

1 **REGULAR CURRY COUNTY COMMISSION MEETING**

2
3 June 23, 2009

4
5 **PRESENT:**

6 **ABSENT:**

- 7 FRANK H. BLACKBURN - CHAIRPERSON
- 8 ROBERT O. SANDOVAL - VICE-CHAIRPERSON
- 9 DANIEL J. STODDARD - MEMBER
- 10 WENDELL E. BOSTWICK - MEMBER
- 11 CALEB J. CHANDLER - MEMBER

12
13
14 **CALL TO ORDER**

15 The meeting was called to order by Chairman Blackburn at 9:01 a.m. The meeting was held in the Clovis-
16 Carver Library North Annex.

17 **PLEDGE OF ALLEGIANCE**

18 Commissioner Stoddard led the meeting with a prayer and the Pledge to the U.S. Flag.

19 **AGENDA APPROVAL**

20 Chairman Blackburn asked if there were any changes in the agenda. Commissioner Stoddard moved to
21 approve the agenda as presented. Sandoval 2nd. 5 verbal ayes.

22 **APPROVAL OF MINUTES**

23 Commissioner Sandoval moved to approve the Regular Commission minutes of 5-19-09 as presented.
24 Stoddard 2nd. 5 verbal ayes. Commissioner Sandoval moved to approve the Indigent Board minutes of 5-19-09 as
25 presented. Stoddard 2nd. 5 verbal ayes. Commissioner Chandler moved to approve the Special Commission
26 minutes of 5-12-09 as presented. Stoddard 2nd. 5 verbal ayes. Commissioner Bostwick moved to approve the
27 Special Commission minutes of 5-29-09 as presented. Chandler 2nd. 5 verbal ayes.

28 **APPROVAL OF CHECKS**

29 Commissioner Bostwick moved they approve direct deposit checks numbered 15906 - 16389, accounts
30 payable checks numbered 95216 - 95762, payroll checks numbered 51358 - 51377, and purchase card expenditures
31 from 4/16/09 through 5/15/09 for a total of \$5,867.07. Sandoval 2nd. 5 verbal ayes.

32 **COMMISSION COMMITTEE REPORTS**

33 **PRESENTATION AND REPORT ON COUNTY ROAD R - COLONEL STEPHEN CLARK**

34 Colonel Clark said he would like to step the commission through their concerns at the Base. They have
35 identified CR R that parallels or runs along their installation to the west as an issue. For the record Clark he is the
36 Base Commander and has the responsibility for the war fighting mission of the 27th Special Operations Wing. Unique
37 to Cannon, as compared to the rest of the Air Force, is that he is also the Installation Commander so he is also
38 responsible for the entire infrastructure, all the support to the families, and how the Base is configured. Explained
39 they have a great working relationship with the city and the county in trying to make things happen.

40 Clark presented slides showing their base perimeter property, their north housing, and the base proper. He
41 pointed out the housing area, the runways, and what has become an area where they land when they have hot rounds
42 that didn't fire. They have placed a big dirt berm to keep the round, if it discharges, from flying off the base and into
43 properties that aren't theirs. They also have loading spots they use to load the aircraft with munitions.

44 His principle concern in identifying priorities is Anti-terrorism/Force Protection and concerns with the Base.
45 As they try to continue to grow the Special Ops mission here, their signature world wide will also start to grow. They
46 already have issues down at Hurlbert Field where their first Special Operations Wing was with people observing what
47 it is that is going on and building concerted plans to try to attack the base. Clark said he wasn't concerned with the
48 local population but was concerned about folks from the outside as their signature grows. That was a concern with
49 the greater AFSOC community that is in Tampa, Fort Bragg and other locations where people do surveillance in their
50 installations. The concern that is probably more long term and has to do with day-to-day operations is the impact to
51 the runways and that is the approaches to the runways and how they are affected when weather moves in and whether
52 they can land aircraft safely or not. Currently, they have clearance violations due to the traffic on CR R. The other is
53 their Arm/De-arm areas that he alluded to. He will also give a better understanding of what their flight operations are
54 going to look like from what they were used to. Lastly, Clark said was the impact of the railroad noise to their housing
55 areas. Clark said in order of priorities this was how they saw it.

56 The Anti-terrorism/Force Protection concerns are with where the runways are located. A couple of months
57 ago they had an individual that crashed into their fence and took out about 150 feet. The concern he has is if
58 someone is planning to attack the base, CR R is probably the road they would come in on. The first issue is the
59 railroad tracks and the second one is he is coming right in there once he breaches the fence line. They have a clear
60 path to the runway and right to the aircraft then into the base housing where they can do significant damage before
61 their security forces can react. It is a wide open and flat terrain.

62 Clark said by the time they get done building up the base they will have \$5 billion worth of assets on that
63 ramp and there is a direct line from that fence line right to the aircraft. They will continue to harden the fence line
64 and do a couple of other measures that are internal to the base, but by the time he can get there he still has about two
65 year's worth of issues. The other part is if a terrorist comes in with armed vehicles he can start firing on the base and
66 has immediate access and an immediate escape route as opposed to coming across fields and trying to get there.
67 When they look at Force Protection issues, they essentially do what is called "red cell" them. They take on the mind
68 set of the person trying to attack the installation and how they would do it. They try to reinforce their positions at the

1 gates and do different things like that. They will also reinforce their fence with thick wire that will stop vehicles from
2 coming across or at least impede their ability to cross. They have also run into some internal issues. Right now he
3 cannot put a second fence inside the perimeter because it is very flat terrain.

4 By FAA standards on encroachment issues, they have to have the ability should they lose an engine on
5 takeoff, to safely clear the terrain. That is where the fences and the buildings come into play. They are in a high
6 pressure altitude with very heavy aircraft. Field elevation starts at 4,400 feet and when it gets hot in the summer time,
7 the pressure altitude goes well above that. The gunships in particular for the C130's are the heaviest weight and
8 highest drag in the Air Force inventory and they don't climb up very well. The neck weight of a normal C130 is about
9 155,000 pounds fully loaded. Without fuel it is about 80,000 pounds. Clark said he had taken off here in the
10 summer time weighing 155,000 pounds and the end of the runway comes very, very quickly. If you lose an inch in
11 the summertime fully loaded, the aircraft could come back down. They are mitigating that by not taking off fully
12 loaded with fuel. It has to be a highly trained crew to be able to make safe take offs happen.

13 Clark showed maps of the clear zones and accident potential zones. He said he was restricted from asking
14 for land by OSD and that this was an existing base. He said the Air Force needed to own parts that he showed on the
15 maps, but would work around that. The issue is that for a clear zone there should be nothing inside the area because
16 they are at risk. They need that for the take offs and the landings. He said they would notice that internally there
17 were some structures inside the clear zone, but they are taking those structures down and rebuilding them elsewhere.
18 Clark talked about the critical zone violations on the Runway 31. Clark said that by next summer the ramp they
19 currently have is going to be full. Their operational tempo will increase dramatically between now and then.

20 Lastly, Clark said the train whistles was a quality of life concern. He said he would be a winner with his folks
21 if they could get rid of them. He knows Colonel Leahy worked on that a long time. He said the things he talked
22 about before are what he is really concerned about. The safety of his folks, the aircraft, his crews, and to the base
23 were his largest concerns. The noise is ancillary compared to the rest of it.

24 Chandler said from the presentation it looked like there were things that would be happening in the future
25 that could require expansion at the base. That would probably take more land to the west and it would be the ideal
26 situation if they already had that when it was needed. However, his immediate needs would be met if CR R was
27 closed. He asked if that was what he heard. Clark said their immediate need would be resolved if CR R were closed.
28 In their base expansion they have a plan for how they will take on the missions that are currently on board to come to
29 Cannon. They could fit all that within the current footprint that they have within their perimeter fence lines. When
30 they are done, there will be no more room for expansion. They will access every square foot that they have.
31 Chandler asked if they were land locked. Clark said that was correct.

32 Chandler asked if there were a situation where they had the opportunity to bring in other missions and
33 expand the base, which way would they want to expand. Clark said they had not looked at that, but he thought north
34 was not an option because of the railroad tracks. West could be an option. They are already talking about bringing
35 in BM2 matting which is the temporary metal sheets they put down on just dirt that they can put aircraft on. On the
36 southeast side of the base they will be laying a lot of concrete over the next five years putting in an entire ramp. All of
37 their C130 operations will move to the southeast side. Further south might also be a possibility. Chandler thanked
38 Colonel Clark and his crew for being here and said they really appreciated them as this helped them with their
39 planning. Chandler said they were really concerned about the future of Cannon and would do everything they could
40 to help them perform their mission.

41 Blackburn said on the clear zones over CR R, he thought that Cannon had no build easements. He asked
42 Clark if he was familiar with that. Clark said there were some easements, but it was really about the traffic running
43 back and forth through the clear zones. It is a matter of risk reduction or how much risk the county and base are
44 willing to accept. He can't control running aircraft from losing an engine and what it is going to do. He can mitigate it
45 as best he can, but at some point and time he starts losing mission and capability. As they start reducing the weights of
46 the aircraft, then it starts impacting their ability to train because now they have to be back and forth getting fuel which
47 will cost them time and training. The more fuel and ammunition he can take off with, the less impact to his training.
48 The incidences of people driving on CR R combined with how many takeoffs and landings they do and what risks, is
49 kind of in the county's hands.

