

**EDDY COUNTY BOARD OF COMMISSIONERS
MINUTES OF A REGULAR MEETING
MAY 1, 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 May 1, 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. Sharon Dodson gave the invocation.

PRESENT:

SUSAN CROCKETT	CHAIR, DISTRICT 5
JAMES WALTERSCHEID	VICE-CHAIR, DISTRICT 1
JON HENRY	COMMISSIONER, DISTRICT 2
LARRY WOOD	COMMISSIONER, DISTRICT 3
RICK RUDOMETKIN	COUNTY MANAGER
KENNEY RAYROUX	ASSISTANT COUNTY MANAGER
CAS TABOR	COUNTY ATTORNEY
GEMMA FERGUSON	ASSESSOR
MELISSA WASHBURN	CHIEF DEPUTY ASSESSOR
LAURIE PRUITT	TREASURER
MARK CAGE	SHERIFF
ROBIN VAN NATTA	COUNTY CLERK
DARLENE ROSPRIM	CHIEF DEPUTY CLERK
GAY WEST	ADMINISTRATIVE ASSISTANT
ROBERTA SMITH	FINANCE DIRECTOR
ANNA VASQUEZ	ASSISTANT HR DIRECTOR
CHARLIE POWELL	SAFETY OFFICER
CAROL HENNINGTON	IT DIRECTOR
SHARON DODSON	ASSISTANT IT DIRECTOR
ROLAND RODRIGUEZ	IT DEPARTMENT
ROSIE MUNOZ	IT DEPARTMENT
WESLEY HOOPER	COMMUNITY SERVICES DIRECTOR
VERONICA PARRAS	ASSISTANT COMMUNITY SERVICES
EULALIA STROMAN	OFFICE MANAGER DMV
BRIAN STEPHENS	FACILITIES DIRECTOR
RAY ROMERO	PUBLIC WORKS DIRECTOR
CHRISTINE MCCROSKEY	PUBLIC WORKS FINANCE DIRECTOR
JADY KING	KING INDUSTRIES
RANDY PETTIGREW	PETTIGREW & ASSOCIATES
LINDA P. MARTINEZ	INDIGENT CLAIMS ADMINISTRATOR
JOSHUA MACK	FIRE MARSHAL/FIRE SERVICE DIRECTOR
JENNIFER ARMENDARIZ	EMERGENCY MANAGER
RAYE MILLER	MAYOR CITY OF ARTESIA

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)* Ronnie Barron, Artesia resident, handed out a copy of a letter written to the State Fire Marshal from the US Post Office regarding the fire hazard on Johnson Road. He also presented a letter from the Pecos Valley Bass Master Organization offering boats for assistance with a water rescue.
- 2. PRESENTATION ON ENVIRONMENTAL IMPACT ON THE SPECIAL USE AIRSPACE OPTIMIZATION AT HOLLOMAN AIR FORCE BASE, NEW MEXICO – RICK J. RUDOMETKIN:** Commissioner Davis invited Artesia Mayor, Raye Miller and Jim Ballard, who represented the Pilots of Southeast NM to give a presentation regarding the environmental impact on the special use airspace proposed by Holloman Air Force Base. Miller reported major concerns with the area on the east side of the County. This would present problems with medical and pipeline flights. He also noted the noise causing issues with the endangered species, as oil and gas companies were prevented from drilling during certain times of the year because of the Prairie Chicken. The area proposed as Low B would also affect ranchers and farmers. Ballard reported inaccuracies quoted by the Pentagon representatives. Ballard felt there was plenty of space to the west. Currently there was 20% of military airspace in this state. Boutique air has voiced concerns as has the Roswell Airport. The Pentagon has assured all that there is paperwork available for filing to allow certain flights through the marked areas; however, Ballard felt this would not be adhered to. He stated Instrument Flight Rule flights would not be allowed through the Low B area. The recommendation of Miller and Ballard was to do away with the Low B area. The presentation was recorded as Timed Agenda Exhibit 2.

Davis stated meeting held by Pentagon and Holloman was slipped under radar. She would like them to fly over the area in questions to see the impact to our community.

Crockett gave direction to staff to place on the agenda for the next meeting for further discussion and possible action.

