

1 **REGULAR CURRY COUNTY COMMISSION MEETING**

2
3 **November 4, 2008**

4
5 **PRESENT:** J. ALBIN SMITH - CHAIRPERSON
6 PETE HULDER - VICE-CHAIRPERSON
7 FRANK H. BLACKBURN - MEMBER
8 ROBERT O. SANDOVAL - MEMBER
9 TIM L. ASHLEY - MEMBER
10 LANCE A. PYLE - COUNTY MANAGER
11 STEPHEN DOERR - COUNTY ATTORNEY
12 MARIO TRUJILLO - CURRY COUNTY CLERK

13
14 **CALL TO ORDER**

15 Chairman Smith called the regular meeting of the Curry County Commission to order at 9:03 a.m. with all
16 members present. The meeting was held in the Commission Room of the Curry County Courthouse.

17 **AGENDA APPROVAL**

18 Smith asked if there were any changes in the agenda. **Commissioner Blackburn moved to approve**
19 **the agenda as presented.** Hulder 2nd. 5 verbal ayes.

20 **MINUTES APPROVAL**

21 **Commissioner Sandoval moved to approve the Regular Commission minutes of 10-21-08 as**
22 **presented.** Blackburn 2nd. 5 verbal ayes. **Commissioner Ashley moved to approve the Indigent**
23 **Board minutes of 10-21-08 as presented.** Hulder 2nd. 5 verbal ayes.

24 **CHECKS APPROVAL**

25 **Commissioner Hulder moved they approve direct deposit checks numbered 13296 – 13463,**
26 **accounts payable checks numbered 92377 – 92549, and payroll checks numbered 51274 - 51277.**
27 Ashley 2nd. 5 verbal ayes.

28 **UPDATE ON SPECIAL EVENTS CENTER – RANDY KAMRADT**

29 Kamradt said he could report that the special events center was more or less finished. The only thing they
30 are waiting on is some electricians to finalize connections to mechanical equipment, the fire alarm system,
31 and doing some testing and inspections of the various mechanical and electrical systems. Their current
32 contract value is \$7,173,640.59. The project is 99 percent complete with cost and budget information
33 through September 30, 2008 of \$6,827,538.64. This accounts for 95.17 percent of the construction
34 budget. They have \$346,451.60 remaining to complete the project, including \$31,512.87 in contingency.
35 The majority of the \$346,451.60 has been used up during the month of October. Once the October pay
36 request has been received from all the subcontractors, etc. and the costs collated for that, that will pretty
37 much close out the project in October. There will be just a little bit left to bill in November because they
38 don't pay the subcontractors until all the tests and inspections have been performed. Budget information
39 through September 30 has been incorporated into this report. Information through October will be in the
40 November 18th report. There is one change in scope action for consideration and/or approval that he will
41 address after this report.

42 Kamradt stated that Nick Griego & Sons Construction had completed all concrete work and needed to just
43 do a little cleanup and complete demobilization. Davtek has already demobilized the project office,
44 installed the bollards at the dumpster pad area, prepared the flag poles for installation and erected the
45 framework for the canopy over the Ticket Sales windows. They are working on the "punch list" items.
46 United Enterprise Builders have completed the plaster at the front entrance and continue to touch up
47 painted surfaces. W.T. Denton will return to complete the mechanical equipment testing, adjusting, and
48 balancing once the events center is powered up. Myers Electric continues to surface mount portions of
49 the electrical rough-in and lighting installation. They expect to complete their work in mid-November.

50 Kamradt said that weather had not had any impact this period. He reported the following outstanding
51 items with their completion schedule:

- 52 Floor stain sealer and vinyl cove base (will be completed as soon as Mech/Elec are finished)
- 53 Electrical systems (should be finished by mid-November)
- 54 Mechanical controls, testing and balancing (as soon as the electricians are finished, Mechanical
- 55 Controls and T & B subcontractors can perform their work)
- 56 Fire alarm and sprinkler system testing and certification (as soon as the electricians are finished,
- 57 Fire Alarm subcontractors will complete the testing, inspection, and certification)
- 58 Painting (they will be the last out)
- 59 Punch list (should finish by the end of November)
- 60 Masonry screen walls and associated work (if approved, work should be completed by end of the
- 61 year).

62 **APPROVAL OF CHANGE IN MASONRY – SCOPE PERTAINING TO DUMPSTERS AND GENERATOR**
63 **AREA**

64 Kamradt said the base bid for the contract drawings showed a chain link fence around the dumpster pad
65 area. Upon discussion with administration, they collectively determined this would be an eye sore. They
66 would like to screen the dumpsters with a masonry wall of the same type that the building is constructed.
67 It is a common practice to make these out of masonry so they can screen the dumpsters from view. This
68 will only be screened on three sides so that services personnel can approach the dumpsters across the

1 apron that has been installed so they can service the dumpsters. Kamradt said he had a quote from Rod
2 McDermid Masonry to do this work. He said he would have to talk about these two issues together even
3 though they are in two separate places. He also has a quote from Nick Griego and Sons for the footing for
4 the screen wall around the generator area. The foundation for the dumpster pad was already incorporated
5 into the contract and they didn't have to do anything extra for the dumpster pad except to install some
6 reinforcing bars to tie into the masonry wall above it. There is no additional cost from Nick Griego and
7 Sons for that. They have about 80 linear feet of screen wall in the generator area that they want to install
8 to screen that equipment from public view. That will tie in to the chain link system that will be installed
9 later to provide security for that equipment. He said the sketch the commission had showed the location
10 of the screen wall. The cost for the foundation associated with this project is \$3,100 for the excavation,
the reinforcing and installation, and the concrete. The quote from the masonry subcontractor to erect the
screen wall at the dumpster pad and the screen wall at the generator area is \$26,825. Kamradt said this
was not an insignificant cost as masonry was expensive. He said it was something that had to be
determined because it would require the addition of some funds to the project because they could not pay
for all of this out of the contingency fund. The last time he was here they discussed some changes that
were going to be paid out of the contingency fund and those changes have not been logged into the
contingency fund yet. He knows they have less than \$31,000.

18 Hulder asked Kamradt if he knew how much they were talking about. Kamradt said it depended on if they
19 wanted to do anything else. His estimation is that at the end of October, they will have about \$22,000 left
20 in the contingency account. To him, this means they would need to add about \$10,000 more. Hulder
21 asked Pyle what he thought. Pyle said he felt they should do this so that it would match the existing
22 building. Hulder asked if they could take this amount out of the General Fund. Pyle said they could and
23 they could take it out of the event center budget.

24 Ashley asked Kamradt if he had an estimate of what a wood picket type screen would run. Kamradt said
25 that would be substantially more economical than the masonry, probably about half of what masonry would
26 run. He said it would be in the neighborhood of about \$15,000, maybe not quite half because of the
27 height. It is a pretty tall wall that is about 12 feet tall. The generator itself sits atop of a 1,000 gallon diesel
28 fuel storage tank. Ashley said if they go wood picket, could they still do it? Kamradt said they could.
29 Ashley said he knew masonry would definitely be more attractive, but wood would not be horrible and
30 would serve as a screen purpose. That could be an option. Kamradt said he would point out that cedar
31 lasts a long time, but masonry will last a life time. Hulder said 12-foot was a big wind trap. Kamradt said
32 that was why the columns that reinforce the wall were not insignificant. They are 24 inches square with
33 reinforcing in each cell. They are placed solid with grout. The wall is also grouted 100 percent. When
34 they do walls that are not tied to the corners, they have to place grout fully, 100 percent. In a regular wall
they usually just place grout where there is a reinforcing bar every 24 inches or 32 inches.

Hulder asked Kamradt if it was his recommendation they approve this. Kamradt said it was and as they
moved forward into the future, this would make the front of the building as they drove up to it much more
attractive. Hulder asked if they would be maintenance free for the life of the building. Kamradt said it
would. **Commissioner Hulder moved to approve the change in masonry scope regarding the
dumpsters and generator areas.** Blackburn 2nd. 4 verbal ayes. Ashley abstained.
Chairman Smith said this was good for them as they were on budget. They would like to have had this
done a little quicker, but at least it has been on budget as that doesn't happen every day of the week.

COMMISSION COMMITTEE REPORTS

Blackburn said that right after the October 21 meeting, he attended a Road Committee meeting. They
discussed some of their projects. They will have another Road Committee meeting today. At the last
meeting, Barbara Hamar reported the poor condition of a road in the Field area. The county manager,
road superintendent and he went out and toured the road. There has been quite a bit of damage because
of the 7 inches of rain. Fury has a plan to improve some of the areas that were hit the hardest. Blackburn
also attended a Revenue Enhancement meeting. They discussed fees for the events center and that is on
the agenda.