50 Stoddard thanked Clark for being here and said it sounded like the sooner they got this resolved the faster
51 they could move forward. He asked if that was correct. Clark said it was.

52 Bostwick said it was his understanding that he was just asking for the closure of CR R and what they do after
53 that point is immaterial. He asked if that was correct. Clark said how they resolved the issue he would defer to their
54 best judgment because there were multiple ways of approaching this. The optimum way is to stop the traffic on CR R
55 and then he wouldn't have those infringements that he talked about. If they can afford to do that or not, he knows
56 they all have constrained resources.

57 Sandoval asked if they should vote on this resolution. Blackburn said they would wait as it was on the agenda
58 at 11:00 and he had several calls about when this was going to happen.

59 PRESENTATION OF CURRY COUNTY HISTORY BOOK - RAY SULLIVAN

60 Sullivan said he wanted to give the commission a copy of their Curry County Anniversary History Book and a
61 DVD for safekeeping. It has a lot of great information and it has been their honor to do this book. Sullivan said he
62 wanted to point out a few things in the book. It not only talks about the various communities and the history of the
63 community with a nice description on how the stair steps came to be in the shape of the county. Patsy Delk was able
64 to bring the winners of the Centennial Art Contest so they have pictures in the book of all the drawings the kids drew
65 on the Centennial topic. There are a lot of unique pieces and there is a list of all the past county commissioners.
66 Sullivan said he wanted to say thank you for the support of the county. Sales are going well. He said it was great to be
67 in a place that has survived 100 years. Sullivan said one fact had changed since publication, the St. Vrain post office
68 has closed.

1 **RATIFICATION OF JOINT RESOLUTION SUPPORTING THE CITY OF CLOVIS "KEEP CLOVIS**
2 **BEAUTIFUL" PROGRAM - FRANK BLACKBURN**

3 Blackburn said this was a ratification of a joint resolution supporting the City of Clovis "Keep Clovis
4 Beautiful" program.

5 Mayor Brumfield said they were really excited to do this. Actually this was brought up about 10 years ago
6 and was called Clovis Pride at the time. They revamped the program and thought it was something that was
7 important to all of them. Right now they actually are working on a median project with the county. They have had
8 one meeting and will be having another one in July. They will be getting things together like their Trek for Trash and
9 will be doing some other activities. She said they appreciated everyone's support and looked forward to working with
10 them.

11 Blackburn said the Mayor and he had signed, Lora Harkun for the Clovis Municipal Schools, the Community
12 College Trustees, the Special Operations Wing Commander, the Clovis Chamber of Commerce, Clovis Industrial
13 Development Corporation, and Clovis Main Street had also all signed this resolution. **Commissioner Bostwick**
14 **moved they ratify and accept the joint resolution supporting the City of Clovis "Keep Clovis Beautiful" Program.**
15 **Chandler 2nd. 5 verbal ayes.**

16 **SUBDIVISION COMMITTEE SEPARATE FROM THE LAND USE COMMITTEE**

17 Blackburn asked Steve Doerr to please elaborate on the topic of the Subdivision Committee and the Land
18 Use Committee. In January, they formed a special citizens committee to deal with land use issues. Land use at one
19 time was a part of the Subdivision Committee responsibilities.

20 Doerr said when they adopted the Subdivision Ordinance, reference was made to the Land Use Committee
21 and the Land Use Committee would then make recommendations to the commission. Since then, the commission
22 has unofficially created a separate Subdivision Committee made up of staff that deals strictly with subdivision issues
23 not land use. The committee is asking that the commission establish a separate Subdivision Committee that deals
24 solely with subdivisions. If the commission does that, then they will by policy change the language in the ordinance to
25 where subdivision issues are referred to the Subdivision Committee and not the Land Use Committee.

26 Chandler said he thought when they discussed creating the Subdivision Committee that was their intent. As
27 they will recall they had the Land Use Committee established by the ordinance, but some of the commissioners felt
28 like they should have more input from landowners who didn't work for the county and weren't elected
29 commissioners. Therefore they decided that each commissioner would ask one person from their district be
30 appointed to the Land Use Committee. That committee would work primarily with land use issues. During
31 discussion they realized land use was a lot different than reviewing proposed subdivisions and they needed the
32 technical knowledge and ability of particular county staff members. So as he recalls they created the Subdivision
33 Committee to address all and subdivision issues. This committee would hear those issues and then make
34 recommendations directly to the County Commission, not the Land Use Committee. Blackburn said then they
35 needed to accept that recommendation. **Commissioner Chandler moved to create a Subdivision Committee separate**
36 **from the Land Use Committee to handle subdivision issues. Bostwick 2nd. 5 verbal ayes.**

37 **COUNTY ATTORNEY - STEPHEN DOERR**

38 **NOTICE OF INTENT TO ADOPT AN ORDINANCE ESTABLISHING TWO SINGLE MEMBER**
39 **MAGISTRATE COURT DISTRICTS IN CURRY COUNTY**

40 Doerr said he had provided each of the commissioners with a copy of the proposed ordinance for the two
41 magistrate judge districts. The ordinance tracks the Federal Court Order from a lawsuit filed in 2005. Pursuant to
42 discussions during that litigation a recommendation was made by a previous commission as far as the districts that
43 were incorporated into the ruling. The plaintiffs originally proposed districts at a public hearing in April of 2006 that
44 some of the residents felt like were gerrymandering and not appropriate. Curry County and the Secretary of State
45 signed off on two separate districts they thought was better representatives of the population and demographics of
46 Curry County. That was presented to the Federal Court and all parties agreed to it. The Federal Courts, however,
47 determined that Curry County and the Secretary of State's Office were not the proper parties and did not have the
48 legal authority to change districts which was something they had argued from the very beginning. As a result, there
49 were different parties named as the defendants. Ben Lujan - Speaker of the House, Tim Jennings - Senate President
50 Pro Tempore, and the State of New Mexico itself were named. The Federal Order was entered early in 2008 and the
51 Federal Court Order requires that all Curry County Magistrate elections after 2006 must comply with that Federal
52 Court Order.

53 Doerr said he had been working with the County Clerk, Coni Jo Lyman, and they need instruction in place to
54 change the districts and be able to set up the election for 2010. She needs that done no later than September of this
55 year since nomination petitions will go out in October. The way they have it scheduled at this time is the ordinance
56 will come back before the County Commission at its first meeting in August for their review and approval. That will
57 give the County Clerk plenty of time to send out notices and establish the districts. The Notice before them today is
58 to notify people that the ordinance is being considered and will be presented to the commission for its approval on
59 August 14. He said because he doesn't think any of the five commissioners here today were involved when the order
60 was approved he would try to answer their questions regarding the ordinance or any of the procedural history.

61 Chandler said if he understood this right what they were voting on today was just the Notice of Intent. There
62 will be a public hearing on August 4 and then the procedure will be that the County Commission will either vote to
63 adopt it or not adopt it. He said he was going to vote for this today but would have some questions at the public
64 hearing because there were some things that he was not satisfied with. In looking into the research that Doerr has
65 presented to them he doesn't find any place where the County Commission ever voted to not oppose this in the
66 beginning. There is a letter from the person who was the County Chair at that time and is no longer on the
67 commission. He doesn't find anywhere in any of the research that the commission ever authorized that. He never
68 finds any place in a public meeting where the County Commission ever approved anything. Apparently, there was a

1 press release about a meeting that was held and not in public that said it was okay. The matter was introduced before
2 the legislature at one time and the legislature refused to pass this plan. Eventually, without any input from this
3 commission, it was adopted by a Federal Judge because the Speaker of the House who presides over a body that
4 didn't pass it and a Senator Pro Tem who presides over a body that didn't pass it decided that it was okay. That
5 procedure just doesn't really sit well with him.

6 **Commissioner Stoddard moved to adopt the Notice of Intent to adopt an ordinance establishing two single**
7 **member magistrate districts.** Sandoval 2nd. 5 verbal ayes.

8 **COMMISSION COMMITTEE REPORTS CONTINUED**

9 Stoddard attended a Chamber Board meeting where they are wrapping up for the summer. There was
10 comments on Pioneer Days where everything went well. He attended the NM Association of Counties Annual
11 Conference in Hobbs. There was a lot of good information and classes. He attended the Shenandoah Concert and
12 Colonel Leahy's reception, and the Change of Command Ceremony at the Base. The Centennial Committee
13 informed him that the BNSF Railroad did award them \$5,000. Everyone has been working hard and continue to
14 work hard on the Centennial Committee. They are getting ready for Dairy Fest and as far as the Association of
15 Counties, they have their new officers and are getting ready for the new year.