- 3. PRESENTATION ON FACILITY DUDE EXECUTIVE SUMMARY – BRIAN STEPHENS:** Stephens presented facts regarding his department. He reported the total number of work orders tracked by Facility Dude was ,1870 in a 12-month rolling window. The presentation was recorded as Timed Agenda Exhibit 3.

TRAILING AGENDA:

1. Approve:

- a. **COUNTY HEALTH CARE CLAIMS BOARD MINUTES FOR APRIL 17, 2018 – FINAL:** Davis moved, seconded by Walterscheid to approve the County Health Care Claims Board Final Minutes for April 17, 2018. Voting yes: Davis, Crockett, Walterscheid, Henry and Wood. Passed 5-0.
 - b. **PURCHASE CARD REPORT FOR MARCH 2018:** Henry moved, seconded by Davis to approve the Purchase Card Report for March 2018. Voting yes: Davis, Crockett, Walterscheid, Henry and Wood. Passed 5-0. The Purchase Card Report for March 2018 was recorded as Exhibit 1.b.
2. **FY 2018-2019 BUDGET INFORMATION – ROBERTA SMITH:** Smith reported two items included in the FY 2018-2019 Interim Budget and all of the working budgets were not separately listed on the handouts given to the commission. Walterscheid stated he wanted to do more for the public works department in the way of employees in future budgets. Rudometkin stated that could be addressed in the future. Smith reported DFA had taken a stance on the elected official salary increases siding with NMAC. She stated those amounts had not been added in the budget and if they wanted to approve those the Budget Resolution would need to be adjusted.
3. **REQUEST FOR FREEHOLDERS BOARD – KENNEY RAYROUX:** Rayroux reported 14 letters had been sent registered mail with 7 returned in agreement of the County repairing a portion of Roberson Rd, 2 in disagreement and 5 not responding at all. Rayroux stated one of the no responses came into his office and agreed. Walterscheid stated more of an effort should be made to the ones who did not respond. Romero stated it would be a full construction of that portion at a cost of approximately \$800K. Rayroux requested the Commission enact the Freeholders Board to review this along some other roads in the county. Crockett moved, seconded by Davis to approve the request to enact the Freeholders Board. Voting yes: Davis, Crockett, Henry and Wood. Voting no: Walterscheid. Passed 4-1.
4. **DISCUSSION FOR HOLDING A SPECIAL BOARD OF COUNTY COMMISSIONERS MEETING ON MAY 10, 2018 AT 8:30 AM FOR A TOUR OF COUNTY ROADS – RICK J. RUDOMETKIN:** The Commission needed to take a tour of county roads to get a better understanding of their condition. A special Board of County Commissioners Meeting will be held on May 23, 2018 at 8:30 am for a tour of the county roads. West would make sure notice was given in the paper.

5. APPROVE/DISAPPROVE ONE (1) INDIGENT BURIAL – LINDA P. MARTINEZ:

Davis moved, seconded by Wood to approve/disapprove one indigent. Voting yes: Davis, Crockett, Walterscheid, Henry and Wood. Passed 5-0.

Crockett introduced Bernadette Granger, personal assistant to Congressman Steve Pearce.

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-18-29; AMENDED FY 18/19 BUDGET PREPARATION METHODOLOGY PROCESS – RICK J. RUDOMETKIN: Pulled by Henry.
- ii. R-18-33; RESOLUTION DISSOLVING EDDY COUNTY INDIGENT HOSPITAL AND COUNTY HEALTH CARE BOARD – LINDA P. MARTINEZ:
- iii. R-18-30; EDDY COUNTY BOARD AND COMMITTEE DESIGNATIONS AND APPOINTMENTS FOR 2018 – RICK J. RUDOMETKIN:
- iv. R-18-34; FY 2018-2019 INTERIM BUDGET APPROVAL – ROBERTA SMITH:
- v. R-18-36; AUTHORIZING THE ISSUANCE OF FOREIGN NATIONAL DRIVER'S LICENSES AND IDENTIFICATION CARDS – WESLEY HOOPER: Pulled by Henry.

b. AGREEMENTS:

- i. A-18-35; INTER-GOVERNMENT AGREEMENT WITH THE MOTOR VEHICLE DIVISION – WESLEY HOOPER:
- ii. A-18-43; HEALTHCARE SERVICES AGREEMENT – LINDA P. MARTINEZ:
- iii. A-18-49; ENGAGEMENT LETTER AGREEMENT FOR COUNSEL FOR IRB PROCESS – RICK J. RUDOMETKIN/CAS TABOR:
- iv. A-18-50; TRUECONNECT – VOLUNTARY EMPLOYEE LOAN/CREDIT COUNSELING BENEFIT PROGRAM – ROXANN BRANNON:
- v. A-18-51; CONSTRUCTION AGREEMENT WITH JAMES HAMILTON FOR PUBLIC WORKS RECOVERY AND

INFRASTRUCTURE CONSTRUCTION – FIRST RENEWAL – KATIE GOMEZ:

- vi. **A-18-52; CONSTRUCTION AGREEMENT WITH CONSTRUCTORS, INC. FOR PUBLIC WORKS RECOVERY AND INFRASTRUCTURE CONSTRUCTION – FIRST RENEWAL – KATIE GOMEZ:**
- vii. **A-18-53; CONSTRUCTION AGREEMENT WITH J & H SERVICES, INC. FOR PUBLIC WORKS RECOVERY AND INFRASTRUCTURE CONSTRUCTION – FIRST RENEWAL – KATIE GOMEZ:**
- viii. **A-18-54; CONSTRUCTION AGREEMENT WITH AUI, INC. FOR PUBLIC WORKS RECOVERY AND INFRASTRUCTURE CONSTRUCTION – FIRST RENEWAL – KATIE GOMEZ:**
- ix. **A-18-55; CONSTRUCTION AGREEMENT WITH RENEGADE CONSTRUCTION, LLC FOR PUBLIC WORKS RECOVERY AND INFRASTRUCTURE CONSTRUCTION – FIRST RENEWAL – KATIE GOMEZ:**
- x. **A-18-56; CONSTRUCTION AGREEMENT WITH GUARDIOLA CONSTRUCTION, INC. FOR PUBLIC WORKS RECOVERY AND INFRASTRUCTURE CONSTRUCTION – FIRST RENEWAL – KATIE GOMEZ:**
- xi. **A-18-57; CREMATION SERVICES AGREEMENT – LINDA P. MARTINEZ:**

Walterscheid moved, seconded by Davis to approve the Resolution and Agreement Consent Agenda pulling R-18-29 and R-18-36 for further discussion. Voting yes: Davis, Crockett, Walterscheid, Henry and Wood. Passed 5-0. R-18-33, R-18-30 and R-18-34 were recorded as Exhibits 6.a.ii-iv. respectively, and A-18-35, A-18-43, and A-18-49 through A-18-57 were recorded as Exhibits 6.b.i-xi. respectively.

6.a.i. R-18-29; AMENDED FY 18/19 BUDGET PREPARATION METHODOLOGY PROCESS – RICK J. RUDOMETKIN:

Henry stated he felt this resolution should have gone before the Finance Committee as stated in their duties. Rudometkin stated this was for the previous budget and included a two-word change. Walterscheid moved, seconded by Davis to approve R-18-29. Voting yes: Davis, Crockett, Walterscheid, Henry and Wood. Passed 5-0. R-18-29 was recorded as Exhibit 6.a.i.

6.a.v. R-18-36; AUTHORIZING THE ISSUANCE OF FOREIGN NATIONAL DRIVER'S LICENSES AND IDENTIFICATION CARDS – WESLEY HOOPER:

Stroman and Hooper clarified this was for renewal or replacement licenses only. The County was requiring that birth certificates in any other language besides English would have to be translated. Henry moved, seconded by Wood to

approve R-18-36. Voting yes: Davis, Crockett, Walterscheid, Henry and Wood. Passed 5-0. R-18-36 was recorded as 6.a.v.

