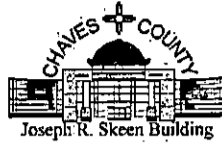




**CHAVES COUNTY
BOARD OF COUNTY COMMISSIONERS**

**Jeff Bilberry, Chairman
T. Calder Ezzell Jr.
Vice Chair**



**Dara Dana, Member
Richard C Taylor, Member
Michael J. Perry, Member**

William B. Williams, County Manager

ADMINISTRATIVE MEETING MINUTES

THURSDAY, DECEMBER 19, 2024

**CHAVES COUNTY ADMINISTRATIVE CENTER – JOSEPH R SKEEN BUILDING
#1 ST. MARY'S PLACE, ROSWELL, NM 88203**

CALL TO ORDER

Chairman Bilberry called the meeting to order at 9:00 AM.

PLEDGE OF ALLEGIANCE

Commissioner Taylor led the pledge and Commissioner Dana led in prayer.

DETERMINATION OF QUORUM

Those present were Commissioners Bilberry, Ezzell, Dana, Taylor, and Perry. Also present were County Manager, Bill Williams, Public Services Director, Alex Palomino, County Attorney, Stan Riggs, Facility Maintenance Director, Scott Massey, Detention Center Director, Michael Brisco, Purchasing Director, Analicia Nieto, Road Supervisor, Joe West, IT Director, Andrew Rey, Chief Finance Officer, Anabel Barraza, County Clerk, Cindy Fuller, Deputy County Treasurer, Chanel Rey, Planning and Zoning Director, Louis Jaramillo, Sheriff, Mike Herrington, Flood Superintendent, Brian Houghtalin, Human Resources Director, Emma Dominguez, media, staff, and guests.

APPROVAL OF AGENDA

MOTION MADE TO: APPROVE THE AGENDA
MOTION MADE BY: COMMISSIONER EZZELL
SECOND MADE BY: COMMISSIONER TAYLOR
IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY
OPPOSED: NONE

APPROVAL OF MINUTES

MOTION MADE TO: APPROVE THE MINUTES FROM THE MEETING HELD ON NOVEMBER 14, 2024
MOTION MADE BY: COMMISSIONER DANA
SECOND MADE BY: COMMISSIONER EZZELL
IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY
OPPOSED: NONE

PRESENTATIONS – EMPLOYEE LONGEVITY PINS AND RETIREMENT RECOGNITIONS

Presenter: Bill Williams, Chaves County Manager

LONGEVITY PINS:

FIVE YEARS OF SERVICE

- Louis Jaramillo – Planning and Zoning Director
- Cristian Mendoza – Detention Sergeant
- Jennifer Salazar – Bureau of Elections Deputy
- Melissa Brink – GIS Parcel Mapper
- Raul Ramos – Deputy Sheriff
- Isaac Nava – Sergeant
- Nathaniel De La Cerda – Deputy Sheriff
- Benjamin Conklin – Sergeant

10 YEARS OF SERVICE

Cindy Fuller – County Clerk
Jacob Sanchez – Lieutenant
Jeromy Parmer – Sergeant
Joshua Martinez – Deputy Sheriff
Pedro Silvas – Deputy Sheriff
Walter Sutherland – Operator II – Flood

15 YEARS OF SERVICE

Cassie Hill – Sheriff Clerk
Raymond Romero – Asst. Engineering Technician
Leticia Madrid – Executive Assistant – Flood
James Crider – Operator II – Flood

20 YEARS OF SERVICE

Benigno Carrillo – IT Tech
Jesus Alvarez – Det. Officer – Adult Facility
Jose Rivera – Custodian
Larry Freeland – Road Maintenance II
Pablo Serrano Rayos – Court Compliance Supervisor
Patrick Farr – Operator II – Flood

25 YEARS OF SERVICE

Janet Garcia – Sheriff’s Administrator

RETIREMENT RECOGNITION:

Angelo Gurule and Gloria Tucker – both received a plaque from the Commission and a photo was taken.

PROCLAMATIONS

Commissioner Taylor read the proclamation out loud declaring Thursday, December 19, 2024, as **Charlotte Andrade Gurule Day in Chaves County**. Ms. Gurule was present to accept the proclamation and a photo was taken with the Commissioners.

Commissioner Dana read the proclamation out loud declaring Thursday, December 19, 2024, as **Calder Ezzell Day in Chaves County**. Commissioner Ezzell was present to accept the proclamation and a photo was taken with the Commissioners.

Commissioner Ezzell read the proclamation out loud declaring Thursday, December 19, 2024, as **Jeff Bilberry Day in Chaves County**. Chairman Bilberry was present to accept the proclamation and a photo was taken with the Commissioners. Commissioner Ezzell also recognized Chairman Bilberry as the Stockman of the Year.