16 Sandoval said he had attended all that Stoddard attended and everything else will be discussed later.

17 Chandler said they had had a lot of activity since their last commission meeting. He attended the Chamber
18 Board meeting where they got their marching orders. He attended an Amenities Committee meeting for the Events
19 Center and there will be some information later on in the agenda about that. He attended the Fairgrounds
20 Committee meeting. They are trying to get ready for the Fair. He attended the Change of Command at Cannon
21 which was a sight to see as Colonel Clark was brought on as the Commander. The Jail Committee met and they
22 continue to see improvements there and Bean will tell them more about that. They had an Eastern NM Rural Water
23 Authority meeting in Melrose that Mayor Brumfield chaired. Everything seems to be going well there. They all took
24 part in the Pioneer Days Rodeo and it worked out really well. For the NM High School Finals Rodeo, Connie
25 Harrison really ramrodded with great success. Most of them went to the NM Association of Counties meeting in
26 Hobbs for a few days. The Local Growth Management Committee at City Hall was chaired by the Mayor and they
27 are working toward the things they need to do with the growth of the city along with Cannon Air Force Base. The
28 Road Committee and CIDC Committee met and things are really moving on.

29 Bostwick said he attended two meetings with the Clovis Water Authority where they worked on the reclaimed
30 water situation. Attended the Change of Command, the Ute Water Committee, a Land Use Committee meeting, an
31 Information Technology meeting, and enjoyed the rodeos. He attended the Local Growth Management Committee
32 meeting and they adopted a final plan. There is a condensed version and a whole version. He attended the ACI
33 meeting which was a legislative update from Santa Fe and sponsored by the Rotary. Reported he had a conversation
34 with Senator Udall in Portales. He also attended a Subdivision meeting and the Jail graduation.

35 Blackburn said he attended two Centennial meetings. They are very active and will be at the Dairy Fest.
36 They owe the county \$20,000 and was pleased to hear several committee members say they had to get that paid back.
37 They are getting closer and closer by selling the cookbooks and lapel pins. He said Dairy Fest was sponsored by
38 Robert Hagevoort who is an Extension Dairy Specialist. He attended the Change of Command when Colonel Clark
39 was installed. He attended Land Use meetings and they discussed the Health and Safety Ordinance. Blackburn said
40 the beginning of the audit had begun and he met with the auditor. He attended several events at the Special Events
41 Center, the concert and Pioneer Days Rodeo and High School Rodeo Finals. At the High School Finals the county
42 served the meal one day to the participants. They got a good response. He was in the parade and they will be having
43 two more parades, one in Texico and one in Melrose. The Subdivision Committee met and there will be
44 information on that later. They had a Road Committee meeting yesterday where they had several issues on culverts,
45 road equipment, traffic and safety, speed limits, etc.

46 Sandoval said he forgot to mention one important thing. During their Association of Counties meeting in
47 Hobbs he had the opportunity to meet with the Secretary of Transportation, Gary Giron, on the Hull Street bridge.
48 They set up a meeting with him, the Mayor, and himself. Hopefully, after that meeting they will have some definite
49 dates on when they can get started.

50 **ELECTED OFFICIALS DEPARTMENTAL REPORTS**

51 **CHIEF DEPUTY ASSESSOR - TIM LYMAN**

52 **APPROVAL OF SUBDIVISION OF NM AMERICAN WATER**

53 Tim Lyman reported that Randy Williams was still recovering from his heart surgery. He talked to him
54 yesterday afternoon and he thinks he will be coming back to work Monday for half days. He has a recommendation
55 from the Subdivision Committee that met on the 16th and discussed two Summary Review subdivisions that are for
56 nine separate parcels of land just east of Humphrey Road on either side of Seventh Street. The nine parcels are
57 solely for well sites for the NM American Water Company. By state statute, the definition of subdivision means any
58 time they split a piece of property they have to conform to the Subdivision Regulations in Curry County. Mr. Lydick
59 with Lydick Engineers drafted the Summary Subdivision plats. There are two of them because they are in two
60 different sections. Mr. Lydick says that since it is within the Extra-territorial Planning and Zoning area for the city, he
61 thought that it would behoove him to allow the city to look at these plats. By the statute, the municipal subdivisions
62 do not conform or make a subdivision outside the city so the city felt like they didn't need to sign them.
63 **Commissioner Bostwick moved to approve the two Summary Review Subdivisions for NM American Water**
64 **Company.** Sandoval 2nd. 5 verbal ayes.

65 **CLERK - CONIJO LYMAN**

66 Lyman said she had had the wonderful opportunity of serving the young people who were at the High Plains
67 Finals lunch. It was a fun time and highlight of the day. She had attended an Information Technology and
68 Subdivision Committee meetings. She wants to report that real estate in Curry County must be moving because the

1 office is very busy. That is a good sign and that all falls back to what is happening at Cannon. She attended the
2 conference in Hobbs and reports Beni Dampier received her CPO from NMSU. Lyman reported that she had been
3 notified that 54 year old Pat Dunnagan with Automated Election Services has suffered a heart attach and passed from
4 this life. Pat has programmed the voting machine memory cards for Curry County since 1985.

5 **SHERIFF - MATT MURRAY**

6 Murray had no report.

7 **TREASURER - BERNICE BAKER**

8 Baker reported she attended the Association of Counties Conference in Hobbs. She was very privileged to
9 be able to attend their classes where she received her Certified Public Official certification. She reported the auditors
10 are here and they have been working with them. The Treasurer's Office sent out Delinquent Notices on June 10.
11 Since then they have received \$179,111.17 so the notices did some good. Right now they are 93.84 percent collected
12 on their taxes and as of this same time last year they were 94.57 percent collected. With the economy being what it is,
13 she feels they are doing quite well.

14 **COUNTY ADMINISTRATION REPORTS**

15 **INFORMATION TECHNOLOGY - AARON JONES**

16 **DISCUSSION/APPROVAL OF DISASTER RECOVERY AND CONTINGENCY PLAN**

17 Jones presented the Disaster Recovery and Contingency Plan. He said he only had two sections in it that he
18 wanted to discuss: Sections 10 and 11's supporting documentation. Over the next several months they will actually
19 be going through each department and doing a sort of mini-departmental plan because modes of operation for each
20 department within the county are different. They will be providing documentation of the various systems in each
21 department so that they have that information on hand. Commissioner Bostwick moved to accept the Disaster
22 Recovery and Contingency Plan. Stoddard 2nd. 5 verbal ayes.

23 **DETENTION DEPARTMENT - LOIS BEAN**

24 Bean reported they had received three metal detectors at the detention center and they were installed. They
25 put one in the front entrance and have one in the holding entrance. They have the other one in the Annex where
26 they house their females. They have five cadets that are going through another one of their trainings at the Cadet
27 Training Academy. They are hoping to be finished with their training by Friday and hope to have the graduation the
28 next week. On the 6th of June they graduated six cadets and one lieutenant. Bean said she attended the Jail
29 Committee meeting. They are going over the ASU (Alternative Sentencing Unit) Program and looking at different
30 techniques to try to enhance their program. They have finished the final draft of their ASU policy. They are in the
31 process right now of remodeling. She attended the Information Technology Committee meeting. She got a chance
32 to talk with Jones concerning the Disaster Recovery Plan on knowing what they can do in case they do have a disaster
33 at the jail.

34 Captain Cherry said he was the new security captain at the Adult Detention facility. He said he also assisted
35 with training and was given the opportunity to represent the Adult Detention Center at the NM Association of
36 Counties. They had a very productive meeting with their Detention Affiliate and were also involved in some of the
37 CPM classes. It was a very good program and would encourage anybody that has an opportunity to get involved.

38 Cherry said their Adult Detention Center population is 277 with 10 in their holding area. They have 189
39 males and 42 females. They have 12 that are in their JEHD (Jail Electronic Home Detention) Program and are
40 performing as required. They are making their home checks and reporting correctly and are coming in a timely
41 manner. They have made some adjustments that he has been advised about in their financial area of the FEASU.
42 They have 17 that are out on furlough or are on other various programs. They have 7 that are being housed out of
43 county. As far as staffing, they are doing extremely well. They are short one detention officer and that vacancy
44 should be filled within the next week. They also have one booking position they have to fill. That one is not as far
45 along in the process, but they are working diligently with Human Resources to get that filled. Their current
46 population at the Juvenile Detention Center is 9.

47 **ROAD SUPERINTENDENT - CHRIS PACHECO**

48 **APPROVAL OF CHANGE OF LEAD ON NM 209 ROAD PROJECT**

49 Pacheco said the agenda item on the change of lead on NM 209 was the road between Broadview and Grady.
50 It was an economic stimulus project application for about \$820,000. What they are going to do is mill and overlay the
51 road and the county is the lead agency on the application. District 2 Department of Transportation approached him
52 about their taking the lead so they could execute this quicker. The advantage to that is that they already have the in-
53 house engineer to perform the engineering which would stretch their dollars. One stipulation is that they can keep
54 the material on it. Pacheco said he was asking the commission for approval if they could keep the material. He
55 would like to use the material for patching. They are probably looking at 7,800 tons total. They will store it at the
56 Broadview facility and it will go a long way toward helping out the Road Department budget.

57 Commissioner Sandoval moved to approve the change of lead on the NM 209 Road project. Chandler said
58 if Sandoval would accept it, he would propose a friendly amendment to say that it is approved provided that the
59 county is able to get the spoils material. Sandoval agreed. Chandler said as he understood it, if the county was the
60 lead on the program, they will get the material which is really the most important thing for Curry County because the
61 county can use the material all over the county patching roads. Commissioner Sandoval said he would amend his
62 motion to approve the change of lead on the NM 209 Road project if the county would get to keep the reclaimed
63 material. Stoddard 2nd. 5 verbal ayes.