Sandoval attended a Jail Committee meeting and said he wouldn't comment any further as either Hulder
or the warden would have comments on it.

Ashley attended the Local Growth Management Committee meeting. They discussed issues at Cannon
Air Force Base and their biggest challenge is with the Local Growth Management Organization trying to
get good solid numbers about the number of people coming to Cannon and their time frames so they can
plan for their needs. He also attended the Local Growth Management Organization meeting where they
had spokesperson Colonel Leahy speaking about the interesting numbers at Cannon. That will continue
the efforts of the Local Growth Management Organization in their planning. They now have a better idea
of time frames and needs.

Hulder attended the briefing at Cannon. General Wooster was there and he discussed their mission and
the number of aircraft they will have in the future. In general, it was a very good briefing. That was on
October 21. On November 2, he attended a Local Growth Management Committee meeting where they
covered what Ashley mentioned. On October 27, he attended an Information Technology meeting. They
are working with Southwest Business Solutions. Curry County now has a new part-time Information
Technology person on staff. He started November 3. He will be at the next county meeting to be
introduced. The Information Technology Committee has everything moving in the right direction. He
attended a Pipeline Group meeting at the American Legion which was very educational. They discussed a
lot of things about digging—where you should and you shouldn't dig. They spoke about dialing 811 before

1 digging. He said they discussed the dangers and hazards of contractors, construction personnel, and
2 individuals at home. On October 29, he attended a Revenue Enhancement Committee meeting. Lansford
3 probably will discuss this in his report. On October 30, he attended a Local Growth Management
4 Organization meeting. The Local Growth Management Committee is the committee made up of elected
5 officials from Clovis, Curry, Portales, and Roosevelt County. The LGMC appointed the LGMO. The
6 LGMO has worked with Keystone International to address the impact that Cannon will have on our
7 community as they continue to grow and how it affects everything such as hospitals, schools,
8 infrastructure, etc. That particular meeting he attended because he was interested in the housing and
9 there were several developers there. Some of them were from out of state. He does not envy the
10 developers or the local real estate industry because, unfortunately, the Air Force and Cannon can't tell
11 them how many people they will be having in the future. They will find out as those people come in. It is,
12 therefore, pretty difficult to plan how many units they need in Clovis, Curry, Roosevelt County, and
13 Portales and in the surrounding communities. He found something very interesting as Colonel Leahy was
14 discussing the individuals coming in. When he was in the Air Force, they were not near as sophisticated
15 as the young troops in the military are now. When he came here in 1969, he didn't know where Clovis
16 was and had to dig up a map to find out Clovis was almost in Texas. When he got here, he had no idea
17 about anything. Now the young troops are very sophisticated. If they are sent to Cannon, they know
18 where they are coming through the use of the internet. People coming to Cannon have already
19 researched Clovis and Curry County and they know where they want to live. One of the things Colonel
20 Leahy mentioned was that at Hurlburt AFB, the closest community is Fort Walton Beach, and the young
21 people stationed at Hurlburt don't all live in Fort Walton Beach. They live in communities that are 30 and
22 45 minutes away from the base. They drive in. That means people coming into Clovis will probably look
23 at Farwell, Texico, Grady, and Melrose. The developers and realtors have a juggling act. Colonel Leahy
24 said they will be doing some construction on their housing. They will probably construct more units. They
25 will probably wait and see how the local community reacts to the housing situation. This will all play out as
26 time goes by. If he is not mistaken, they will have 300 to 400 more people come in before the end of the
27 year. Clovis will see a lot more traffic on the streets and a lot more people in our businesses. That will be
28 good for our local economy. Hulder attended a Jail Committee meeting where they talked with a firm that
29 is looking at the Durrant thing. He will not say any more as that will be acted on later in the agenda.
30 Chairman Smith said he attended the Road Committee meeting. It was an extensive meeting and they will
31 finish that meeting up today after the commission meeting.

ELECTED OFFICIALS DEPARTMENTAL REPORTS

ASSESSOR – RANDY WILLIAMS

34 Williams had no report.

CLERK – MARIO TRUJILLO

36 Trujillo said as was reported in the Clovis News Journal this morning, early voting ended November 1.
37 They had 6,273 early voters and the office mailed out 2,531 ballots. Ashley asked what the total
38 registered voters in the county were. Trujillo said it was getting close to 22,000 voters.

SHERIFF – MATT MURRAY

40 Murray had no report.

CHIEF DEPUTY TREASURER – BERNICE BAKER

42 Chairman Smith said Baker had spoken to him before the meeting and said she would not be able to
43 attend because they had a lot of activity going on in the Treasurer's Office.

COUNTY ADMINISTRATION REPORTS

DETENTION DEPARTMENT – AUDREY BARRIGA

46 Barriga said they still had about 75 inmates out of county. She said the maintenance was going very well
47 in their facility. They want to start an architectural service and Pyle will be talking about that later in the
48 agenda. They do have some concerns with the juvenile facility as far as staffing and booking and releases
49 they are doing. They have 159 inmates in-house in the Adult Detention Center. Their JEHD Program is
50 running very slow right now because of the housing of so many out of county. That should come around
51 by the end of the month. Smith asked when they anticipated bringing back the ones being housed out of
52 county. Barriga said they hoped to slowly be moving them back by the end of the month.

53 Hulder asked how many detention officers they were down. Barriga said they were down six but were
54 doing four interviews this morning.

ADMINISTRATIVE SERVICES COORDINATOR – CONNIE HARRISON

UPDATE

57 Harrison said on November 6 at 4 p.m. they will be holding a Community Development Block Grant public
58 hearing in the Ingram Room at the Clovis Library. They will have another public hearing on November 10
59 in Melrose at the Senior Center at 11:30 a.m. Harrison said at the last meeting she had informed them
60 they had applied with the Rodeo Council for funds to build a new restroom out at the fairgrounds. This
61 restroom will include showers. They did receive these funds for \$150,000. They also got a grant for
62 \$3,850 for bullet proof vests for the Sheriff's Department. She asked they remember the following dates:
63 November 21 is our Employee Breakfast, December 6 is the Christmas Parade, and December 12 is our
64 Employee Christmas Party.

65 Sandoval asked how many vests they would get for the money they received. Murray said they would get
66 seven vests and they have already purchased them. Since the Sheriff's Office took over the courthouse
67 security, they have bought the transport officers some of these bulletproof vests. These officers are
68 currently going through a weekly training before they are placed in uniform and get to carry a weapon.

1 Sandoval asked if they had all the vests they needed for now. Murray said they did unless someone quits
2 because the vests are custom fitted.

3 **REPORT ON TEEN TRIP TO WASHINGTON, D.C. – KAREN GARCIA**

4 Karen Garcia said before they reported on their trip, she would like to give a big thank you to the
5 commission as well as to the community. The teenagers raised money for two years and received some
6 money from Senator Kernan to get to make the trip. She said she would let Dustin Davis speak to them
7 about their trip.

8 Dustin Davis stated that on behalf of all the teenagers, they would like to say thank you to the commission
9 and the community for providing them with this opportunity to get to go to their nation's capital. Before
10 they left, they got together and wrote down five things that each of them wanted to be able to do. While
they were there, all of them were able to do everything on their lists plus more. While in Washington, they
walked approximately 68 miles in five days. They got security clearance to tour the inside and outside of
the White House. That was a very cool experience. They got to sit in the Congress and got to meet
14 Representative Tom Udall and Steve Pearce's staff. They went to the National Mall and got to tour all the
15 things like the "Wall," the Washington Monument, etc. They got to tour the Holocaust Museum and
16 nobody that went into the museum came out with dry eyes. They got to go to the Arlington Cemetery and
17 got to witness the changing and the closing of the Guard. That was something that touched their hearts.
18 They visited the Supreme Court and the National Court of Appeals. They went to the Crime and
19 Punishment Museum. These were only a few of the things they got to do. They will have pictures ready in
20 the Teen Court office within the next few weeks if anyone would like to stop by and view them. Dustin
21 thanked the commission for their continued support and for allowing the Teen Court Program to keep
22 helping teens in the community.

23 Doerr asked if the teens would please introduce themselves. James Walker, Joseph Fasig, Dustin Davis,
24 and Chatauqua Acy introduced themselves. Garcia said all the teens had been in the program for a
25 minimum of three years and some up to six years. They have almost a hundred volunteers so it was the
26 ones who have done the most community service that she chose to go on this trip. It was hard for her to
27 narrow them down from 90 individuals to five. Everyone applauded the teens and Chairman Smith told
28 Davis he was an outstanding speaker. Garcia said they had court twice a month and invited the
29 commission to come see them in court as they were awesome.