AGENCY UPDATES

Flood – Brian Houghtalin, Chaves County Flood Superintendent

Mr. Houghtalin presented the annual flood report. This year was unique in many ways for the Flood Commission. Historic rainfall breaking a 123-year-old record caused severe flooding across the region. On October 24th, the Roswell Air Center recorded an astonishing 5.72 inches of rain, while many areas reported over 7 inches, according to the National Weather Service. The storm caused widespread flooding from Roswell to Dexter and southward to the Felix River area. Based on the recorded rainfall at the air center, the event qualifies as a 500-year storm. In areas with over 7 inches of rain, the totals significantly exceed the threshold for a 1,000-year storm. Infrastructure repairs are already underway, including work on the two diversion berms located on the Brown Bros. Ranch west of the air center. Progress is also being made on the Corn Ranch Emergency Watershed Project (EWP) along the Macho Draw. The gabion armoring of the channel sides is nearing completion, to be followed by the reinstallation of concrete sills perpendicular to the channel and the placement of Reno mattresses to reinforce the channel bottom. Weather permitting, the project is expected to wrap up this spring. The Hondo River also experienced runoff from burn scar flooding in Ruidoso. This runoff transported debris, including sandy soil and ash, from the fires through Roswell and into the Pecos River. Most of the large debris was trapped behind the Diamond A Dam at the Two Rivers Reservoir, while fine silt passed through, leading

to significant sediment buildup in the Hondo River, especially under bridges in Roswell. Cleanup efforts were mostly completed before the October 19th storm exacerbated the situation. The historic rainfall and resulting flooding have presented significant challenges to our community, but the Flood Commission remains committed to addressing these issues. Repairs to critical infrastructure are progressing as planned, and we are working diligently to mitigate future flood risks.

Chaves County Detention Center – Michael Brisco, Detention Center Director

Mr. Brisco stated their current count is 319 which is high. They also have six juveniles. Projects around the facility are going great. He thanked the Commission for their backing with all of the projects and he thanked his staff.

Sheriff Mike Herrington

The Sheriff thanked the Commissioners and stated we will miss those who are going out and know that those coming in will do a great job. He asks that Chaves County continue to work with each of the agencies in the county. His staff is fantastic. They are four people down and hope to hire quickly. He thanked them for the raises for the deputies. Chaves County residents want to make a difference here and they apply. He will ask them for more to make sure his guys are protected and have the best equipment out there.

Construction Projects – Ana Nieto, Purchasing Director

Ms. Nieto gave a mid-year update on some of the projects that have been approved by the Commissioners to date.

1. Roswell Cultural Plaza – this project will go out for re-bid in January 2025.
2. St. Mary's Cooperative Extension Building – an agreement has been executed and they plan to start this project in February 2025.
3. Public Health Office Building – fences are up and they are receiving submittals for review
4. Fire Alarm Replacement Project for the Roswell Joy Center – do have materials on site and are pending an installation date from the contractor
5. Ceiling Project – pending construction start date

Bureau of Land Management – Chuck Schmidt

Mr. Schmidt gave an update on the land acquisition. They drafted a letter to present to the Chaves County Land Use Advisory Committee. It looks very positive that they will get the land acquisition completed that they have been working on for several years. It's a parcel of land adjacent to US 380 where you cross the Pecos River. We are starved in this area for outdoor recreation and this will present an opportunity to coordinate with other districts to create a public fishery, trails, and scenic views. Funding is in place.

Chaves County Extension Office – Tamara Shubert and Katie Wright

Ms. Shubert stated it has been a very busy 2024 but they are looking forward to 2025. Drew is still taking Master Gardener applications. They will start a new round of Prevent Type 2 Diabetes training which is a year-long class. The State did approve funding for the Kitchen Creations Program. Ms. Wright stated 4-H had an awards program and ended with around 320 youth members, 90 volunteers, 30 project leaders, and 24 youth who had perfect attendance at every 4-H club meeting. They elected nine youths for leadership training. They will start 4-H Fridays in January in Hagerman.

Roswell Chaves County Economic Development Corporation– Mike Espiritu

Mr. Espiritu stated he just attended the International Council of Air Shows and they announced that the Thunderbirds will be here in 2026. Race week will be September 10th – 14th, 2025 for the Air Races. They will have a full race schedule with all seven classes. The pylon certification school will be held in May. In January, the annual class president's meeting will be held here in Roswell to validate the course. Meetings with the FAA and TSA are going well. He held an online meeting with all the regional Chambers of Commerce to discuss how they could still be a part of this activity. In January they will have a town hall meeting to discuss several parts of the event including vendors and volunteers needed. He will continue to be on the road talking to different communities. BiltWise is waiting on the FAA to release the land so they can close out the sale of the building and land purchase. There are other projects that he will discuss at a later date.