64 **MAINTENANCE SUPERINTENDENT - LEE DELK**

65 Delk said he had a little bit of good news. The county's Temporary Certificate of Occupancy for the Special
66 Events Center was approved as they passed their inspection yesterday.

67 **APPROVAL OF CHANGE ORDER FOR OVERHEAD SERVICE DOORS AT EVENTS CENTER**

1 Delk said they wanted to install two overhead doors, one on each ramp, the east side of the Events Center
2 and the west side on the livestock ramps. If they shut down the return alleys of these two access doors, they won't
3 open the big doors. That is turning into a problem moving equipment in and out. They originally looked at putting
4 in commercial swing doors, but they would be in the way whatever they would be doing so they are looking at a 6 x 7-
5 foot roll up coil doors. The cost is about \$9,305. Bostwick asked if the cost was per door. Delk said the amount was
6 for both doors. Chandler said this was something the Amenities Committee looked at and worked it into their
7 budget. Commissioner Chandler moved to approve the change order for two overhead service doors at the Events
8 Center. Sandoval 2nd. 5 verbal ayes.

9 **FINANCE DIRECTOR - MARK LANSFORD**

10 **UPDATE ON THE PRIORITIZATION AND ACQUISITION OF THE EVENTS CENTER**
11 **AMENITIES**

12 Lansford presented an updated list of where the county stood with regard to the amenities at the Events
13 Center. He said he would update them on three items because since press time, they have changed. Item number
14 11, the portable stage. On the telephone system and the internet, they are now estimating the completion date to be
15 no later than June 30. On the ambulance pad, the construction company is working on that as he speaks. They
16 expect that to be completed by the end of this week. Beyond these three, the list is fairly accurate. They have
17 contacted all of the vendors and asked for their best estimate as to when the county can expect the product and/or
18 completion of the project. The security fencing is the futherest one out. Davtek has assured them it will be done
19 before the Fair. The scoreboard has been shipped and the storage building is currently being erected. On the
20 exterior sign, the sign company has the actual box of the sign completed and is waiting on the LED material which is
21 being completed by someone else. They anticipate installation by the end of July. The portable folding chairs are
22 estimated to be here by the first week of July.

23 **APPROVAL AND/OR DISCUSSION OF CHANGE IN THE STANDARD MILEAGE ALLOWANCE**

24 Lansford said as they might be aware there was a relatively new public law that allows public bodies to pay up
25 to .55 cents per mile for mileage. The language in the law would be set on January 1 of the preceding year so they are
26 looking at what it was on January 1, 2008. Should the commission decide to modify what the county currently pays
27 which is .32 cents then that is how that would be set. The IRS rate is a moving number which changes every year.
28 Lansford said should the commission decide to increase the mileage for employees who use their own vehicles; they
29 estimate it would cost the general fund somewhere between \$6,000 to \$8,000 per year.

30 Chandler asked if the county manager had a recommendation.

31 Pyle said he would recommend they take an average and use .41 cents as they can always increase it. If gas
32 prices continue to go up, they can come back with a recommendation to increase. Commissioner Chandler moved to
33 increase the standard mileage allowance to .41 cents. Sandoval 2nd. 5 verbal ayes.

34 **APPROVAL OF CONTRACT RENEWAL WITH RED ROCK PETROLEUM, INC. FOR DIESEL**
35 **FUEL**

36 Lansford presented a contract renewal for diesel fuel with Red Rock Petroleum, Inc. With Red Rock
37 Petroleum they spend about \$150,000 per year. This is the first extension of this contract.

38 **APPROVAL OF CONTRACT RENEWAL WITH CONTECH CONSTRUCTION PRODUCTS,**
39 **INC. FOR CULVERT MATERIALS**

40 The second contract renewal is for culvert materials with Contech Construction Products. They spent about
41 \$26,000 this year on culverts. This contract can be extended for one additional year.

42 **APPROVAL OF CONTRACT RENEWAL WITH THYSEN KRUPP ELEVATOR COMPANY OF**
43 **EL PASO, TEXAS FOR ELEVATOR SERVICES**

44 The third contract is for elevator services with Thyssen Krupp Elevator. This is their third and final renewal.

45 **APPROVAL OF CONTRACT RENEWAL WITH GARRETT MITCHELL FOR SERVICES RELATED**
46 **TO THE MISDEMEANOR COMPLIANCE PROGRAM**

47 The fourth renewal contract is with Garrett Mitchell for professional services related to the Misdemeanor
48 Compliance Program. This is the second renewal of this contract which is about \$38,000 per year.

49 **APPROVAL OF CONTRACT WITH TERRI MARNEY FOR SERVICES RENDERED AS A PART-**
50 **TIME CURRY COUNTY WELLNESS COUNCIL COORDINATOR**

51 Lansford said this was the first original contract with Terri Marney for services rendered as a part-time
52 Wellness Council Coordinator. The contract is for \$1,200 per month and the funds are paid out of the MCH grant.

53 **APPROVAL OF CONTRACT WITH CLOVIS COUNSELING CENTER REGARDING**
54 **COUNSELING SERVICES FOR THE TREATMENT OF DWI OFFENDERS**

55 This contract is with Clovis Counseling Center for professional counseling services for treatment of DWI
56 offenders. This service will be paid out of the DWI grant.

57 **APPROVAL OF CONTRACT WITH TRIADIC ENTERPRISES, INC. FOR THE PRINTING,**
58 **SORTING AND MAILING OF THE 2009 TAX BILLS**

59 Lansford said the last contract was with Triadic for the printing, sorting and mailing of the 2009 tax bills.
60 They had an increase of .01 cent over the preceding year because of postage. The service for actually mailing the bills
61 is less than \$5,000.

62 Chairman Blackburn said there were a total of seven contracts. He asked if there were any questions.
63 Commissioner Sandoval moved to approve all contracts by consent. Stoddard 2nd. 5 verbal ayes.

64 **APPROVAL OF BUDGET RESOLUTION NO. 2009-33 FOR A CASH BALANCE TRANSFER TO**
65 **THE ROAD FUND**

66 Lansford presented Resolution No. 2009-33 for a cash balance transfer from the General Fund to the Road
67 Fund in the amount of \$500,000. He said as they were aware, they have to maintain 3/12ths of their proposed
68 operating budget for the next fiscal year in cash. The reason they estimated a little high is because one year for some

1 reason the state did not pay the county's June motor vehicle fee distribution and gas tax distribution until July. It
2 could have really messed them up had they not had a significant reserve so they tend to be a little more conservative.
3 This is management's recommendation. **Commissioner Sandoval move to approve Resolution No. 2009-33 for a**
4 **cash balance transfer to the Road Fund of \$500,000.** Chandler 2nd. Roll call vote. Stoddard aye, Sandoval aye,
5 Blackburn aye, Chandler aye, and Bostwick aye. By 5-0, the motion carried.

6 Lansford said he wanted to mention they had the auditors doing the audit and this is the first time they came
7 and did interim work. They did a little bit of auditing work before the books were closed and will come back again in
8 September to finish up. All audit issues were successfully resolved and they are happy with how things are going so
9 far. Lansford said the Finance Department was busy closing out the fiscal year. He said they appreciated all the help
10 from the other departments and elected officials. It is a team effort and as far as purchasing is concerned he was sorry
11 he had to load them up with so many contracts, but a lot of them have June 30 year ends.

12 **ASSISTANT COUNTY MANAGER - CONNIE HARRISON**

13 **NO PETS ALLOWED AT THE EVENTS CENTER WITH THE EXCEPTION OF THOSE AIDING**
14 **HANDICAPPED**

15 Harrison said she would like to thank everyone that helped out with the NM High School Rodeo Finals.
16 The Chamber played a huge part in this. She said she wanted to thank each commissioner because she knew that all
17 of them attended the rodeo or participated in one of the events. Coni Jo Lyman was a huge help in helping serve.
18 They served over 533 contestants and their families during lunch. She knows that Commissioners Blackburn and
19 Chandler were able to meet the national director who was very pleased with the event.

20 Harrison said she and the Sheriff want to visit with the commission about the dogs entering the events center.
21 Their recommendation does not in any way include not allowing dog shows or any other events that might include
22 animals. Their concern is the pet feces and the potential problem with the danger to spectators from animal bites.
23 This is in the User Agreement, but it hasn't been a formal policy. What they would like to recommend to the
24 commission is that they only allow pets for those that are handicap impaired during events not required for
25 performance. Chandler said he would approve this as he and Blackburn had witnessed a pit bull at the rodeo move
26 through the crowd and they were concerned they might have a liability problem if they allowed those kinds of things
27 to happen. He asked Doerr if he was right. Doerr said they would. If they make it a separate policy now from the
28 User Agreements, then the County Manager will have to comply with it at all future events. **Commissioner Chandler**
29 **moved to adopt not allowing pets at the Events Center as a policy with the exception of those aiding the handicapped**
30 **or performing in the event.** Bostwick 2nd. Sheriff Murray said there comes a problem with everything going on out
31 there, but if they could put signage right up at the front window when they buy their tickets it would probably save a
32 lot of problems at the door once they walk in. He asked they consider that. 5 verbal ayes.