30 **FAIRGROUNDS MANAGER – SUSAN FERRELL**

31 **UPDATE**

32 Ferrell said she didn't have a lot to report. She said Trade Days went well. The next event they have at
33 the fairgrounds is the Tool Sale. That will be on November 9 and 10. The next Trade Days will be
34 December 6 and 7 and that will be the last one until April. Other than that, she has been looking at the
entertainment for the next Fair.

35 **ROAD DEPARTMENT – DENNIS FURY**

36 Fury said the Road Department had received funding of \$620,000 for GRIP 2. They have completed the
37 base course on CR H between CR 13 and CR 14. The construction crew is working on finishing up the
38 signage and culverts on CR 16. They are getting ready to finish up the streets in Grady. He attended a
39 NEPA (National Environmental Policies Act) training on October 28. He has purchased a GPS system for
40 the Road Department and they have purchased a plate compactor for placing culverts and fixing potholes.
41 His blade crew is working doing maintenance and building roads.

42 **CULVERT PERMIT FOR PATRICK E. MUDGETT/508 SOUTHLAND**

43 **CULVERT PERMIT FOR EDDIE STARFIELD/CR 15**

44 **CULVERT PERMIT FOR DAVID E. HUGHES/CR 17**

45 Fury presented a culvert application for Patrick E. Mudgett on Pioneer Street. Ashley asked that they put
46 all the permits on consent. Everyone agreed. Fury said that the permit on Southland and Mississippi
47 Street is the subdivision area that is west of Cortez Gas. The culvert permit for Eddie Stanfield is on CR
48 15 and it is a dirt road. The culvert permit for David Hughes is on CR 17. Ashley asked Fury if all of the
49 culvert permits had been reviewed. Fury said they had been. Ashley asked if he was recommending
50 approval for all of them. Fury said he was. **Commissioner Ashley moved to approve the three culvert**
51 **permits on consent.** Blackburn 2nd. 5 verbal ayes.

52 **WATERLINE PERMIT FOR STAN FURY/CR G**

53 Fury presented a waterline permit for Stan Fury. He said the water line had been put in before the permit.
54 He went out and viewed it and said it had been put in right. He said he had collected the crosscut right-of-
55 way fees for it. He said it was his recommendation the commission approve it. **Commissioner Ashley**
56 **moved to approve the waterline permit for Stan Fury.** Hulder 2nd. 5 verbal ayes.

57 **FINANCE DIRECTOR – MARK LANSFORD**

58 **APPROVAL OF INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF CLOVIS FOR**
59 **ENGINEERING SERVICES**

60 Lansford presented an intergovernmental agreement with the City of Clovis for engineering services with
61 Camp, Dresser, & McKee for the special events center parking lot and storm drainage improvements.
62 Sandoval asked if this was his recommendation. Lansford said he didn't recommend it. Hulder said he
63 read the agreement and he didn't see why they had an agreement with the city and not with Camp,
64 Dresser, & McKee. Lansford said he would defer questions about legal matters to counsel.

65 Doerr said what had happened is several months ago when the county manager began looking into the
66 issue of trying to get some kind of work done at the special events center as far as the parking lot, they
67 met and discussed the idea of the project. The next time they met they had Chad Lydick present and they
68

1 looked at the figures of trying to get it done within the budget amount in the leftover amount. At that time,
2 there was discussion as far as the Road Department doing a majority of the earth work and blading the dirt
3 work. They got a rough estimate from Mr. Lydick as to what it would cost. Based on that, they entered
4 into an agreement with Lydick that was within the Procurement Code amounts. He was going to charge
5 \$10,000 for the basic drawing and then his fee on what was going to be contracted out. It would come in
6 under \$50,000. They put it all into one contract because under \$50,000 did not require the county to go
7 out for a request for professional services. They could just sign that contract. When Lydick came back
8 and studied it during his presentation two weeks ago, he didn't think the Road Department had the
9 equipment or the manpower to do the work in a timely manner. What they thought was going to be a
10 \$480,000 to \$500,000 contract became a \$1.1 million project. Engineering fees on that would take it
11 above and beyond the \$50,000. The county could not work it in under the existing contract. The existing
12 contract that is in place as far as Lydick Engineering drawing up the staking, and just coming with the
13 original plans does state that upon request by the county commission, Mr. Lydick would do the remaining
14 work for an amount that was going to go up to the \$50,000. The \$1.1 million, if Mr. Lydick was requested
15 by the commission to do it, would have to be declined by Lydick because it was not within the realm of
16 what was being considered at that time. The option is to go out for Requests for Proposals to come in for
17 engineering services to comply with the Procurement Code. Mr. Pyle contacted the city and the city had
18 already gone out for an RFP and obtained an engineering firm in 2007 or 2008. What they are doing is
19 piggybacking with the city's contract. The county is basically paying the same rates to the engineering
20 firm that the city has. The contract (Doerr has a copy of the contract between Camp, Dresser, & McKee
21 and the City of Clovis) applies to the same exact services. The city has them under contract to do the
22 same services that the county wants to do. Doerr said they could have gone out for Requests for
23 Proposals and he thinks the county manager is recommending they do that any way, but to go out for
24 Requests for Proposals, the commission is looking at a minimum of 60 days. The bid they got from K.
25 Barnett and Sons would not be valid for that period of time so they would have to go out and re-bid it so
26 the commission would then be looking at the January time frame to get a contractor to come in and bid it
27 in the cold weather. For purposes of trying to keep the bid which Lydick presented to the commission at
28 the last meeting, and in order to complete the project under that bid, they are piggybacking off the Camp,
29 Dresser, & McKee city contract. Doerr said that Lansford had not been involved in the earlier negotiations
30 and had some questions and concerns about the effect of the previous contract. He also had concerns
31 about the legality of piggybacking and prior serious other concerns he wasn't aware of. Doerr said he
32 believed that was why Lansford didn't support doing it this way.

33 Pyle said he met with the city manager, Joe Thomas, and Thomas has actually gone ahead and signed
34 the intergovernmental agreement. He visited with Dave Boswell, the purchasing agent, and they write all
35 their bids and contracts where other governmental agencies can piggyback off them. Thomas and
36 Boswell are fine with this. Pyle said if they approve this intergovernmental agreement, he feels it is in the
37 best interests of the county for them to issue an RFP for engineering services and keep an engineer on
38 contract year around for the county.

39 Hulder said that would not affect this and asked if this would not be any more expensive if they didn't go
40 this way. Pyle said if they didn't go this way, they would have to issue an RFP for engineering services for
41 the parking lot. They would have to re-bid the parking lot and construction on it would probably not start
42 until a February time frame.

43 Smith said they were planning on having it done by December. He asked if that was correct. Pyle said
44 that was correct. Doerr said to answer their question as far as engineering services, he didn't believe the
45 engineering services would cost any more or any less if they went out for an RFP for engineering services.
46 That is pretty standard. He thinks the agreement Clovis has is the standard fee arrangement. As far as
47 the individual engineering services and how they are going to pay them, he doesn't think they would
48 change one way or another. Hulder asked if by state statute they could piggyback on another
49 governmental contract. Doerr said they could as long as it was for the same services and the work is
50 within the scope of the contract they have. Hulder said then what he was hearing was that they didn't
51 have a problem legally with this. Doerr said they didn't. It is just that the issue comes up of the provisions
52 in the prior contract with Mr. Lydick. If the commission says they are going to hold Lydick's feet to the fire
53 to what he represented as far as the contract, Lydick would probably come before them asking that they
54 not bind him to that because it was based on representations that the county was going to do half of the
55 work.

56 Ashley said the estimate was over a million dollars for this project. He asked where the money was
57 coming from. Pyle said \$850,000 would come from state appropriations and the remainder would come
58 from the General Fund.

59 Sandoval said they were right in the middle of this and felt they had to get this done. **Commissioner**
60 **Sandoval then moved to approve the intergovernmental agreement with the City of Clovis for**
61 **engineering services.** Hulder 2nd. Sandoval said he agreed with Lansford that there were some
62 questions but at this point in the game they had to get it done and they were already half way there.

63 Ashley said he wondered if maybe they didn't need to look at a different solution. This plan has gone over
64 budget and it looks like they will be taking two hundred grand out of the General Fund. He is wondering if
65 they seriously can't go back and think about a different surface or something and maybe going in there
66 and doing some work with the road crew and come up with something that would serve as a good
67 serviceable surface. He knows they could go in there with a chip material. They will have issues over the

1 next several years but with money being an issue and them not knowing the direction of their economy, he
2 doesn't know if that is the smartest thing to do.