AGENDA ITEMS

A. PUBLIC HEARINGS

1. CASE #Z 2024-02 TO CONSIDER A VARIANCE OF 10 FEET TO THE REQUIRED 25-FOOT SIDE YARD SETBACK REQUIREMENT STATED IN ARTICLE VII, SECTION 1.A.2 OF THE CHAVES COUNTY ZONING ORDINANCE #07, REVISION #12.

Presenter: Louis Jaramillo, Planning and Zoning Director

Staff discovered that an ex-staff member solely approved a building permit for a new home that violated the 25-foot side yard setback requirement by 10 feet. The new home was constructed on an old 2-car garage concrete pad with new footings. The home is currently framed, with a metal roof and weather proofed but is under a “stop work order”. Staff has determined the home is in compliance with all current residential building codes. Board approval of a variance is based on an exception situation, condition, and hardship. In this case, the situation and hardship were created by an ex-employee who solely approved a building permit for a new home that was too close to the side yard property line. The home is almost complete and is not a danger to the adjacent neighbors as there is a 30-foot access easement on the neighbor’s property and the neighbor’s setback requirements have created a separation of approximately 70 feet between the existing neighbors’ homes and the new home. On December 3, 2024, the Planning and Zoning Commission recommended approval of case Z 2024-02 by a vote of 3-0 based on Findings of Fact 1-3 as stated in Staff’s Report. Staff recommends approval.

Chairman Bilberry opened the public hearing for public comments.

IN FAVOR: None

AGAINST: None

*No one online.

MOTION MADE: APPROVE THE VARIANCE APPLICATION FOR CASE #Z 2024-02 SUBJECT TO THE FINDINGS AS STATED IN REPORT FROM THE P&Z COMMISSION
MOTION MADE BY: COMMISSIONER EZZELL
SECOND MADE BY: COMMISSIONER PERRY
IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY
OPPOSED: NONE

2. TO AMEND THE CHAVES COUNTY BUILDING CODE ORDINANCE NO. 60

Presenter: Louis Jaramillo, Planning and Zoning Director

The proposed amendment includes the necessary State codes for a Certified County Mechanical and Plumbing Inspector, fire protection associated with new regulations on solar and battery energy storage facilities, and an exemption to the standard building fee for structures used primarily for agricultural purposes.

- NM Mechanical and Plumbing Codes
- NM Swimming Pool, spa, and hot tub Code
- Medical Gas Installation and Certification
- Boilers NMAC
- National Fire Protection Association 1, Fire Code
- National Fire Protection Association 855
- Underwriters Laboratories 9590 and 9590A

Establish a new fee schedule for our Mechanical and Plumbing inspection program. Increase the single inspection fee for Electrical permits from \$50 to \$60, swimming pools from \$75 to \$100, and multi-inspection from \$150 to \$170. Starting fee of \$80. Increase the building permit fee for valuations of \$500,000 to \$1,000,000 by \$0.25 per every \$1,000 and increase the fee by \$0.15 per every \$1,000 for valuations over \$1,000,000. Staff recommends approval.

Chairman Bilberry opened the public hearing for public comments.

IN FAVOR: None

AGAINST: None

*No one online.

MOTION MADE: APPROVE THE AMENDMENT TO THE CHAVES COUNTY BUILDING CODE ORDINANCE #60
MOTION MADE BY: COMMISSIONER EZZELL
SECOND MADE BY: COMMISSIONER TAYLOR
IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY
OPPOSED: NONE

B. AGREEMENTS AND RESOLUTIONS

3. AGREEMENT A-24-060 BETWEEN CHAVES COUNTY AND BOYS AND GIRLS CLUBS OF CHAVES AND LINCOLN COUNTIES FOR EDUCATIONAL, RECREATIONAL, AND CHARACTER DEVELOPMENT SERVICES

Presenter: Emma Dominguez, Human Resources Director

The Commission awarded twenty-five thousand dollars, (\$25,000), for the initial term of this agreement to provide recreation and counseling for the youth of Chaves County at the Boys and Girls Club facilities located in Roswell, New Mexico. Agreement A-24-060 is the agreement for these services. Staff recommends approval.