7. PROJECT UPDATES:

- a. **FIRE SERVICES – BRIAN STEPHENS:** Stephens reported that the improvements to the Fire Services Center, approved in January, was moving right along. The delay was waiting on permits and purchase orders. He showed pictures of the new generator pad and stated the landscaper would be starting soon. This landscaping would include a slope to keep water away from the building.
 - b. **COURTHOUSE CHILLER – BRIAN STEPHENS:** Stephen reported the issue of air flow and tree removal have been addressed prior to installing the new chiller. The approximate delivery date would be June 6, 2018.
 - c. **LANDFILL – BRIAN STEPHENS:** Stephen stated the landfill was very close to completion. They were using the facility and had increased the work space from 750 sq ft to 5500 sq ft. They now had electricity and hard line phone service. The total cost for this project was \$1,644,004.
- 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. **TOM NAVARRETTE ATTENDED FUNERAL OF KNOWLES ASSISTANT FIRE CHIEF ON APRIL 13, 2018 IN HOBBS, NM.**
- b. **ROBERT CASTILLO ATTENDED S-270 BASIC AIR OPERATIONS & S-271 HELICOPTER CREWMEMBER FROM APRIL 15 THRU APRIL 20, 2018 IN RUIDOSO, NM.**
- c. **GEMMA FERGUSON AND MELISSA WASHBURN ATTENDED IAAO EXECUTIVE BOARD RECEPTION FROM APRIL 20 THRU APRIL 21, 2018 IN ALBUQUERQUE, NM.**
- d. **TRAVIS OLBERT ATTENDED FDIC INTERNATIONAL CONFERENCE FROM APRIL 21 THRU APRIL 28, 2018 IN INDIANAPOLIS, IN.**
- e. **STEVEN DORDICK AND ANDRES HOLGUIN ATTENDED EMS REGION III CONFERENCE FROM APRIL 23 THRU APRIL 29, 2018 IN RUIDOSO, NM.**
- f. **TOMAS NAVARRETTE ATTENDED 2018 FDIC INTERNATIONAL CONFERENCE FROM APRIL 23 THRU APRIL 28, 2018 IN INDIANAPOLIS, IN.**

- g. JENNIFER ARMENDARIZ ATTENDED 2018 FDIC INTERNATIONAL CONFERENCE FROM APRIL 24 THRU APRIL 28, 2018 IN INDIANAPOLIS, IN.
- h. CHRISTOPHER CHAVARRIA ATTENDED EMS CONFERENCE FROM APRIL 26 THRU APRIL 29, 2018 IN RUIDOSO, NM.
- i. STEVEN MCCROSKEY ATTENDED NMLZO SEMI-ANNUAL CONFERENCE FROM MAY 1 THRU MAY 4, 2018 IN CLOVIS, NM.

FUTURE

- j. RICK J. RUDOMETKIN TO ATTEND NMAC MULTI-LINE AND WORKMEN'S COMPENSATION POOL BOARD MEETINGS FROM MAY 8 THRU MAY 11, 2018 IN SANTA FE, NM.
- k. COMMISSIONER STELLA DAVIS TO ATTEND 2018 NACO ANNUAL CONFERENCE AND EXPOSITION FROM JULY 12 THRU JULY 17, 2018 IN NASHVILLE, TN.
- l. RICK J. RUDOMETKIN TO ATTEND 2018 NACO ANNUAL CONFERENCE AND EXPOSITION FROM JULY 12 THRU JULY 17, 2018 IN NASHVILLE, TN.

Wood moved, seconded by Henry to approve the Travel Consent Agenda.
Voting yes: Davis, Crockett, Walterscheid, Henry and Wood. Passed 5-0.

9. LEGISLATIVE UPDATE: None.

10. EMERGENCY BUSINESS: None.

11. ELECTED OFFICIALS/DEPT HEADS COMMENTS/ANNOUNCEMENTS/UPDATES: Hooper reported that the Oil & Gas Symposium in Colorado was very informative and thanked the Commission for allowing him to attend. Cage stated the NMAC was no longer that but NMC. He also stated they would be attempting one more time to reverse the forfeiture law. He reported they had given 100 tickets in the last week on Hwy 285 and would be doing a traffic ??? in north Eddy County. Romero stated he there would be a Vector Control Meeting in Artesia on May 22 at the Fairgrounds and invited all to attend. Mack stated a prescribed burn by Bottomless Lakes in Chaves County would be taking place if anyone noticed smoke. He reported they would not be helping with this burn considering the state of things in our county. He was looking for reimbursement from the state on several brush fires. Mack stated the building remodel was looking good and stated Crockett had set up a training out at the facility.