3 Doerr said he wanted to remind the commission they have already approved the contract with K. Barnett
4 to do the project. Sandoval said that was what he was stating. They are already knee deep in this project
5 and if they have to start from scratch again, they will have to issue new RFP's and they will be looking at
6 next summer or next fall before they can get a parking lot. Ashley said this would throw their engineering
7 over budget.

8 Smith asked what the cost would be if they work with Camp, Dresser, and McKee. Pyle said the cost on
9 the engineering was not going to change much more than what Lydick presented. The cost on Lydick's
10 proposal was about \$88,000 and with Camp, Dresser, and McKee it is something like \$92,000. When
Lydick presented the proposal to the commission, they were expecting the bid to come in over \$1.2 million
and it actually came in at \$1.1 million. They knew going into the project that they only had a grant for
\$850,000 for the parking lot and for the amenities. The General Fund dollars for the remainder of the
14 parking lot plus the remaining amenities like the scoreboard and chutes, etc. will just have to come out of
15 cash reserves. Smith said they were aware of that. Ashley said what he understood from what was being
16 said was that they were looking at a lot more money for engineering than what they originally looked at.
17 Doerr said he was sorry if he presented it that way. What they had in the original contract they had with
18 Lydick was it went up to \$49,999 because over that amount would require a Request for Proposals. What
19 Lydick's estimate came back at was \$88,000 so they couldn't pay Lydick \$88,000 without going out for a
20 proposal. All he was saying was what Lydick presented in his prior proposal in the \$1.1 million contract
21 has already been approved. Ashley said then the numbers aren't necessarily talking about what was
22 being budgeted. It is just in regards to the procurement procedures. Doerr said yes, just the legality and
23 the procurement procedures of piggybacking. He believes that was Lansford's problem with it. His
24 concern was over the piggybacking and not going out for a new RFP for a separate engineering services
25 for the county.

26 Lansford said plus the fact he had not seen the contract with the City of Clovis whereby it states the
27 county can piggyback off of it. He said counsel was correct in stating that statutorily the county can
28 piggyback off other governmental agencies. His view along with the State Procurement Agent believes
29 that the verbiage of "piggyback" needs to be in the initial bid or RFP and in the subsequent and final
30 contract with the vendor and he hasn't seen that. Not having seen that then he isn't sure and maybe they
31 can technically piggyback, but he has trepidation about that. Also he has trepidation about the original
32 contract that counsel has mentioned. Lydick Engineers indicated they would do the surveying,
33 engineering, drawings, specifications, etc. for \$12,000. Not being an engineer, he doesn't understand why
34 there is \$42,000 for the same product. What does it matter whether the county does the dirt work or
somebody else does the dirt work? Lansford said he had a theoretical issue with that and nobody has
been able to adequately explain that to him. Smith asked if it was because of the percentage of the cost
37 of the project. Lansford said yes, it was just based on the mere percentage of the cost of the project and
38 he has some issues with that. As a result for those two reasons, he is not going to stand there and
39 recommend it to them. He will follow their directions, of course, but those are his issues.

40 Doerr said it really wasn't a change from \$12,000 to \$88,000. What the contract said was that he would
41 prepare the plans and the drawings enough to get them to contracting for the \$12,000. The second
42 paragraph says in the event the county desires for contractor to assist with the actual construction
43 management, to work with the contractor, then it is a certain amount. They estimated that amount and put
44 in that amount they could not go above \$50,000. So the original work that he already did has not
45 changed. It is for follow up services on what is going to be required to have an engineer to work under the
46 project with K. Barnett and you have to have an engineer. The county has to have an engineer. That is
47 the issue. The work Lydick has already done under the original contract has not changed. It is the
48 subsequent work if the county wants him to do the additional work.

49 Lansford said as he understood it, normally under engineering services there are two phases. There is
50 the design phase and the construction phase. Normally according to Lydick himself as he represented to
51 Lansford, what started the ball rolling is they wanted a purchase order for \$42,000. He looked at the
52 contract and he couldn't do that. He asked what it was for. Lydick expressed it was for the design phase
53 and there would be an equal amount or similar amount, another \$42,000, for the construction phase
54 whereby they go in and make sure that the contractors are constructing the parking lot and dirt work in
55 accordance with their plans and specifications. That was an issue for him—the \$12,000 versus \$42,000
56 he could not rectify in his mind. What difference did it make who did the dirt work. He still has an issue
57 with that. They agreed contractually to do it and it doesn't say anywhere in the original contract if Curry
County does the dirt work that all bets are off or if Curry County doesn't do the dirt work, they will do this.

58 Smith said if they said they didn't want to do this, where do they go from here? Do they go out for another
59 RFP and come up with another engineer to design this? Lansford said they would. Doerr said he thought
60 on the design the commission could come up with another engineer to design it, but it has already been
61 designed. If the engineer is willing to accept that design and just work with the contractor during the
62 construction phase and do the engineering for the construction, they may be able to get one just to do
63 that.

64 Lansford said there was another alternative. His recommendation would be to hold Lydick's feet to the fire
65 on the contract they signed. He would recommend the county pay Lydick the \$12,000 for the design and
66 then piggyback off Camp, Dresser & McKee for the construction part of it. They can get their 4.5 percent
67 on that part. That way the county would be able to comply with the original agreement the commission
68

1 already approved, which they also were under no duress to sign or execute. They can finish the project
2 on time using Camp, Dresser, & McKee to see it through to its completion.
3 Smith said by doing so, they would simply hold them accountable for the contract they have already
4 agreed upon. Doerr said if it was 4.5 percent of a million dollar contract, what would that be? Lansford
5 said that would be \$40,000 to \$50,000 with tax. Sandoval asked if they did that would they be assured
6 they would save that money. Lansford said that would depend on Lydick. Lydick can also throw up his
7 hands and say he will not do it for that amount. Sandoval said that was what concerns him right now.
8 They know what they have right now and if they go back and hope that he will do this, it concerns him. In
9 other words, what he is trying to say is Lydick can say I am going to do this job for \$10,000, but if I don't
10 do it today because I have some spare time today, next week I'm not going to have spare time and can't
11 do it for \$10,000 because I will have to hire some more people and will have to put in some over time. It
12 will not be \$10,000, it will be \$30,000. That concerns him. Smith said a contract was a contract though.
13 Lansford said he felt Lydick owed the commission an explanation. He said let him explain what the
14 difference is between \$42,000 and \$12,000 whether we do the dirt work or somebody else does it. He
15 would like to know himself. What is the difference in the design phase? The construction phase he can
16 understand a little bit, but not the design phase. They are just drawing drawings and specifications.
17 Doerr said they couldn't pay him \$12,000 for the design and \$42,000 for the construction because that
18 works out to \$54,000 and they cannot pay over \$50,000 on a contract without a new RFP. He said you
19 can call him in and hold his feet to the fire and then you have an unauthorized contract. Lansford said
20 they could pay the \$42,000 to Camp, Dresser, & McKee if they piggyback off the city just for the
21 construction phase part of it. Doerr said if they were willing to accept that. If they don't, that will set them
22 back a couple of weeks or more. Doerr said they couldn't pay more than \$49,999 without going out for a
23 new RFP. Sandoval said he wished Lydick was here. These are questions only he can answer. He
24 asked if it would behoove them to table this and invite Lydick to the next meeting. Doerr reminded them
25 they were having a meeting Friday to begin the Election Canvass. They can put this on the Friday
26 agenda.
27 Smith said they had a motion to accept this. **Commissioner Sandoval said he would withdraw his**
28 **motion.** Hulder withdrew his second. **Commissioner Sandoval then moved to table the**
29 **intergovernmental agreement with the City of Clovis for engineering services until November 7**
30 **when Lydick Engineers could come and answer some questions.** Ashley 2nd. 5 verbal ayes.
31 **APPROVAL OF CONTRACT WITH CAMP, DRESSER & MCKEE, INC. FOR ENGINEERING SERVICES**
32 Lansford said he had a contract with Camp, Dresser, & McKee, Inc. for engineering services. He said he
33 had not received this until late yesterday. He recommended they table this contract since they had tabled
34 the intergovernmental agreement. **Commissioner Ashley moved to table the contract with Camp,**
35 **Dresser & McKee until November 7.** Blackburn 2nd. 5 verbal ayes.
36 **APPROVAL OF CONTRACT FOR PURCHASE OF PNEUMATIC ROLLER**
37 Lansford presented a contract for the purchase of a pneumatic roller. He said the commission had
38 awarded the bid to Bee Equipment Sales for \$68,880. Counsel has prepared the contract for their
39 consideration. **Commissioner Ashley moved to approve the contract with Bee Equipment Sales for**
40 **the purchase of a pneumatic roller.** Hulder 2nd. 5 verbal ayes.
41 **APPROVAL OF CHANGE ORDER WITH NEWT & BUTCH FOR COURT HOUSE ROOFING**
42 Lansford presented a change order to the roof repairs on the west annex of the courthouse that was done
43 by Newt & Butch. As was mentioned in an earlier meeting, they will need to have an architectural stamp.
44 Mr. Paul Reed from Paul Reed Architects did this and Newt & Butch has procured that and is asking for a
45 change order on the original contract. The amount is \$1,924.76. It is management's recommendation
46 they approve this. **Commissioner Ashley moved to approve the change order with Newt & Butch.**
47 Sandoval 2nd. Hulder asked why this was not included in the original bid price. Lee Delk said what
48 happened is the state changed the rules on them. They sent the permit back and said the county had to
49 have architectural drawings and a stamp on it. Hulder said after the commission approved it, then Santa
50 Fe changed the rules. Delk said when they presented it, they mentioned that it was possible they were
51 going to have to have an architect involved and they agreed to run it through because they didn't know
52 because the time before, they didn't have to have one. 5 verbal ayes.
53 **PRESENTATION AND DISCUSSION OF FIRST QUARTER FINANCIAL STATEMENTS**
54 Lansford said he would first go through the historical analysis of his first quarter financial statements and
55 then would go over his projections for the county's future. At the end of the first quarter, September 30,
56 they ended the quarter with \$9,663,071. This is shown on page 1. Of that amount, roughly \$7.5 million
57 was in the General Fund. The Total Assets for Curry County equate to around \$38 million and the Total
58 Liabilities are about \$6 million. The Net Worth is around \$32 million so the county is in good fiscal
59 condition.
60 He said on the second page is the Report of Revenues and Expenditures. He shows the General Fund,
61 Road Fund, Fairgrounds Fund and the other funds which consist mainly of grants, operational and capital
62 grants. As they can see, through the first quarter ending September 30, the county expended roughly
63 \$500,000 more than it brought into the General Fund. Also, on the other funds they can see it is about a
64 \$1.9 million deficit. The reason for that is that the county was exhausting the last resources of their bond
65 money. On page 3 is a Comparison Report of Revenues and Expenditures as compared to the budget the
66 commission adopted in July. It shows Actual Revenues and Expenses. As everyone can see, the county
67 is slightly under budget on Gross Receipts Tax and it is a little misleading from the standpoint that the
68 county is actually over budget on gross receipts tax. The reason it shows a negative is because the