MOTION MADE TO: APPROVE AGREEMENT A-24-060
MOTION MADE BY: COMMISSIONER TAYLOR
SECOND MADE BY: COMMISSIONER DANA
IN FAVOR: COMMISSIONERS: BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY
OPPOSED: NONE

4. RESOLUTION R-24-054 – CONDEMNATION RESOLUTION

Presenter: Louis Jaramillo, Planning and Zoning Director

Per Ordinance #O-115 the Chaves County Board of Commissioners shall have the right to act on properties that have failed to correct their public nuisance within the time allocated by Staff. Staff has attempted numerous times over the years to resolve these issues with the property owners with no success. Staff recommends approval of this resolution, thereby ordering the condemnation and cleaning of the eight properties listed in Exhibit A of this resolution that have been determined to be a public nuisance and menace to the health, safety, and wellness of the community due to abandoned, unsafe, and dilapidated structures, trash, wreckage, ruins, rubbish, debris, and abandoned and inoperable vehicles.

MOTION MADE TO: APPROVE RESOLUTION R-24-054
MOTION MADE BY: COMMISSIONER EZZELL
SECOND MADE BY: COMMISSIONER TAYLOR
IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY
OPPOSED: NONE

5. RESOLUTION R-24-055 – APPROVING CHANGES TO PERSONNEL CHARTS

Presenter: Emma Dominguez, Human Resources Director

This resolution incorporates the renaming of four (4) Detention Clerk positions to Detention Secured Area Clerk, the upgrade of Probate Clerk Deputy from Chart C, Level C to Chart C, Level D. Increasing the entry salary level for Safety & Compliance Manager and Chief Appraiser to \$59,550.40. Increasing all Detention Lieutenant positions to an entry salary level of \$58,988.80 and moving the Road Tech Supervisor position from Chart G to At-Will. These upgrades are to comply with the increased standard salary level for salary/exempt employees to be made effective by January 1, 2025. The following positions have been changed from salary/exempt to hourly/non-exempt: DWI Program Coordinator, GIS Parcel Mapper, BOE Chief, Court Compliance Supervisor, Building, Electrical, and Mechanical Inspectors, Road Foreman, and Fleet Maintenance Supervisor. Position Specification Summaries were updated accordingly. Chart G starting wages were increased as follows: Level RTS by 6.7%, RMI by 19%, RMW by 2.5%, RM2 by 19%. Purchasing Officer, Welder, and Diesel Mechanics are now on level RM2, eliminating Level RMP and RFD. Staff recommends approval.

MOTION MADE TO: APPROVE RESOLUTION R-24-055
MOTION MADE BY: COMMISSIONER EZZELL
SECOND MADE BY: COMMISSIONER DANA
IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY
OPPOSED: NONE

6. RESOLUTION R-24-056 – SET SALARIES FOR ELECTED OFFICIALS

Presenter: Emma Dominguez, Human Resources Director

New Mexico Constitutional Amendment 4, the County Officer Salaries Amendment, was approved by the voters on November 5, 2024. Currently elected official salaries are set by State Statute. Effective January 1, 2025, the County Commission can now establish elected officials' salaries commencing at the start of their term. The Chaves County Finance Committee recommended a 10% increase to the current salaries for County Commissioners beginning their term on January 1, 2025, and an 18% increase for the County Treasurer and County Clerk, who begin their term on January 1, 2025. The recently elected County Officials salaries are set as follows: County Commissioners salary will be \$33,215.60, the County Clerk's salary will be \$89,364.94, and the County Treasurer salary will be \$89,364.94. Staff recommends approval.

MOTION MADE TO: APPROVE RESOLUTION R-24-056
MOTION MADE BY: COMMISSIONER TAYLOR
SECOND MADE BY: COMMISSIONER EZZELL
IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY
OPPOSED: NONE

7. RESOLUTION R-24-057 – FINAL DISPOSITION FOR THE 2024 ROAD MAINTENANCE APPLICATIONS AND NEW ROAD REQUESTS

Presenter: Alex Palomino, Public Services Director

On May 17, 2024, the Chaves County Board of Commissioners gave preliminary approval for the following new roads and allowed six months for them to be brought up to County standards. Resolution R-24-057 is asking for the final disposition of the following:

Road Status Change Applications:

App. No. 1 Carrizozo Rd. – work not completed – Staff recommends denial

Per Chuck Schmidt with the Bureau of Land Management – they have been in contact with the land owner. BLM thought this road was still on the County rolls. When they discovered this was actually off the County rolls it brought a different light to this subject. Access is not an issue for recreation but the condition of the road is the main object. He has reached out to IACX, an Oil Company, and he does believe they have something in the works that will be acceptable to all parties. IACX is going to be a good neighbor in helping bring this road up to standards.