33 **COUNTY MANAGER - LANCE A. PYLE**

34 **APPROVAL OF PROFESSIONAL SERVICES AGREEMENT WITH MANAGEMENT ASSOCIATES**
35 **FOR LEGAL AND ARBITRATION SERVICES**

36 Pyle presented a professional services agreement with Management Associates to have them serve as the
37 county's spokesperson in negotiations and to represent the county on impasse procedures when necessary. The sum
38 is \$125 per hour and includes travel time one way plus costs and expenses for services rendered and 32 cents per
39 mile. For legal and arbitrations services they will be billed at \$150 per hour and they will have a 30-day out clause.
40 The contract will be from June 23, 2009 to June 22, 2010. Pyle said he didn't expect the county to use this contract
41 but it was the request of Management Associates that everyone they provide the service to update their contract and
42 get a current contract on file. **Commissioner Sandoval moved to approve the professional services agreement with**
43 **Management Associates.** Stoddard 2nd. 5 verbal ayes.

44 **APPROVAL OF PROFESSIONAL SERVICES AGREEMENT WITH MANAGEMENT**
45 **ASSOCIATES FOR PERSONNEL INVESTIGATIONS AND OTHER PERSONNEL MATTERS**

46 Pyle said this was another agreement with Management Associates for personnel investigations and other
47 personnel matters. It will be \$125 per hour, 32 cents per mile and there is a cap at \$10,000. He said he very seldom
48 uses them. He would like to have a contract in place since the existing one has termed and they had to call them in
49 for assistance since they didn't have a contract. He was able to negotiate a lesser amount than what the county has
50 paid them previously. **Commissioner Stoddard moved to approve the professional services agreement with**
51 **Management Associates for personnel investigations and other personnel matters.** Sandoval 2nd. 5 verbal ayes.

52 **APPROVAL OF COUNTY MUTUAL AID AGREEMENT WITH QUAY COUNTY REGARDING**
53 **FIRE DISTRICT/DEPARTMENTS**

54 Pyle presented a county mutual aid agreement with Quay County regarding fire districts and departments.
55 The agreement basically sets down in writing operations at fires and/or emergencies at which two or more entities
56 participate. He sent this agreement to Pleasant Hill, Field, and Broadview. The only fire department he has heard
57 back from has been Tommy Lofton at Broadview. He thinks it is a great agreement and recommends approval.
58 **Commissioner Chandler moved to approve the county mutual aid agreement with Quay County regarding fire**
59 **districts and departments.** Bostwick 2nd. 5 verbal ayes.

60 **APPROVAL OF NOTICE OF INTENT TO ADOPT AN ORDINANCE AFFECTING GENERAL**
61 **PUBLIC HEALTH AND SAFETY**

62 Pyle presented a Notice of Intent to adopt an ordinance affecting general public health and safety. He said it
63 was the ordinance they started work on last year. Thanks to the Land Use Committee the commission formed with
64 five residents from the community, they had a lot of input and basically the ordinance was gone over page by page. A
65 lot of the ordinance has been totally rewritten. What this is doing is letting the public know that the commission
66 intends to adopt an ordinance and will hold a public hearing on August 4, 2009. **Commissioner Sandoval moved to**
67 **approve the Notice of Intent to adopt an ordinance affecting general public health and safety.** Bostwick 2nd. 5 verbal
68 ayes.

1 **APPROVAL OF RESOLUTION NO. 2009-34**

2 Pyle presented Resolution No. 2009-34. Basically what the resolution does is state the County Commission
3 has determined it is in the best interests of the county to close CR R and to chip seal an all weather public road west
4 of NM 467 on CR 7 to CR T then north on CR T to U.S. 60/84. It also discusses the estimated cost of doing so
5 which is approximately \$2 million. This will assist the Air Force in its operations. Curry County will assist the
6 families that would lose access to their property on CR R and requests the County Manager to start looking for grants
7 and assistance to chip seal an alternate route.

8 Blackburn said he was very concerned and the resolution allows no other options. He believes they should
9 slow down and look at other options. Blackburn said he thought this should go back to the Road Committee. Also,
10 moving over to CR T is going to be a hazard to the home owners on CR T. They are closer to the road than the
11 homes on the Base are to CR R. Those people should have equal protection.

12 Bostwick said in visiting these roads, CR T and CR R, lay within his district. He has spoken with his
13 constituents and there is some concern for their safety. For most of them, they are not upset about the air base and
14 appreciate their endeavors in everything that goes on, but there is some concern about the traffic that is going to be on
15 those roads and the change in the environment. In fact, if they move to CR T, he will have a lot more constituents
16 affected. He has visited with the constituent on CR S and he isn't so inclined to use that road, but he understands that
17 if they go to CR T, it will affect more people. In that respect, he questions whether they need to go all the way to CR
18 T.

19 Blackburn said the resolution states it is CR T. Chandler said the resolution did pose two really important
20 issues. Particularly after listening to Bostwick's and Blackburn's concerns, he thinks they need to look at this as two
21 different questions. First, shall the County Commission proceed forward with the intent of closing CR R? The
22 second is, should the County Commission plan to chip seal CR T or CR S. **Commissioner Chandler moved to**
23 **separate the questions into two separate resolutions and first decide whether they will proceed with closing CR R.**
24 Stoddard 2nd. Blackburn said only a viewer's committee could close a road. This sounds like the commission is
25 going to close that road.

26 Chandler said he didn't think that was what the resolution said as he read it. Blackburn said he was talking
27 about Chandler's motion. Chandler said his motion was to separate this into two issues. His motion does not make a
28 final resolution on either issue.

29 Blackburn said there was a motion and a second to separate the issues. Sandoval asked Doerr if they could
30 do that. Doerr said he certainly thinks they can do it, but the procedure he is trying to figure out is how the viewers
31 would make the report if they didn't have before them something showing what the county's action was going to be on
32 an alternate road. He thinks that would probably change the burden on the viewers if they didn't have that.

33 Blackburn said they were not prepared for a major closing of a road. This road has 300+ vehicles per day, he
34 is told. There are many users of this road. They have to have more study to see what they are going to do with the
35 diversion of that many vehicles and the added cost of farm products and people using that road from one end of the
36 base to the other. They already have a problem in Curry County of so many railroad crossings closed that you can't
37 get from the north side of the tracks to the south side.

38 Sandoval said as he understood it, the motion before them right now is whether to break this up into two
39 pieces or not. He asked counsel if it was alright for them to do this. Doerr said as long as they would address them at
40 the same time, they could address them separately. He thinks before it goes to the viewers for the closure, they have
41 got to have some guidance from the commission as to an alternate route.

42 Chandler said that would be his intent. His motion is just a procedure motion that is allowed under Robert's
43 Rules of Order to break it into two issues and decide both issues today but decide them separately. Chandler called
44 for the question. 4 verbal ayes. Blackburn nay.

45 **Commissioner Chandler moved that they move forward with their intent to close CR R on Resolution 2009-**
46 **34.** Sandoval 2nd. Bostwick asked if their intent was to see if they could acquire funds to do this with. Chandler said
47 it was.

48 Pyle said he was contacted by the railroad and they have presented the county a dollar amount to close the
49 CR R crossing. Pyle said he had rejected that and asked for an offer back.

50 Chandler said it was also his understanding that one source available is the stimulus funds and there are
51 deadlines in applying for those. Pyle said that was correct. There is \$2 million that will become available in August,
52 but they have to submit the applications and start competing for those funds. Chandler said this resolution would
53 allow them to go forward and also instructs the County Manager to start submitting for the grants and try to get funds
54 for this project in the event CR R is closed. Pyle said that was correct and the actual amount that is coming to New
55 Mexico is \$50 million. What he is being told is that \$2 million will go to every county.

56 Blackburn said so in the intent to close CR R were they selecting the viewers immediately. Doerr said his
57 understanding was this was just a resolution to proceed with looking into closing CR R and he would assume there
58 would be a separate resolution to proceed into looking at establishing an alternate route. At some later date there will
59 be formal procedures to take to proceed with closing the road.

60 Stoddard said then by approving this right now, it would allow the County Manager to move forward to
61 secure funds for whatever they decide to do. He asked if that was correct. Doerr said that was. He said he thought
62 Chandler's motion was two fold. One was to allow the commission to decide what they wanted to do and at the same
63 time allow the county manager to seek funds. Chandler said he didn't think they could apply for grants or seek funds
64 unless the commission says this is what they want to do. That is what his motion will do. It says they will proceed
65 with trying to find funds in the event this road is closed so that they can do what they can to help Cannon perform
66 their mission. They all fought to keep Cannon here and they fought to get the mission here. They know how
67 Cannon Air Force Base affects their economy. They saw in just a few months what happened to their economy when
68 they had an announcement that the Base was going to close. They are kind of on the rebound now and it is very

1 important to their economy. Even more important to consider here is they have a commitment to Cannon and the
2 people that are serving the United States and he thinks they have an obligation to do everything they can do to help
3 them perform their mission. Blackburn said he would also say they have to protect their citizens. Chandler agreed
4 and said they were all part of that group. Blackburn said he participated in several events to get Cannon back to
5 Clovis.