1 county gets an Equalization Payment once a year from the state. Food and Medical are no longer taxable
2 and the state is holding counties harmless. They give us a check once a year. Normally it comes
3 sometime in October. The county budgets straight line so it shows we are a little under budget on gross
4 receipts taxes, and that is why. The next quarter he anticipates they will be right at or above budget.
5 Lansford said the county was under budget in Expenditures. Management is holding the line and
6 watching the budget. Also, the property taxes show to be way under budget. That is simply because we
7 bill in November. We are starting to collect those now. That should turn around in the second quarter. He
8 should be able to give a good report on property taxes the second quarter.

9 The next report is his favorite report because it shows a five-year running history of the county's receipts
10 and disbursements in the General Fund. He called their attention to Total Revenues. They are slightly
down from last year by about \$13,000. That is about 1 percent. That is a good thing considering the state
of the economy. The Expenditures are slightly up by about \$28,000 county-wide. That is not a very large
increase. As far as where we are, Lansford said he thought it looked pretty good.

14 The Road Department is the next page and shows the actual receipts for the Road Department and the
15 operating expenses. Superintendent Fury and he are in the process of calculating some In-Kind that the
16 Road Department has earned in building roads. Hopefully, they will have a transfer on some of that by the
17 next quarter. The Road Department is under budget on their expenditures.

18 The following page is the Fairgrounds Fund showing Actual versus Budgeted. The Fairgrounds Fund is
19 not just the county Fair. It is the entire operation. The County Fair actually showed a slight profit this year.
20 They are very pleased with that.

21 Lansford said the bad news was on the last page. He said accountants tried to paint a picture that was
22 somewhat of a conservative nature. He said he wouldn't pretend to be Chicken Little so to please not
23 misunderstand what he was saying. What he has attempted to show on the last page is what has actually
24 happened. The first column shows what actually happened on June 30, 2008. The second column is
25 what the commission adopted as their operating budget for this current fiscal year. The last three columns
26 show his best projections for the upcoming three fiscal years. He does project a slight increase in
27 revenues and also projects an increase in expenditures. The excess Revenue over Expenditures in the
28 General Fund only, he anticipates an excess in Revenue over Expenditures over the next three years
29 including this one. However, as they can see in the third column, he anticipates that the General Fund will
30 need to support the Road Department again this year more than last year. This has been discussed by
31 the commission before. The need for amenities for the events center is somewhere between \$1.5 and \$2
32 million. That money has to come from somewhere. That will likely come out of the General Fund.

33 Lansford said there was also a need, and they have already transferred cash of \$400,000, to operate the
34 special events center. He anticipates between a \$400,000 and \$500,000 loss every year for the special
events center. They have been supporting the fairgrounds for many years. What does that mean to our
cash flow? Lansford said he anticipated the county's cash flow to be negative about \$1.7 million. That
37 represents about 30 percent of their operating Reserves. Over the next two years he anticipates between
38 \$250,000 and \$350,000 Net Operating Loss and he anticipates that to go up. At the current rate, the
39 Reserves the county has now, which is the largest in Curry County's history, will likely be depleted in
40 about 8 years unless the commission considers cutting back in services or some other place or considers
41 a tax increase. Or, they can hope the general economy improves and that General Revenues go up. He
42 asked if there were questions.

43 Ashley asked on the revenue side of property tax, would he project increases in property taxable values.
44 Lansford said he was, but as they all know, the housing market is taking a pretty big hit. He said he was
45 not as well versed on how the assessments go. He said maybe the Assessor could address that question
46 better than he could. As he understands it, as sales occur the property values go down and the
47 assessment will go down. However, he is optimistic from the standpoint that he believes that Cannon Air
48 Force Base is going to grow. He believes their mission will continue to be funded and there will be more
49 people moving into this area. He doesn't have a degree in economics but believes it pretty much boils
50 down to supply and demand. If they have a greater demand coming in than they have supply, all things
51 remaining the same, the price should at least be stable and could increase.

52 Ashley said in this market he didn't know they had seen degradation in home values in Clovis than what
53 has been seen in other markets around the nation. He doesn't consider himself qualified to make that
54 judgment, but from the little he knows, and he doesn't know this has happened, he would defer to the
55 Assessor or anyone else in the real estate business.

56 Hulder asked if the Mayor would address that since she is a realtor. Hulder asked Brumfield what she has
57 seen in the housing market in Clovis.

58 Brumfield said that up to about three years ago, they were definitely seeing some increases. They were
59 seeing about an average of six to seven percent. The last couple of years have just been stable. They
60 have not seen the decreases like they are seeing in other areas like Florida, Las Vegas, and places like
61 that. Overall, the county has had a slight growth. On each house, there could be some that were
62 overpriced, but they would come in a little lower. Overall, however, they have not seen a decrease in the
63 Clovis market. It has been steady and stable, maybe flat if anything. She said she thought as Lansford
64 stated that as Clovis starts to grow they will see it go up. Even though the market has been very slow, it
65 has just been flat. They have not seen a huge decrease yet and don't think they will.

66 Hulder said the flat line the Mayor was referring to occurred three years ago and that probably coincides
67 with the fear that Cannon might be closing. Brumfield said that putting BRAC aside, 2005 finished pretty
68 good. In 2006 and 2007, it started kind of going down. In 2008, it was flat. She personally feels they are

1 going to bottom out in the next 90 days and they will see some gradual increase. She said Clovis has
2 always been a steady market. They haven't had huge increases like places in Florida where they have
3 doubled and tripled. The highest they got was in 2004 and 2005 which was about a 10 percent increase.
4 If anything they have just been flat. Personally she believes Clovis is in good shape. They will continue to
5 be as the base grows.