MOTION MADE TO: APPROVE RESOLUTION R-24-057
MOTION MADE BY: COMMISSIONER EZZELL
SECOND MADE BY: COMMISSIONER PERRY
IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY
OPPOSED: NONE

Sargeant Canyon Road will remain a non-county maintained road but the county can blade it as needed.

8. RESOLUTION R-24-058 – BUDGET ADJUSTEMENT FY 2025

Presenter: Anabel Barraza, Chief Financial Officer

The Finance Department is requesting a budget adjustment for the line items listed in Exhibit 'A.' These adjustments include:

- An increase in non-expendable items for car wrapping for the Sheriff's Department, funded by insurance recoveries;
- An allocation from the American Rescue Plan Act grant for construction projects, including the Red Bridge and Pine Lodge projects;
- An increase in the remaining construction costs under the Road budget for the Red Bridge and Pine Lodge projects;
- An increase in salaries to account for changes and adjustments in the new personnel charts and elected officials' pay;
- An increase in funding for prevention programs under the DWI grant, supported by an increase in DWI distribution; and
- An increase in supplies expenses for air packs and bunker gear for District 8 Volunteer Fire Department

Staff recommends approval.

MOTION MADE TO: APPROVE RESOLUTION R-24-058
MOTION MADE BY: COMMISSIONER TAYLOR
SECOND MADE BY: COMMISSIONER EZZELL
IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY
OPPOSED: NONE

C. ITBs

9. APPROVE THE TERMINATION OF AWARD TO MODEL 1 VEHICLE AND RECOMMEND AWARD TO ROSWELL TOYOTA FOR OPTION B PER ITB-25-03

Presenter: Analia Nieto, Purchasing Director

At the November 14, 2024 Commission meeting, staff recommended approval of Option B, (wheelchair-accessible van) to Model 1 Vehicle, after the award but prior to the purchase it was identified that Model 1 Vehicle's bid had to be deemed nonresponsive to the bid requirements prompting the Notice of Intent to Terminate with Model 1 Vehicle. Chaves County staff would like to recommend the award of Option B to Roswell Toyota in the amount of \$103,255.27 per ITB-25-03. Staff recommends approval.

MOTION MADE TO: APPROVE THE TERMINATION OF THE AWARD TO MODEL 1 VEHICLE AND RECOMMEND AWARD TO ROSWELL TOYOTA FOR OPTION B
MOTION MADE BY: COMMISSIONER DANA
SECOND MADE BY: COMMISSIONER EZZELL
IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY
OPPOSED: NONE

OTHER BUSINESS

10. PERMISSION TO PUBLISH FOR A PUBLIC HEARING REGARDING A POTENTIAL LOW INCOME TAX REBATE ORDINANCE

11. PERMISSION TO PUBLISH FOR A PUBLIC HEARING REGARDING CLARIFICATIONS TO IHC ORDINANCE #58

Presenter: Bill Williams, Chaves County Manager

AGENDA ITEM #10

According to Section 7-2-14.3G, NMSA 1978, in every odd-numbered year, the Board of County Commissioners shall conduct a public hearing on the question of whether a property tax rebate benefitting low-income property taxpayers in the County should be made available through adoption of a County Ordinance. At the public hearing, the Board shall take action on the question and if a majority votes to adopt an ordinance, it must be adopted within 30 days of the public hearing. The public hearing would take place at 9:00 am at the January meeting of the Board of Commissioners. Staff recommends approval for permission to publish for a public hearing.

AGENDA ITEM #11

Minor clarifications to language in the Indigent Health Care Ordinance #58 are needed. At the public hearing, the Board would discuss modifying language to clarify and update the existing ordinance. The public hearing would take place at 9:00 am at the January meeting of the Board of Commissioners. Staff recommends approval for permission to publish for a public hearing.

MOTION MADE TO: APPROVE ITEMS #10 AND #11 TOGETHER AND GRANT PERMISSION TO PUBLISH FOR BOTH PUBLIC HEARINGS
MOTION MADE BY: COMMISSIONER PERRY
SECOND MADE BY: COMMISSIONER TAYLOR
IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY
OPPOSED: NONE

12. 2025 ROAD HEARING SCHEDULE APPROVAL REQUEST

Presenter: Alex Palomino, Public Services Director

Chaves County Public Services requests review and approval of the 2025 Road Hearing Schedule.
Dec. 19, 2024 – Commissioners approve 2025 schedule
Dec. 23, 2024 – Applications available
Feb. 3, 2025 – Road application deadline by 5:00 pm