6 Stacy Martin said he was a Clovis resident and owned a couple of businesses here. In 2005, he was
7 Chamber of Commerce president. Early in that year he was invited as Chamber president to be part of a BRAC
8 Steering Committee that involved about ten people who were looking at the BRAC list that was going to be coming
9 up. They did a lot of work to try to stay off the list. As history shows now, they were unsuccessful in that attempt, but
10 there was a lot of effort put forth and there was a lot of discussion. He said he would like to take them back to 2005
11 because as he looks around the room almost everyone in the room was involved in that as was alluded to by the
12 Chairman. It was May 13, 2005 at 7:31 a.m. when it was announced and people in Clovis, Portales, and surrounding
13 communities heard we were, in fact, on the BRAC list. There was hardly a face in this room that he did not see in
14 events and that he did not see help in this effort. Martin said if they would for a moment go back and recall the pit in
15 their stomachs at 7:31 a.m. when they had a moment to consider what this community, what Portales, and what this
16 county would be without this Air Force Base. He remembers it like yesterday what he felt like. He made a
17 commitment then and it is a commitment that continues, and he will lend whatever efforts he can to support this base.
18 He mentioned he owns a couple of businesses in town and one of them has offices in Albuquerque and in Las Cruces
19 and he can tell them from looking at the numbers that this state is in an economic downturn. When he looks at his
20 Albuquerque and his Las Cruces numbers, it is fascinating to see how they have gone down because of the national
21 economy. What is more fascinating is to see that the Clovis numbers have grown. He said he didn't need to tell
22 them what that was from. It is from Cannon Air Force Base.

23 As you recall after the announcement, they immediately engaged both communities and Amarillo and
24 Lubbock came in with them. He found the real power and emotion behind this issue, as Chamber president, he can
25 recall asking a large business that he needed them to stay open this Sunday and to bring in every employee, and he
26 needed them to skip church and to do 20 hours of work in 12 hours because they had to have it. In less than two
27 seconds, the owner said he had it and asked what else he needed. He did not ever receive one "no" from all the
28 favors he asked. There are several other people in this room that asked a lot of favors and they got them.

29 Martin said he would take them forward in time and said they prepared for the BRAC Committee hearing
30 here and during that time, our Governor Richardson flew all over the country to personally meet each BRAC
31 commissioner. That is key in the commission's decision today because as he understands it, they are looking for
32 funds, you want to talk about a bulldog behind this mission is Governor Richardson. He just can't imagine if they
33 approach the state for funds to shift traffic from one road to another to help this mission, to get a "no" from the
34 Governor. He has been very engaged and has been very effective in helping to convince the BRAC commission and
35 then, number one, get them all to Clovis to do this. During that entire fight for months waiting for the BRAC
36 commission to come, their steering committee had one key issue that beat out very powerful senators from other
37 states who were looking for missions as well and we beat them on one issue—encroachment. They don't have to fly
38 around a 15-story bank building at Cannon Air Force Base to land a fighter plane. They pressed that issue hard. In
39 pressing that issue, this community and the surrounding communities made a promise to the Department of Defense
40 that if they came to this air base and gave us a mission that they would have the space. Governor Richardson backed
41 that up very strongly.

42 Martin said he would like for them, as commissioners, to consider for a moment and remember the day at
43 Marshall Auditorium. What if BRAC Chairman Principi had told you I need you for five minutes backstage and
44 said, "Here's the deal, gentlemen, if you will consider one issue, we will not only give you a mission, we will give you a
45 mission like you have never seen before. One with an incredible future and one that is on the cutting edge of
46 technology in warfare and one that promises growth unlike anything you can imagine. Would you gentlemen in the
47 next five minutes vote to close a county road?" Martin asked them how they would have voted backstage at Marshall.
48 He thinks he knows the answer and is asking them to vote that way today. He said he wanted to close with one
49 thought. Their communities made a promise to the Department of Defense. Give us a mission and we will give you
50 the space. The Colonel is here today asking for a very small amount of space and he understands it involves
51 challenges and it involves funding. He understands there are concerns with the citizens that live out in that area. It
52 was not easy to get this mission and they have all been blessed by its presence now. They have one more challenge in
53 front of them. It is to send a message to the military planners in Washington that when they consider where they want
54 to put assets in America, they have this place here and they have community issues there. Martin said, "Wait, they
55 have Cannon Air Force Base over here." He said, "Your vote on this issue will be heard and he is hopeful that as
56 they consider this and the longevity of the message they send, that they will vote in support of closing that county
57 road." Martin thanked them for their time.

58 Lee Malloy said he didn't need to elaborate on the fact of what this community would be like, both the city
59 and the county, and what would happen to our property values, our school system, our banking community, and our
60 retail without this base. He wants to insure they give this base every tool and every resource they need to not only stay
61 here, but to grow. There are no guarantees and they have seen the federal government make its way through this
62 decision throughout their lifetime. Just because they have this mission right now doesn't necessarily guarantee they
63 will always have this mission. He will say his conversation with Colonel Leahy said that closing this road was the single
64 most important thing this community could do for him. Now that he has gone on to a new job, he is obviously in a
65 position to be extremely influential as to what happens at Cannon Air Force Base. Malloy said he would ask they
66 consider closing this road. He understands the hardships that it would create on the folks that live in that area and he
67 understands CAFB doesn't have anything to do with raising wheat and cattle, but when they look at the big picture,
68 what would it cost those folks that are inconvenienced out there if they don't have this base? He understands the

1 funding issues and they as a Chamber, as the Committee of Fifty, and as citizens will do everything possible to help
2 the county make this right with folks out there and help secure funds for their road.

3 Blackburn said there was one thing he wanted to clarify. The County Commission does not close this road.
4 It will be the viewer's committee.

5 Mayor Brumfield said she just wanted to say that she too was at the meeting of the committee that met every
6 Tuesday morning at 7 a.m. after they were put on the BRAC list. It was like a war room continually. She had never
7 seen a community come together like Clovis and Curry County and Portales and Roosevelt County came together to
8 keep us and get us off the BRAC list. It was so much hard work and dedication and promises that went into that.
9 One of the promises was that they would do anything that they needed to do within reason to get them off the BRAC
10 list and get them a good mission here. She thinks they have absolutely received the very best mission they could
11 possibly get. It was almost a blessing in disguise as to the way it happened because she couldn't be more proud that
12 they have the Special Operations mission here. On behalf of the City, she would like to say they will help in any way
13 possible. She will commit time and energy to go help with the funding and she will work with the county and the
14 county manager and the commission as well. They will go to the Governor or whatever they need to do because the
15 Governor is very supportive. They all know the things he said so eloquently about Cannon Air Force Base.
16 Brumfield said they were here to help and believe this decision needs to be done. They need to move forward
17 because it has been talked about for a long time. They need to get in on the stimulus money and she knows they only
18 have a short time to do that. Are there going to be problems? Yes, but there were problems when they were put on
19 the BRAC list and they have worked through them. She said they were here to support us in any way they could.

20 Ray Sullivan said he would like to offer his support from a different aspect and that was from Public Safety.
21 If they have been around an exploding military ordinance, it is not an issue where they want to be close. They have
22 an issue where they have had a great change in mission that has different requirements for the mission to be able to
23 operate safely. That has to be part of the decision making that they have to think about because if they have a C130
24 that goes off the runway and it is loaded with ordinance, it is not going to be a quiet moment and it will not be safe for
25 a long distance around. He thinks the safety issue is something that needs to be considered. The newspaper has
26 historically supported Cannon Air Force Base. Sullivan said he thought there was a way to work through all of their
27 issues. Every mission that changes just like every farming technology that changes needs to be looked at and
28 evaluated independently and find a way to be successful. He feels this is a reasonable request and it just needs to be
29 looked at in all aspects. When he talks about it as well, it is public safety. He doesn't want to see headlines in their
30 newspapers about an issue where residents are hurt because the commission didn't have this issue resolved properly.

31 Sandoval thanked all who spoke and said he realized that the County Commission was not the authority on
32 closing roads, but in his opinion, Colonel Leahy told him that he needed CR R closed. Colonel Clark also told him
33 they need CR R closed. They know a lot more about it than what he knows and he trusts their judgment and he
34 thinks the commission needs to go on record, even though they can't decide to close the road, as to whether they
35 support closing the road or not. He wants to go on record that he supports the closure of CR R because he sees the
36 safety factor. He has had the opportunity to drive the road that is inside the perimeter when he was working for the
37 postal service. When he would see the F16's buzz right over his head and were landing he always thought they
38 needed more room. He can understand that the road does need to be closed.

39 Becky Lewis said she was a landowner and lived about a mile and a half from the runway. Her husband's
40 family homesteaded there and north of the highway. First of all she wants to say they are 100 percent behind the
41 base. She wasn't at all of the meetings but she did want to say they knew CR R was probably going to close. Their
42 family uses that road a lot. They're concerned as residents about what is going to happen to them when they have a
43 good paved road within a half mile of their house and their cattle are right there and there are families everywhere.
44 They are five families on CR T and that road isn't very wide. Their family is on CR 8 between CR S and CR T, but
45 she is truly concerned about the people on CR T.

46 Ronnie Montague said he hadn't heard any discussion on the two east and west roads (CR 8 & CR 9). If
47 safety is that big of a concern on the west side of the base, what about the two east and west roads that run directly into
48 CR R? Blackburn said he couldn't answer that.