6 Lansford said even if it stayed stable, when people trade houses, the tax base still goes up because there
7 is a new law out there. As the Assessor explained, if you have a house that is \$50,000 taxable and when
8 you sell it, it is more than that then the Assessor will assess it at the higher value. With exchanges going
9 on, the tax base will likely increase. Ashley said that was what he was trying to get a feel for, for the
10 projections on the property tax. Lansford said he looked at the historical data and extrapolated his
11 information in a conservative way. Ashley said that was his point, there is a conservative edge to this
12 when you look at the new valuing system which could be somewhat more. Lansford said he would hope
13 that it was.

14 Hulder asked on the Revenue, what was the "Other"? Lansford said it was services such as the Clerk's
15 for recording fees they charge, the Sheriff has fees they charge, etc. The county also gets Small County
16 Assistance which really isn't property taxes or gross receipts tax. It is other types of revenue the county
17 generates. Ashley said the Small County Assistance was because we were maxed out on our gross
18 receipts tax. Lansford said the commission did that in 2004 or early 2005. Ashley asked what that
19 amount was. Lansford said it was about \$130,000.

20 **COUNTY MANAGER – LANCE A. PYLE**

21 Pyle said he had received an e-mail from the Grady/Broadview community. They have put together a Top
22 of the Cap Wind Association. It was formed by different landowners in the northeast portion of the county.
23 The purpose of this association is to come up with some ideas for wind energy. They asked that the
24 county give them a letter of support. He will be drafting a letter of support for them.

25 He met with David Ritchie, Associate Director for the Office Economic Adjustment for the Secretary of
26 Defense. As everyone is aware, they have the Local Growth Management Organization that is contracted
27 with Keystone International to develop a growth plan for Clovis, Curry County, Portales, and Roosevelt
28 County. Based on their conversations, he feels within the next couple of meetings he will be coming with
29 a recommendation that they apply for additional grants with the Office of Economic Adjustment for the
30 Secretary of Defense to apply for a joint land use study. There are some issues out in the county as far as
31 CR R. There are also some issues at the Melrose Bombing Range as far as with the new claims where
32 they will be flying lower. There will be some regulations the county will have to look at inseting within the
33 next year or so. On this grant, there is a 10 percent match, but he will be getting more information for
34 them on this. Curry County has been asked to be the fiscal agent. It is more of a Roosevelt and Curry
35 County issue and not a City of Clovis or Portales issue.

36 **APPROVAL OF SALES OF BEER AND WINE AT SPECIAL EVENTS CENTER**

37 Pyle said the first two agenda items he had were similar and he and Connie Harrison worked on them
38 together so Harrison might be presenting some things as well. His first item is Approval of Sales of Beer
39 and Wine at the Special Events Center. The last couple of weeks Ms. Harrison and he have met with
40 several individuals, community leaders, farmers and ranchers, and other people who have expressed an
41 interest in renting the events center. Some of the questions that have come up in some of their meetings
42 were in regards to selling beer and wine at the events. They even had an individual that was interested in
43 holding a recognition banquet there, but part of the recognition banquet would require there be beer and
44 wine sales. Without that, they would not be interested in renting the facility. Pyle said they had called
45 around to numerous places and compared prices for the rental of the events center. They called Lea
46 County, Farmington, Amarillo, and Lubbock. All of these places have sales of beer and wine. As
47 everyone is aware, they are projecting a yearly loss of \$400,000 with this facility. Based on the
48 information that has been submitted to the county from Global Spectrum and other sources, with the sale
49 of beer and wine they can decrease the loss to the county with sponsorship advertising. Pyle spoke with
50 Steve Kopelman, the Risk Manager for the Association of Counties. This is who the county has insurance
51 through. He is also an attorney. Pyle asked Kopelman if the county approved the sale of beer and wine at
52 the events center, if their insurance premiums would increase any. Kopelman sent him an e-mail stating
53 the county's insurance would not go up if certain criteria were met in the contract.

54 Pyle said he would like to recommend approval to sell beer and wine at the events center and that they
55 contract this service out with a third party. Kopelman said that would be a good way to do it. The third
56 party would be the responsible party to get the license and for following all state requirements.

57 Harrison said in talking to the other four entities that they talked to about prices, this is what they do. They
58 contract out their alcohol server license. Those individuals are responsible for getting their insurance
59 coverage. They require one million dollars of coverage. For example, Lea County licenses out to
60 Applebee's or Chili's. There is a company in Lubbock that they also contract out to and it works the same
61 way. The third party is responsible for the license and for the insurance coverage. Not only talking to the
62 individual groups that they talked to, but they also have received phone calls about renting the events
63 center. A lot of the people wanting to rent are sponsored by Budweiser or Coors or some of the other
64 alcohol industries and they can't come unless the events center serves it. Harrison said these groups
65 were good entertainment for the whole family. It is not for just serving certain individuals. Harrison said
66 Gloria Wicker could talk on behalf of the Women's National Finals Rodeo. They will not come. The
67 county can't even send out a proposal to them.

1 Pyle said they also had the special events user agreement before them today. If the commission
2 approves the sale of beer and wine, they can leave it in the contract and put a stipulation in there that
3 each individual user can check whether they will or will not have the sale of beer and wine at their event.
4 They can leave it up to each individual user. That way they won't keep any event from utilizing the events
5 center. Also, that way they will be able to attract events to come in.

6 Sandoval said the agreement they were looking at is the same thing the City of Clovis has with Global
7 Spectrum. Having served on that committee since its inception, Sandoval said he could say the city has
8 not had any problems. They are not responsible for what happens with the sale of beer and wine. Global
9 Spectrum is the one that has that responsibility and they are the ones who have the insurance.

10 **Commissioner Sandoval moved that the county apply to the State of New Mexico Alcohol and
Gaming Division for a governmental license.** Hulder 2nd.

Blackburn said they kept talking about the \$200,000 difference, which he never believed to be that much.
He asked how the contract with the vendors flowed to the county. How does income flow to the county to
help cover the anticipated loss? Pyle said if he understood Blackburn's question correctly, on the user
agreement with each individual that rents the facility, there will be a price in there. Right now it is \$1,200
to rent the arena. That will go back into the events center budget. On the item with the sale of beer and
wine, the county will bid the service out. In the bid process of the sales, the county would get a certain
percentage of the sales that would go back in the events center budget. Blackburn asked if they could
expect that many users to raise \$200,000. Pyle said he didn't think as far as users they could, but he said
they had the sponsorships, the signage for the events center, the sales of beer and wine, as well as the
more events they attract, the more people will be staying at the motels. They would see an increase in
gross receipts taxes. Blackburn said he understood that, but said that didn't come to the county proper.
Pyle said the county would get 40 percent or so from the gross receipts collected.

Ashley said they were saying beer and wine sales. He said he was thinking an alcohol license was an
alcohol license. It isn't specific to beer and wine; it's all alcohol. Doerr said a governmental license was a
complete license to sell anything. The commission will regulate what is sold. If it is in the user agreement
that beer and wine is all that will be sold, that is all that will be sold. Ashley said then it wasn't in the
license, it was in the condition the commission puts on it. Doerr said that was right, it was the
commission's regulations. Ashley asked Harrison if she had said there were some events that were family
events but they mandated that there has to be alcohol sales. Harrison said yes because they were
sponsored by someone like Budweiser. A rodeo is a family event but it can be sponsored by Budweiser
and it doesn't mean people have to drink. Ashley said he understood. He said there was an article in the
Clovis News Journal about two weeks ago and it talked about the Attorney General wanting to push
legislation restricting advertising to youth for alcohol. He doesn't understand government's pushing to
restrict advertising and on the other hand they talk about making money advertising alcohol. That doesn't
weigh out to him. Those are just his thoughts.

Linda Teakell said she had been a DWI School Instructor in Curry County for about 15 years and was a
contract coordinator with the Department of Health for substance abuse issues. She has four youth
coalitions in the high schools around the county and feels she has a good handle on the schools with the
youth. Virtually, at every training, every update, and every event they go to, they see clearly that statistics
show that the more signage, the more advertising, and the more exposure there is to substances such as
alcohol and tobacco, the greater use is with younger kids. The last time she was here it was stated they
were going to give alcohol to minors. She said that was not what they were saying. What they were
saying is that the effect of the exposure to all this advertising with things such as Budweiser, Coors, etc.
and the effect of seeing people having a drink while they are at a "family" event is going to directly
increase the use of alcohol with their young people. She said the commission prayed at the start of this
meeting that God would help them make the right decision. They also discussed that the county would not
be responsible and that a third party would be responsible. Teakell said she was just asking them to be
responsible for our youth and make the right decision. She said it may not put money in our pockets, but it
might increase the value of the lives of our young people.