Feb. 20, 2025 – Commission to appoint freeholders
 Week of Feb. 24, 2025 – Post notice along proposed roads for Freeholders review
 Week of Mar. 10, 2025 – Freeholders view roads/ Post notice for Commissioners review
 March 20, 2025 – Commissioners receive Freeholders reports
 Mar. 23, 2025 – Notice for road hearings to be published
 Apr. 17, 2025 – 2025 Public Road Hearing – Commissioners review applications, freeholders reports and receive public input – No decisions will be made at this hearing
 Apr. 22-25, 2025 – Commissioners view road requests.
 May 15, 2025 – Commissioners give final decisions on road vacation and/or preliminary approval on new roads and road maintenance status changes
 Dec. 18, 2025 – Evaluation of stipulations and criteria-performance resolution and final approval on new roads and maintenance status change requests
 Jan. 1, 2026 – Final approval becomes effective on approved new roads and road maintenance requests

MOTION MADE TO: APPROVE THE 2025 ROAD HEARING SCHEDULE
 MOTION MADE BY: COMMISSIONER EZZELL
 SECOND MADE BY: COMMISSIONER TAYLOR
 IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY
 OPPOSED: NONE

**13. A. TERMINATE LEASE A-21-051 – SUBLEASE WITH LA CASA BUENA DE SALUD
 B. TERMINATE AGREEMENT A-21-050 – LEASE WITH OLIVE TREE INVESTMENTS, LLC**

Presenter: Bill Williams, Chaves County Manager

- A. Terminate Lease A-21-051, a sublease between Chaves County and La Casa de Buena Salud, Inc. for lease of a building located at 110 E. Mescalero Road.
- B. Terminate Lease A-21-050, a lease between Chaves County and Olive Tree Investments, LLC for the property located at 110 E. Mescalero Road.
- B. The County leases the building at 110 E. Mescalero Road from Olive Tree Investments, LLC. The County currently subleases the building to La Casa de Buena Salud for mental health services.

The building is no longer needed for these services. As such the County would like to terminate the sublease with La Casa de Buena Salud and the original lease with Olive Tree Investments, LLC. Staff recommends approval.

MOTION MADE TO: APPROVE TERMINATION OF LEASE A-21-051 AND A-21-050
 MOTION MADE BY: COMMISSIONER TAYLOR
 SECOND MADE BY: COMMISSIONER EZZELL
 IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY
 OPPOSED: NONE

14. UPDATE – CHARLES NORIEGA COMPLIANCE TO AGREEMENT A-24-004 PER CONDEMNATION RESOLUTION R-23-054

Presenter: Louis Jaramillo, Planning and Zoning Director

Per Agreement A-24-004 and Amendment #1, Mr. Charles Noriega was given nine months to remove all vehicles, mobile homes (excepting one), recreational vehicles, trash, rubbish and debris. Also, Mr. Noriega was not to place any new vehicles onto the site, and he was not to engage in any business. Finally, Mr. Noriega was to move all of his junk from Mr. Hellums property and construct a fence along the eastern property line. Mr. Noriega, instead chose to continue with his business operations, add new vehicles and a new RV to the site, have multiple people living on the site in RVs, and continue to use the mobile homes for storage. Staff believes the Agreement with Mr. Noriega has run its course and recommends that the cleanup of Mr. Charles Noriega’s property at 6217 Devonian Street be handed over to County Staff. All reasonable costs associated with the cleaning, abatement and disposal of vehicles, mobile homes, recreational vehicles, trash, rubbish, and debris shall be assessed against the property in the form of a valid lien. Said lien will be filed in the Chaves County Clerk’s Office. Staff will notify Mr. Noriega, by standard mail, ten days prior to the cleaning date in order to unlock the gates. Staff recommends approval.

MOTION MADE TO: ENFORCE AGREEMENT A-24-004 AND TAKE WHATEVER LEGAL ACTION IS NECESSARY TO MAKE HIM COMPLY WITH HIS AGREEMENT
MOTION MADE BY: COMMISSIONER EZZELL
SECOND MADE BY: COMMISSIONER PERRY
IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY
OPPOSED: NONE

15. ELECTION OF INTERIM CHAIRMAN

Presenter: Bill Williams, Chaves County Manager

In accordance with Ordinance #31, when both the Chairman and Vice-Chairman go out of office on December 31, the Board of Commissioners will elect an interim Chairman to serve as Chairman until the 1st meeting in January where a chairman will be elected by the new Commission.