49 Colonel Clark said from the base's perspective the issue with CR R is that it runs directly adjacent to the base.
50 It is not just about the runways and it is not just about the aircraft taking off and landing. It is about the different
51 landing systems and their ability to get down through the weather and actually land on the runways themselves with
52 the interference for the localizer that is out there for Runway 31. If they have a vehicle traveling down CR R as the
53 aircraft is coming in to land, a personal vehicle, a pickup truck, a semi-tractor trailer, or whatever someone has going
54 down through there simultaneously while they are trying to land, it will interfere with their landing system and guide
55 them off course. That creates a significant issue for them especially in weather. Clark said it was not an issue that is
56 unique to the Special Operations mission. That was an issue long before they got here that has never been addressed.
57 There were waivers that were required that were never requested, but there were other work runs that were done.
58 They have been spending millions of dollars to tear down buildings because of things that occurred prior to them
59 getting here, but they are fixing them. They are not about to ignore them. The reason they are is because they value
60 their people, they value the aircraft, they value the mission, and they value their neighbors, but it is about their
61 aircraft's ability to land. He said they noticed he said the order of their requirements or what their concerns are
62 working in a priority order. It is a Force Protection issue that he has that is number one on his list. He has a very
63 long order with CR R that people can come right through there. He has family housing sitting right next to that road.
64 They can jump right in or across the fence line. His promise to his families is that he will do everything that he can to
65 protect them from that threat that the mission that their spouses are flying brings to them. It does come home to
66 roost. The reason they are deployed all the time, the reason they do this mission is so that they do it there and not
67 here. But, the reason he needs the force protection issue put to rest and he needs it addressed quickly is for that
68 purpose. He said they would see he has it proposed for his security forces. He is closing that base down and putting

1 security in there. It slows down the local community but he can't worry about that. They love living here and he said
2 there were great people here but it was not about the local community. Unfortunately, it is about some of the folks
3 that they tend to attract and that is what they are worried about. Whether the county goes to CR S or CR T is
4 inconsequential to him.

5 Blackburn said it was very obvious they were not prepared, but he couldn't answer questions. He told
6 Montague that he believed that parts of CR 8 and CR 9 would have to be closed, at least the east parts of them. Lewis
7 asked if they would be closed to them. They said no. Blackburn said if the closed CR R they would be dead end
8 roads. He said they could go as far as CR R if they didn't close those roads, but he feels part of it would have to be
9 closed.

10 Robert Snell said if he was going to shoot at them the 60-foot right-of-way didn't mean much. He said it
11 seemed to him that they needed to step on over a ways to get that runway protection that he needs. He has watched
12 the airplanes a lot and it seems to him they need to move further west, like a mile. If he wanted to he could just drive
13 down the east/west section line and get them if he wanted to. Clark said he didn't disagree but he couldn't ask for
14 additional property. What they can do is request they close that road to take away the traffic. Snell said he
15 understood. His idea is that if they want to close that road, they are just getting 60 feet and if you are a terrorist and
16 want to go over and mess with the base 60 foot does not amount to a hill of beans. They could drive over there on a
17 bicycle and be 60 feet away from the fence and still do something mean. He understands the troubles and their
18 position as he has been across the road at that runway that runs to the northwest and he knows how those airplanes
19 are. They do need more room there, but he doesn't think 60 feet will help. They need at least a mile there if they
20 are going to alleviate the interference. And, he doesn't own that land. That is his opinion.

21 Doug Reid said he lived a mile and a quarter north of Cannon Air Force Base and has lived there since 1953.
22 He has seen all kinds of airplanes come and go from the old F-86, F-100 and F-111s. He had four children go to
23 school at Ranchvale and had many friends from Cannon Air Force Base and they have always supported them. His
24 problem with this issue is that they have not had an opportunity to have a lot of public input on the pros and cons of
25 closing this road. If Blackburn is correct and there are 300 vehicles that go up and down the road each day that
26 would be a big change in people's lifestyle that they are going to change if they close that road. He has also
27 remembered the times when the Air Force Base has asked for different things and the county has spent millions of
28 dollars to do what they want. It is normally the thing to do. He remembers a few years ago the Base Commander, it
29 wasn't the Wing Commander, decided they needed access for the Air Force to get in the west gate so they chip sealed
30 Llano Estacado all the way from the Ranchvale Highway west a mile and then back south down CR R to the Base.
31 They spent over a million dollars widening the crossing and they placed a light on US 60/84. The light caused a lot of
32 trouble. They almost had some terrible wrecks because of that light. They never used the west gate. They spent all
33 that money and caused all that trouble and then the next Base Commander that came in thought it was a security issue
34 having access to the west gate so they never opened that west gate. Reid said the point he was making was that the
35 leadership changes at Cannon and they have different ideas about how they want to do things. He understands there
36 is a big push by some of the higher up Air Force people that they want to expand the Melrose Bombing Range. They
37 want to build a runway and hangars out there and to his way of thinking that would be much more conducive to
38 keeping their base and that is having that bombing range because they have a lot of uses for it. The only time he has
39 seen a county road closed is they have a viewing committee get together of interested parties that will have objective
40 views about the pros and cons of closing it. Reid said he hated to see them make a major decision that would affect
41 that many people's lives without having an open meeting where they have public input and have a study done to see
42 how much traffic there is on that road. With airplanes flying there will always be an element of danger. A lot of
43 people from Melrose and north of the base use CR R going to college at Eastern. There are all kinds of farm
44 equipment that use it going back and forth north of the base or south of the base. It is going to cause a lot of hardship
45 on a lot of people. He thinks this is not a decision the commission should make today.

46 Sandoval said he thought there was a bit of misunderstanding. They are not talking about closing CR R
47 today. Everything Reid said about the viewing committee, etc. has to pass. All of that has to be done. They are
48 talking about their recommendations as he understands it. He asked counsel if they were speaking about closing CR
49 R today as they didn't have the authority to do that any way even if they wanted to. He agrees more studies have to be
50 made and public input is one of the most important things. Sandoval said he was giving them his feelings as to what
51 he felt about it, but he didn't have the authority to vote today to close the road. To the best of his understanding that
52 is not going to happen today. Reid said the way Chandler was talking he thought Chandler wanted those issues
53 separated so they could vote today. Chandler said that expressed their intent but can't vote to close the road today.
54 Reid said then they would have a public hearing. Sandoval said they would. Reid said that was all he wanted.

55 Blackburn said there was a motion and a second. He asked if there was further discussion. Lyman asked if
56 the motion was to move forward with the procedures to close CR R. Chandler said it was everything in the resolution
57 that has to do with the intent to close CR R and apply for funding. Sandoval aye, Blackburn nay, Chandler aye,
58 Bostwick aye, Stoddard aye. By 4-1, the motion carried.

59 Chandler said the second part of the original resolution would be the part that deals with their intent to either
60 chip seal CR S or CR T. He said the original resolution actually stated it was CR T so it would be whether or not they
61 were going to approve the resolution to chip seal CR T. Blackburn said there needed to be more study on this.

62 Doerr said his understanding was that this was not final action today. It is a resolution to proceed to look into
63 closing or look at an alternate route if CR R is closed. Chandler said according to the resolution that alternate route
64 would be CR T. Doerr said he thought they would have to present two new resolutions to them. There was some
65 discussion whether it would be CR T or CR S so they can name it or simply say proceed with looking for an alternate
66 route in the event CR R is closed. Chandler said he thought what was before them in the resolution right now was
67 CR T so if they don't do that they need to do something else. As he understands the way the resolution is written,

1 they would make a decision now whether it is going to be CR T or not. He asked Doerr if that was that correct.
2 Doerr said to proceed right now with the view of chip sealing CR T.

3 **Commissioner Sandoval moved to approve Resolution 2009-35 designating CR T as the alternate route that**
4 **will be chip sealed once CR R is closed.** Stoddard 2nd. Bostwick said he would just like to reiterate the concern of
5 the contingency of his constituents with the issues of having to drive around to accommodate that. They will have to
6 vote on that and maybe they can get CR S. Blackburn said it was his feeling that they shouldn't do this. Again, they
7 need to look at other options. There are many houses on this road, far more than on CR S. People will have to drive
8 an extra two miles if they go from CR S to CR T. He hates to see this tied down until they study it more. The
9 housing is very close and is much closer than the base housing is to CR R. They should have the same benefits.
10 Chandler said he would just say that in Colonel Clark's presentation, he pointed out that there was some danger that
11 the closer you are to the base the more danger there would be if there were to be a catastrophe. Mr. Sullivan also
12 pointed that out in his testimony. Even Mr. Snell pointed out that the larger the buffer area the better. He said he
13 would hate for them to have to come back in just a few years if they end up closing CR R and if they were to decide to
14 go to CR S rather than CR T and then have to be right back in a few years trying to come up with the money then to
15 chip seal CR T. Also Colonel Clark that if Cannon did have the opportunity to get more missions in the future and
16 they are faced with acquiring some land and expanding, it almost has to be south or west as he understood it. He
17 thinks it just makes more sense from those points of view to look at chip sealing CR T. For those reasons he is going
18 to support Sandoval's motion. Blackburn said this was not about the issue of safety but was the issue of diverting
19 traffic. Chandler said he thought it was safety also. Blackburn said it was diverting traffic from CR R to CR T.
20 Chandler said it was a safety issue. Blackburn agreed. Blackburn asked Lyman to poll the commissioners.
21 Blackburn nay, Chandler aye, Bostwick nay, Stoddard aye, and Sandoval aye. By 3-2, the motion passed.