Darwin Speicher, Pastor of the First Church of Nazarene, said he and his wife moved here from Denver,
Colorado a year and a half ago. They have fallen in love with this community and with the people. He has
two concerns he would like to share. Alcohol sales could possibly mean drunk drivers on the streets and
could endanger people's lives. He also feels like a wholesome family environment would not include
alcohol sales. He said he would appreciate their consideration.

Cindy Speicher, wife of the pastor, said it was nice to be here and see what was happening in Clovis. She
is impressed with everything. It is the greatest feeling about where she lives here in Clovis. When they
moved here, they came into Clovis and realized it was not the most beautiful town they had ever seen, but
once they met the people, they were so impressed. They thought these are the most beautiful people they
had ever seen. The people are awesome. She said the Civic Center said something about all of us
together. It is right across from the Community College and it is some of the best of who we are here in
Clovis. It represents us well. She said she knew it sounded silly, but every Christmas they have the
movie, "It's a Wonderful Life." Just because one life made all the difference in "It's a Wonderful Life in
Pottersville," she thinks we need to be really careful on the little things. It's the slow pace that makes us.
You can slip away and become something you didn't want to become in the first place. We have a great
town and we're building a great community. This civic center, she thinks we can just say no on this.

Connie Harrison said she would like to speak as a citizen and not as an employee of the county. She
grew up in an alcoholic family, but she is not an alcoholic and it is because she made the decision not to

1 be. It is because she is responsible and the consentor has to be responsible when it comes to drinking.
2 So many people in this room attend and visit the Civic Center. As Commissioner Sandoval pointed out,
3 we haven't had any problems at the Civic Center and she doesn't see any problems at the events center
4 as well. The events center is not like going to Kelly's. It is not like you are going out dancing and drinking.
5 It is a whole different venue.

6 Phil Teakell said he was a retired public health educator and currently served as the Director of the CRC
7 DWI School. He spoke to the commission in December of 2007. His message was the same. We have
8 enough alcohol flowing in this county. Everything he is hearing is about dollars and how they will save
9 money, and how we need to save money. He comes to the commission looking at our youth and our
10 society and what we are projecting when we sell alcohol. He said to please listen to him, "When we sell
11 alcohol at everything we do for fun, what are we teaching our kids?" We are teaching our kids that we
12 have to have alcohol to have fun. He said you talk about responsible drinking. Why do we have to have
13 drinking at everything? Why do we have to teach our kids this lesson? He said they had talked about
14 having responsible drinking. He hasn't heard it at this meeting, but at the last meeting they talked about a
15 two drink limit. He said guys laugh at this because they get as much booze as they want. They are
16 talking about beer and wine as if they don't get you just as drunk as mixed drinks. He teaches the DWI
17 School. The drink of choice by far is beer. These kids are 18 and as young as 15 and drink a lot of it. He
18 is asking the commission to do one of two things: Either table it until they can vote on it, and he has talked
19 to all the candidates and they have all said they would like to see this come to a public vote. He is asking
20 they let this come to a public vote. If they just don't vote it down completely, at least let the citizens of this
21 county vote on this issue. This is what he is asking.

22 Ashley said as a matter of clarification, he inquired about this with the Clerk's Office some time back and
23 they inquired with Santa Fe. Because of the alcohol district, the events center doesn't lie within the
24 jurisdiction of the county to be able to do that. It lies within the jurisdiction of the city so the county cannot
25 offer up a ballot issue for a vote on whether or not to sell alcohol at the events center. Doerr said that was
26 correct. The location where the alcohol would be sold lies within the confines of the jurisdiction of the city.
27 The city has already voted on it. If it was outside the city, even with a governmental permit, you could
28 allow representatives of the county to vote on it. Since it is within city limits, it is not eligible for a
29 referendum. Ashley said he did inquire about this and this is what he was told so he just wanted to clarify
30 this.

31 Gloria Wicker said times had changed and it has been proven during the 20's and in the 30's that nobody
32 can pass a law and stop people from drinking. It is exactly as Harrison said—it is up to the people. You
33 can make Clovis dry today and people would still drink. These children right now if they are 18 years old
34 or in the neighborhood and like beer can get it. They are going to have all they want and they are going to
35 get it. If they are getting it from some alley or some idiot that goes and buys it for them, they are going to
36 get it. This event center—some of the people in this town seem to think they are going to put a saloon out
37 there. The reason she says saloon is because that was her mother's terminology, and she could make it
38 drip when she said it. Wicker said they had to stop and think. She said we, as a body, should not have
39 the authority to tell somebody that they can't drink. We may set it up and say you can't buy it, but they will
40 buy it somewhere. She remembers when Clovis was dry and the most fun they ever had was when they
41 had private clubs. It is going to happen and you cannot tell the people anything. It is up to every mother
42 and every daddy to do that. This license and this ability to do that is going to be confined to the events
43 center. It is not going to be out in the middle of the fairgrounds. That is the way it is going to be. It is
44 going to mean a lot to the county—several hundred thousand dollars worth. Not that they are going to sell
45 several hundred thousand dollar's worth. They are just literally going to lose that much money because
46 vendors are not going to book here. You may think that is unfortunate, but that is just the way that it is.
47 She is quite sure the people that say they don't want that here don't want it. They believe the \$200,000 or
48 \$300,000 can be made up somewhere else. Wicker said it can. They can raise taxes to be able to pay
49 these bills, but that is not the way to do it. Personally, she doesn't care. She doesn't care for wine or
50 beer, but if she wanted to, she would just as soon sit in the majority of the restaurants in Clovis. The
51 majority of them are selling beer and wine there and she is sure a majority of these people are eating
52 there. She knows Walmart and Walgreen's sell it and she imagines there isn't a person in this room that
53 doesn't shop there at some time or another. As her mother used to say, "I hate that stuff." She thought
54 her dad was an alcoholic because every harvest time, he would get with some guys at the wagon yard and
55 have a pint. Wicker said they couldn't say, "You cannot drink and if you don't sell it, nobody will drink."
56 That isn't going to happen. It will be a terrible disappointment just like Harrison said, the Professional
57 Women's Association won't come—we've never had a Women's National Finals Rodeo here. They want
58 a permanent place to have a National Finals. They want it on the Clovis and Texas border. That was one
59 of the things they said because the people that have the beer and wine help to sponsor these things. That
60 would be a tremendous amount of money to everybody because there are 300 contestants and the guests
61 that come with them. Wicker asked them not to drag the county down because their fathers were
62 alcoholics or because their mothers drank or because they think that will keep their children from drinking.
63 That will not. If she did want to drink, she would do it out in public and wouldn't go out of town to do it, and
64 then come back and act like she was holier than thou. She said that does happen here.

65 Ray Mondragon said he wanted to give them a little different perspective. He recently was one of the
66 team leaders hosting the NM Municipal League Conference, a state conference of elected officials in the
67 City of Clovis. They had 655 attending and had a challenge. One of the entertainments was at Hillcrest
68 Park. He wanted to give them a background of how they did it. When they were called to the county

1 manager's office to review the user agreement and give their comments, thoughts, and advice, they set up
2 a boundary system and did not allow kids at that event. They also had a liquor license for beer and wine.
3 They got the picnic license through the state and then contracted with Chili's Restaurant to have the
4 alcohol available to those that wanted to partake. They also wanted to make sure that all of their invited
5 guests got to their hotels safely. What they did in order to protect the city since the city was hosting the
6 event is they provided rides. They didn't have any problems that he was aware of from anyone drinking
7 excessively. The NM Municipal League had what they call hospitality suites in their hotels and they had
8 people assigned to that area to make sure no one got in a vehicle and drove. They were protected that
9 way. Yesterday he received a call from an individual who said they were looking at having a huge Bike
10 Rally of up to 3,000 bikes. They will be advertising for this regionally and will include Texas, New Mexico,
Colorado, and Arizona. They want to have it at the new Special Events Center. He was asked if they had
gotten their alcohol license. He told them they hadn't and told them their call was timely because the
county commission had this on their agenda to discuss. He put together an e-mail and sent it to the
county manager about this individual who was interested in doing this Bike Rally. It is the Clovis Hog
Riders Association. There is interest out there so he wanted to share this and he wanted to share what
they did with the NM Municipal League to make sure people were protected. He said the county could
have those protections under their User Agreements.