MOTION MADE TO: ELECT COMMISSIONER DANA AS THE INTERIM CHAIRMAN
MOTION MADE BY: COMMISSIONER EZZELL
SECOND MADE BY: COMMISSIONER PERRY
IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY
OPPOSED: NONE

APPROVAL OF CHECKS

MOTION MADE TO: APPROVE CHECKS IN THE AMOUNT OF \$2,623,999.40
MOTION MADE BY: COMMISSIONER TAYLOR
SECOND MADE BY: COMMISSIONER DANA
IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY
OPPOSED: NONE

APPROVAL OF REPORTS

MOTION MADE TO: APPROVE REPORTS
MOTION MADE BY: COMMISSIONER DANA
SECOND MADE BY: COMMISSIONER TAYLOR
IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY
OPPOSED: NONE

UNSCHEDULED COMMUNICATIONS ARE LIMITED TO THREE MINUTES PER VISITOR NOT TO EXCEED 15 MINUTES. NO FORMAL ACTION WILL BE TAKEN BY THE COMMISSION.

Robert Baker – Department of Transportation, District 2 – Traffic Engineer

Mr. Baker conducted a traffic study for the US 285 and Darby Rd intersection. They have since taken several steps to improve its safety. One proposal is to install street lighting. A letter was read from Francisco Sanchez.

Tom Gomez – 25 Ambush Road, Dexter, NM

Mr. Gomez made comments concerning the flooding in his area. Mr. Williams stated the County is working with NRCS to prepare some kind of flood evaluation so they can look at all the different points of contention and determine if there are things that need to be done. Mr. Gomez suggested reevaluating adding culverts. Mr. Gomez mentioned that the water was being diverted towards his area. Brian Houghtalin gave comments stating that the area in question is an uncontrolled drainage area between Tumbleweed Draw to the north and 13 Mile Draw to the south. There aren't any flood control structures or manmade structures that diverts the water down Orchard Park Road. There are plans for a hydrologic study to be conducted with FEMA. This area is a natural drainage area. A study could take years. The water that came out of the reservoir on the Brown Brothers Ranch went northeast. The water that came down 13 Mile Draw and Zubi Draw went southeast. The water that went through Orchard Park came from an uncontrolled drainage area. Mr. Gomez asked for evidence or photos from where the uncontrolled water came from.

Michael Gomez – 39 Ambush Road, Dexter, NM

Mr. Gomez made comments concerning the flooding in his area. In 2021 he asked the Commission to get with the State concerning the flooding and view the drainage on Hwy 2, since then nothing has been done. Anything south of Crossroads on County roads there is very little to no drainage system on these County roads. Emergency vehicles can't rescue people due to water. If you travel

south on 285 the State has still not removed telephone poles that are trapped on the guardrail. He would like to have this taken into consideration.

Janette Shaeffer – 11 Two Sticks Road, Dexter, NM

Ms. Shaeffer made comments concerning the flooding in her area. She thanked the Commissioners for hearing them. She was in both floods and it has been devastating. She has do to fencing in stages and everything is a huge loss. She also lost a lot of animals. She had her granddaughters with her and they are 3 years old and 3 months old. She called 911 and they couldn't respond. They just had to live through it. If there is anything that can be done she would appreciate it.

Angelo Gurule – 3402 Highland Road, Roswell, NM

Mr. Gurule is retiring from the County and he wanted to tell everyone he has appreciated working here and he has really enjoyed it. He thanked several people individually. This has been his family for 23 years.

Charlotte Andrade - #1 St. Mary's Place, Roswell, NM

Ms. Andrade stated she has worked here for 23 years and she stated it has been a pleasure working with everyone. She acknowledged her staff. Their 10-year average in collections is over 99%. She stated that Chanel will be a remarkable Treasurer with a great team behind her. She thanked the Commission.

Jeff Bilberry recognized the award, Ayudando Siempre Alli – “Always there helping”, from the New Mexico Cattle Growers Association that Bill Williams received.

Rita Kane Doerhoeffer – comments were read by Bill Williams

Ms. Doerhoeffer was unable to make the meeting due to a doctor's meeting. The Road Department put a roll-off in the Courthouse parking lot for the tree lighting and parade events. Midway and Sierra Fire Departments stepped up and helped the Roswell High School State Championship Football Team be honored in the light parade. The Facility Maintenance Department, Joe, helped Keep Chaves County Beautiful pick up four benches on the east side of town. Throughout the year she received help from the Clerk's Office, Finance, Assessor, Treasurer, Jessica, Planning and Zoning, the Sheriff, IT, 911, and the people on Bill's side of the building.

MANAGER'S COMMUNICATIONS

Mr. Williams thanked Chairman Bilberry for his kind words about his award. He was really surprised because this is such a prestigious award. He thanked the New Mexico Cattle Growers Association. The County will have a swearing-in ceremony on December 31st at 10:00 am. Judge Carson will preside. He thanked Stan for helping with all of the legal questions this past month and Alex did a good job with the road hearings. We have been sharing our commission chambers with the City. We thanked our staff today for everything they do but all of that comes from the top down. In the past we've had exceptional Commissioners and in the future we will have good Commissioners. They all work together for the common good of our County.

