn the meeting. Voting yes: Walterscheid, Henry, Wood, Davis and Crockett. Passed 5-0.

EDDY COUNTY BOARD OF COMMISSIONERS

CHAIR: _____

ATTEST: _____

DATE: _____