12. COUNTY MANAGER'S AND ASSISTANT COUNTY MANAGER'S COMMENTS/ANNOUNCEMENTS/UPDATES: Rudometkin there would be a meeting tomorrow of City and County officials with a representative from Congressman Pearce and the Air Force. The meeting would be regarding the airspace situation discussed earlier in this meeting. Granger reported the goal was to get all the players at the table. Rudometkin reported the Colorado trip was great with approximately 220 people in attendance. He would pass on the presentation to the other

Commissioners to include pictures, public safety and roads. An author who wrote a book on fracking stated Eddy County would soon be the place for oil and gas in the world.

13. COUNTY COMMISSIONERS' COMMENTS/ANNOUNCEMENTS/UPDATES:

Wood stated he had received a call from a resident stating it was criminal behavior having a trucking company next door who gave no regard to residents around. She presented him a photo book which included pictures of the activity and dirt that was being stirred up and blanketing her home. She was unable to live there due to the dirt. He recognized that zoning was not well liked but felt something had to be done to help residents in those situations. A company called Iron Horse had set up shop on Atoka road and was parking in the county rights-of-way. They were exhibiting lude behavior as well. With no ordinance or zoning in place there was no recourse that could be taken.

Davis stated the Colorado presentation was very good. She stated after sharing information of not permitting and ???? they called the County stupid. With incoming calls, it was distressing to not be able to help regarding zoning. Some solutions would have to be addressed.

Henry reported he would not be able to attend the radio program in the morning and offered his spot to any other county personnel. Wood stated he would not be able to attend the meeting either. Henry stated he wanted to be pro-active on legalizing marijuana as a County vs. the State. He would be very interested in seeing the presentation given by Davis, Rudometkin and Hooper at the Colorado meeting. He reported there was not state championship won since the last meeting but expected to report one at the following meeting. He encouraged all to support the youth in Eddy County.

Walterscheid stated there was parking on the side of Brantley Road at the CIG Logistics Plant. He had spoken with a constituent on Sunshine Road who was requesting some speed bumps and possible a no thru truck traffic sign.

Crockett reported she attended a HOLTEC meeting with Lea County. She also stated there would be round table discussion with Keystone on ?????? The job fair portion of the Oil and Gas Summit being held by the City of Carlsbad would be held at the Fire Services Complex. She, Romero and Rayroux met with Mosaic. Crockett thanked the road department for their help in dealing with rude and ugly people.

14. 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(2), (7) & (8), which authorizes the Board of County Commissioners to go into Executive Session to discuss.

At 11:14 a.m. Crockett moved, seconded by Davis to enter into Executive Session in accordance with the State of New Mexico Open Meetings Act, Section 10-15-1-

H (2), (7), (8) to reconvene at 11:45 a.m.. Voting yes: Davis, Crockett, Walterscheid, Henry and Wood. Passed 5-0.

a. REAL PROPERTY

i. POTENTIAL SALE OF REAL PROPERTY – KENNEY RAYROUX.

15. RE-OPEN MEETING: At 11:48 a.m. Walterscheid moved, seconded to Davis re-open County Commission Meeting. Voting yes: Davis, Crockett, Walterscheid, Henry and Wood. Passed 5-0.

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

a. REAL PROPERTY

i. POTENTIAL SALE OF REAL PROPERTY – KENNEY RAYROUX:

Crockett moved, seconded by Davis to certify all that was discussed was the potential sale of real property and that no action was taken. Voting yes: Davis, Crockett, Walterscheid, Henry and Wood. Passed 5-0.

17. ADJOURN: At 12:00 p.m. Wood moved, seconded by Walterscheid to adjourn the meeting. Voting yes: Davis, Crockett, Walterscheid, Henry and Wood. Passed 5-0.

EDDY COUNTY BOARD OF COMMISSIONERS

CHAIR: _____

ATTEST: _____

DATE: _____