22 **COUNTY MANAGER - LANCE PYLE**

23 Pyle reported the county was audited by the NM Department of Public Safety Division pertaining to their
24 CDL and the Road Department doing everything correctly. The ratings were Satisfactory, Conditional, and
25 Unsatisfactory. The county received a Satisfactory.

26 They are currently working on several policies and will have them at the July meeting for the detention center
27 and the Road Department.

28 The NACO Conference is scheduled in Nashville, Tennessee and Commissioner Stoddard will be attending.
29 Curry County receives three votes to vote at the national conference and he was just notified Monday that the
30 commission needed to designate Stoddard to vote on behalf of the county. He has to have that submitted by July 3.
31 They also ask that the commission name an alternate in the event that Stoddard is not able to attend. The
32 Association of Counties recommends Tony Atkinson who is the new President of the Association. **Commissioner**
33 **Sandoval moved to name Commissioner Stoddard as Curry County's voting delegate to the NACO Conference with**
34 **Tony Atkinson as the alternate.** Bostwick 2nd. 5 verbal ayes.

35 The National Association of Counties is also looking for volunteers to form a Steering Committee. They are
36 taking nominations for that and he has heard from Commissioner Chandler of his interest on serving. He asked that
37 the rest of them let him know if they are interested.

38 Pyle said they received a grant from the Governor's Rodeo Council of \$150,000 for restrooms and showers at
39 the fairgrounds. They bid that project out and it came in about \$150,000 over what they received in the grant. At
40 their next meeting they will be coming with a recommendation for the commission. He doesn't know if Mr. Brooks
41 is still present but he is the chair of the Amenities Committee. Maybe he can twist an arm for some of the money that
42 he has. Also, the contract on that terms on December 31 so if they don't get moving on the grant they could lose it.
43 Connie Harrison is checking with the Rodeo Council to see if they would give us more money.

44 Pyle said he would be sending letters to the owners of the property that the county has been leasing for Drug
45 Court. That contract was signed in 2005. By working with the state and getting very creative and thanks to Coni Jo
46 Lyman for her storage room space, they will be moving Drug Court back into the courthouse so they will be saving
47 approximately \$20,000 to \$25,000 per year. He will send a letter terminating that lease on August 1.

48 For the Pioneer Days and the NM High School Finals he thanked Harrison for organizing the parade floats.
49 They are in the process because there are a lot of stimulus funds of applying for some type of energy efficiency grant.
50 That grant is due on Friday and there is no cash match. They are looking at what other counties have been recently
51 awarded and are trying to find something that can benefit the county. At the next meeting they will give an update of
52 what they have applied for. Some of the options they have been looking at are for energy efficient vehicles and energy
53 such as solar power, etc.

54 In April, White Construction gave them proposals for a Criminal Justice Complex. They are still working on
55 getting additional information that they needed to put in their proposal. They are tentatively set to come down in
56 August.

57 Later this week they should be getting the bids for their intercoms and control boards at the Detention
58 Center. They will have a mandatory pre-bid conference on July 8. If they want to bid, they must attend that pre-
59 conference. At the first meeting in August they will have the bid they are considering as well as the contract.

60 Their Juvenile Detention Center population is starting to go down. About three weeks ago, he instructed the
61 juvenile detention administrator to notify Roosevelt County and other counties and tell them we can take their
62 inmates. Right now they are housing two for other counties. They are trying to keep their population at nine. Those
63 counties understand that in the event that our population increases, they will need to pick their inmates up within five
64 days.

65 The contract with the inmate healthcare that they have with Presbyterian terms on June 30. He is still waiting
66 for a new contract from them. He has a verbal commitment they will honor the same terms until they get something
67 in place.

1 They are busy working on the final budget and should have it ready by the last meeting in July. They are also
2 doing the yearly evaluations so all county employees are going through the evaluation stage. They are also working on
3 grants for the County Fair.

4 **INDIGENT BOARD MEETING**

5 At 11:36 a.m. Commissioner Bostwick moved to go into an indigent board meeting. Sandoval 2nd. 5 verbal
6 ayes.

7 **RECONVENE**

8 At 11:40 a.m. Commissioner Bostwick moved to come out of the indigent board meeting and back into
9 regular session. Sandoval 2nd. 5 verbal ayes.

10 **PUBLIC INPUT FOR WHICH NO ACTION WILL BE TAKEN**

11 Ed Tatum said he wanted to compliment the county. He was at the Dog Show this weekend on and off
12 throughout the weekend. There were over 330 dogs representing people from five states. He couldn't have been
13 more proud as a citizen of Curry County to be at the Events Center. This was the first time he had been there. He
14 knows they have taken some heat over it. The compliments were outstanding from everybody that was there. These
15 were people that show dogs all over the country. There were half a dozen of the national champions there. Among
16 the compliments were that it was better than what they have in their city. The ladies said they were the cleanest
17 bathrooms they had ever seen.

18 **PUBLIC HEARINGS RECONSIDERATION**

19 Bostwick said he just realized they have a public hearing and meeting scheduled for the commission on
20 August 4. It will be a public hearing concerning the Land Use Ordinance. He made a commitment to be out of town
21 for the NM Association of Counties Multi-Line Insurance Conference. He doesn't know if there is anything they can
22 do to address that but this was just a comment. Stoddard said he was going to be out of town that week also.
23 Chandler said he might be because of the Local Growth Management meeting in Boston. Sandoval said they might
24 look at changing it. Doerr said they now had two Notices of Intent for the Land Use ordinance and the magistrate
25 redistricting. The commission approved both of those today for August 4. Those are two important issues.
26 Chandler asked if those could be rescheduled. Pyle said they could put it on for July 21, but that meeting is at Grady.
27 Sandoval said for both of those issues they would probably have a lot of people from Clovis. That would
28 inconvenience a lot of people if they did it at Grady. He asked if they could have a special meeting. Doerr said they
29 could, but they would have to go back into the agenda today and change the two notices they approved today to
30 whatever dates they want for the special meeting. The next meeting is July 7 and if they change it to then, they will be
31 pushing the time as far as having it published, etc. He said unless the move it a week back.

32 Pyle said they could move it to August 18 which is the second meeting in August. Sandoval asked if that
33 would hurt anything with what Coni Jo Lyman has to do with the magistrate districts. She has to be ready by October
34 1 because that is when petitions are available.

35 Commissioner Chandler moved to reconsider the vote in which they set the public hearings on the Notices of
36 Intent in the ordinance establishing two single-member magistrate districts and the ordinance affecting general public
37 safety. Stoddard 2nd. 5 verbal ayes.

38 Commissioner Chandler moved that both of those hearings be set for August 18. Stoddard 2nd. 5 verbal
39 ayes.

40 Commissioner Stoddard moved to cancel their August 4th meeting because they would not have a quorum.
41 Sandoval 2nd. 5 verbal ayes.

42 **ADJOURNMENT**

43 At 11:50 a.m. Chairman Blackburn adjourned the meeting.



44 BOARD OF CURRY COUNTY COMMISSIONERS

45 *Frank H. Blackburn*
46 Frank H. Blackburn - Chairman

47 *Coni Jo Lyman*
48 Coni Jo Lyman - County Clerk

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56 In compliance with the Americans with Disabilities Act of 1990, the County will provide appropriate auxiliary aids
57 and services to afford an individual with a disability an equal opportunity to participate in any public meeting held by
58 the County. A minimum of 48 hours advance notice is requested.

59 **OTHER ELECTED OFFICIALS IN ATTENDANCE:**

60 Coni Jo Lyman - Clerk
61 Matt Murray - Sheriff
62 Bernice Baker - Treasurer
63 Mayor Gayla Brumfield - City of Clovis

64 **STAFF IN ATTENDANCE:**

65 Lance Pyle - County Manager
66 Stephen Doerr - County Attorney
67 Wesley Waller - Undersheriff

- 1 Tim Lyman - Assessor's Office
- 2 Beni Dampier - Clerk's Office
- 3 Lee Delk - Maintenance
- 4 Aaron Jones - Information Technology
- 5 Chris Pacheco - Road Department
- 6 Lois Bean - CC Detention Center
- 7 C. Cherry - CC Detention Center
- 8 Mark Lansford - Administration
- 9 Connie Harrison - Administration
- 10 Susan Ferrell - Fairgrounds Manager
- 11 OTHERS IN ATTENDANCE:
- 12 Colonel Stephen A. Clark - 27 SOW, Cannon AFB
- 13 Rick Masters - 27 SOW, Cannon AFB
- 14 Capt. Mac-li Allison - 27 SOW, Cannon AFB
- 15 Capt. Amber Hirsch - 27 SOW, Cannon AFB
- 16 Ronnie Brooks - Events Center
- 17 Jason Bennett - ENMR
- 18 Stacy Martin - Clovis Insurance Center
- 19 Ray Sullivan - Clovis News Journal
- 20 Ronnie Mitchell - Landowner
- 21 Ronnie Montague - Landowner
- 22 Dana Lewis - Landowner
- 23 Becky Lewis - Landowner
- 24 Doug Reid - Landowner
- 25 Rhonda Bergman - Chamber
- 26 Joe Thomas - City of Clovis
- 27