COMMISSIONERS' COMMUNICATIONS

COMMISSIONER PERRY

Commissioner Perry thanked the County and First Responders for doing their due diligence in the flooding. He went to a Fire Board meeting with Mr. Palomino and Dispatch came in at 10:00 and they were 408 calls behind. That's amazing that there were that many people that needed help. We came together as a County as it shows the professionalism and the way we do business. He wore a blue shirt and his black cowboy hat today as a tribute to Commissioner Ezzell and Chairman Bilberry. He thanked both of them for showing him the ropes. He gave a shout out to the Roswell High Coyotes for winning the state championship and recognized Alex's son who was their quarterback.

COMMISSIONER TAYLOR

Commissioner Taylor stated he would like to thank all the staff. When he watched the presentation of the longevity awards it shows the stability and great leadership we have amongst the department heads. It's been a pleasure to serve with Jeff and Calder, they have been great to work with and he is going to miss them. He looks forward to working with the new Commissioners. He wished everyone a Merry Christmas and a happy and prosperous New Year.

COMMISSIONER DANA

Commissioner Dana thanked the staff. The flooding was pretty wild. She thanked Dispatch because she was one of the ones who called at 2:00 in the morning and they advised her to stay where she was. She thanked the Road Department for dealing with all the road issues. She thanked Charlotte for going all the way to the Governor's office to find any way possible to help the flood victims who have not received their tax bills. She didn't get the answer they wanted and hopefully, the Treasurer's Affiliate can take this issue up during the sixty-day legislative session.

This was a challenging year and it will take many years to recover from this. Her Dad always said, "Did you learn from this" and she believes we have learned from this. She thanked Michael and his staff for all the work they do at the Detention Center, she thanked Cindy and her staff for running wonderful elections, she thanked Anabel, and she thanked Jeff and Calder. She stated Merry Christmas to everyone.

COMMISSIONER EZZELL

Commissioner Ezzell stated he guesses it's human nature for those being termed out of office, especially an office they have loved, to feel like they are quitting before they finished their work. He didn't realize how that would sink in on him until recently. He has the upmost confidence in the two incoming Commissioners and he knows that Chaves County is a well oiled machine that will keep running because of all of the people. He thanked Bill and stated it has been wonderful working with him. He is the glue that holds all of this together.

We know we have the best County Clerk's Office in the State, the best Sheriff's Office, the Detention Center is in the best hands it could possibly be in, Brian has a hell of a job in front of him, Joe – the Road Department is always over the top, he thanked Charlotte for her 23 years of service, he thanked Stan for his dedication to this County, he told Alex we are so lucky to have found him, but the most joy he has gotten from his job is watching Anabel evolve from a timid little girl that used to follow Joe Sedillo around into the strong, powerful, and brilliant woman she is today. He stated that whoever replaces him on the Finance committee needs to listen to what Anabel and Lucia tell them. They are highly professional, financial wizards, and administrative wizards.

He stated he wanted to thank everyone and you should always leave something in better condition than you found it and he doesn't think he can say that right now. Working with all these wonderful people has made him a better person and a better lawyer. He considers that past eight years to be the highlight of his professional career.

COMMISSIONER BILBERRY

Commissioner Bilberry stated he doesn't know where eight years went so fast. To all the sitting and past Commissioners it has been his privilege and honor to serve with you. It has never been a job to him, it's been a roll your sleeves up and get busy. There are brilliant minds that sit in these rooms and meetings and the tasks that have been set before them, they have resolved. This County is so blessed to have this type of talent and people who care. He's learned from everyone, iron sharpens iron. This has been a highlight of his career, and he's worn many hats, and this one is at the very top, being able to serve this County and the people in this County. He believes they did leave it better because of the people sitting in this room.

They've seen a lot of changes and transitions and it's always amazed him that everyone who works for this County pulls the same direction. He didn't have any idea how many moving parts there are in running the County until he came on, there are a tremendous amount of moving parts. If there is one part of the machine that has a little trouble someone steps up and makes sure it gets fixed. He thanked everyone for allowing him to be here and he's gained many friendships from this. He prays that God blesses everyone, and keeps His hand on them, their families, and this County.

The meeting was adjourned at 11:49 am.

BOARD OF CHAVES COUNTY COMMISSIONERS



Cindy Fuller
Cindy Fuller, County Clerk

[Signature]
Richard C. Taylor, Chairman

[Signature]
Michael J. Perry, Vice-Chairman

[Signature]
Dara Dana, Member

[Signature]
R. Cliff Waide, Member

[Signature]
Herbert 'Hub' Corn, Member