18 Jim Sours, President of the Curry/Clovis Chamber of Commerce, said he was speaking on behalf of the
19 beer and wine license. He said he really didn't want to visit the moral aspects of it, but wanted to look at it
20 from a fiscal perspective and from the Chamber's perspective. First of all, he said the Chamber has not
21 voted on it and the Board has not addressed it so he was not speaking on behalf of the Chamber. He was
22 speaking strictly as an individual. He doesn't know what the numbers are and thinks that Blackburn
23 brought up a good point. How does the money flow and how does it come back? Where is the \$200,000
24 or the \$400,000? He doesn't have a clue and doesn't know whether any of the numbers have any validity
25 or not. They do know from their relationship with the Clovis Civic Center because they get their year-end
26 report each year and they track it as it is difficult to make those types of facilities work financially. They
27 know when they get it to a break even point they have accomplished quite a bit. From that perspective, he
28 thinks they are going to have a difficult time and he doesn't doubt there will be some limitations from
29 events that they can't hold. Whether that number is \$25,000, \$50,000, or \$200,000 he believes they can
30 go back and measure it fiscally at some point. They will have opportunity to do it whether they go forward
31 with this or not. He will say that the Executive Board on the Chamber is split on this. If they held a vote
32 today, he isn't sure it would pass with their Executive Board. They have strong feelings both directions.
33 He said he felt obliged to represent that while he was here.

34 Jeff Lynn said he had a DJ company in town and worked at the Civic Center quite often. They work
probably three or four times a month. He would have to say that if a bar is at the Civic Center, not
everyone will drink. They have a lot of choices and it is readily available to them if they would like. He has
37 been to several events where there has been a bar available and very few people are even buying drinks.
38 He is on the back side of this standing there and watching the masses have fun and enjoying themselves.
39 No one has ever gotten out of hand while they have been at the Civic Center to his knowledge. They may
40 have a couple of drinks and then they go home. He has heard several people say they are going to the
41 bar. He asks why they are going to the bar because they already have food and entertainment and there
42 is a bar there. They say they are going there to go drink. So if they are going to drink, they are going to
43 go to the bar where they can purchase the alcohol at a cheaper price than if they want to drink, dance and
44 have fun. A lot of people go to the restaurants and have a drink. They don't go in there to get drunk.
45 They go there to have a drink with their meal, maybe two and enjoy a game and go home. It is not like
46 they are going there to live it up. On this side, he sees this a lot. The Civic Center does a great job of
47 monitoring their alcohol sales and how many people go out there. He doesn't see many people buying
48 masses of drinks. He doesn't think anyone can afford to buy masses of drinks. The drinks are priced that
49 way. It may be a good policy to have. He said if someone looks like they have had too much, question
50 them on it and give them a safe ride home. As a DJ he checks with people and he would rather find them
51 a ride or he will take them home. He sees it both directions, being for it and against it, but in the times we
52 are losing ourselves because things like the rodeo events, monster truck rallies, concerts, etc. won't come
53 here because they are sponsored by these major brands. The major brands are what are funded with
54 millions of dollars to bring them through in order for us to buy tickets for \$15. If not the tickets would be
55 \$75. People couldn't attend these events. Talking about the kids actually drinking—they are already
56 exposed to it. They are exposed to it every day. If they go to a restaurant, they are exposed to it. Every
57 kid goes to restaurants with their parents and they have seen drinking.

5 Diane Foster said there was no wine and beer license on the Curry County Fairgrounds now. When they
6 have family functions like the rodeo and the Fair, how many dumpsters of beer bottles and whiskey bottles
do they have now? She asked if they thought not having a beer and wine license now was really going to
make any difference. It is not going to make them drink more. They are already drinking out there. She
was at a banquet at the Civic Center last night and she had one beer because it was \$3.50 a bottle.
64 Passing this license is not going to make any difference for the kids. She asked if she was wrong about
65 how many dumpsters were full at the fairgrounds. Sandoval said Delk could address that. Delk said his
66 crew was the ones who cleaned up. He has been to the Civic Center and they don't have his issues.
67 When they work dry events, which are what they have at the fairgrounds, they find guys every year
68 slamming beers in the parking lot. They fill up trash bags and the dumpsters. They have bottles

1 everywhere. They smuggle it in any way they can because they find them up in the stands. They are
2 impossible to control. If individuals have to pay \$4 or \$5 for a beer, they will savor it for a while. If they go
3 out into the parking lot and have a 12-pack, they will slam them down as fast as they can so they can get
4 into the gate. They do have huge issues at their "dry" fairgrounds. They had an issue several years back
5 where they busted a guy. He and his buddy took their pickup, put a tarp in it, and filled the bed up with ice
6 and were selling beer out there. They had three kegs floating before they got to them.

7 Ronnie Brooks said he had been working on this events center since 1998. He has records of every
8 meeting they ever had. He has been on the committee to get the events center done. It has been a long
9 and hard time. They finally got it built. Everyone he has talked to and he has researched 11 big events
10 centers all over the state of New Mexico and Texas, including Houston. Everybody that he has talked to
11 while he has attended rodeos with his granddaughters and son because they are professional barrel
12 racers and have worked all the big indoor arenas, he has learned a lot. He learned enough to know he
13 doesn't want to run one. Every one of them have told him they have got to sell alcohol. He said they
14 would run into a money crunch pretty quick after they open the events center. If they run it for a year, they
15 will come back and vote for this whether they vote for it or against it today. He doesn't drink so this really
16 doesn't bother him, but he had planned that in our event center they should designate an area for drinking
17 like they do in Amarillo. It has a big glass enclosed area where they can drink. He said he was for them
18 getting a wine and beer license. Clovis was the place to come when he was growing up if they wanted to
19 buy alcohol or liquor. There were liquor stores and beer joints and dance halls that were famous. He
20 didn't move here until 29 years ago. Most of the restaurants in town have beer and wine. It doesn't bother
21 him because he doesn't drink. Life is full of choices and people have to make choices. His dad and uncle
22 were drunks. He made a choice not to be. It is the same way with buying beer and putting on an event. If
23 they have an event that brings in 400 or 500 people, every dollar they bring into our community is turned
24 over 7 or 8 times. We have this events center and he doesn't think beer or wine should stop anything. It
25 will bring in some extra money.

26 Lisa Dunagan said she just wanted to remind the elected officials that they are here representing the
27 people in their districts which may or may not be their personal belief. She just wanted to bring that to
28 their attention.

29 Chairman Smith asked Pyle if he wanted to say anything. Pyle said he would recommend to the
30 commission that they have the sale of beer and wine at the events center and leave it up to each
31 individual user to drink or not drink at the facility if they have the sale of beer and wine there.

32 Chairman Smith said they had a motion and a second to sell beer and wine at the events center. He
33 asked who was in favor of the motion. 3 verbal ayes. Blackburn nay and Ashley nay. By 3-2, the motion
34 carried.

35 **APPROVAL OF SPECIAL EVENTS CENTER USER AGREEMENT**

36 Pyle presented the special events center user agreement and said he and Harrison had seven to ten
37 different meetings with area leaders regarding the fee structure at the events center. In their packets is a
38 letter to Mr. Doerr following the meetings they had. He said he would discuss the fee schedule. The first
39 page on the user agreement is for the arena and is for a profit. What they are recommending as a fee for
40 the arena is \$1,200. On the contract it states that for less than three hours, it is \$700. He and Harrison
41 met with Steve Friskup and he recommends this be changed to four hours for \$700 and have a stipulation
42 that it would be \$100 for each additional hour over the four hours. Based on that, Friskup is willing to sign
43 a contract and have four events in 2009. Friskup believes that will bring more people in.

44 Pyle said concerts would be \$2,000 and religious functions would be \$1,000. For non-profits, they tried to
45 give a discounted rate such as other facilities are doing. The rate for the arena is \$1,000. Less than four
46 hours is \$500 and an additional \$100 for each additional hour. Concerts for non-profits are \$1,800. Other
47 items that were mentioned: They met with one group that mentioned there was nothing in the agreements
48 as far as security. What he is recommending is a \$35 charge per hour for security officers and leave it to
49 the discretion of the renter because some events would require additional security officers. They would
50 leave this to the county to say if they would need two or four security officers, etc.

51 Murray asked to address the commission. He recommended that the security officers be deputies. The
52 \$35 per hour will cover the deputies and would give them full arrest authority for some of the events they
53 would need to be at. Doerr asked Murray if he wanted this in all contracts. Murray said they would need
54 to review the contracts. Some events might not need any type of security. They could have the option to
55 review the contract on a case by case basis.

56 Pyle said another item mentioned is when some events are over, people tend to stay and visit. They
57 would like some type of stipulation that if they are not out by midnight, then an additional \$200 per hour
58 fee would be assessed. For concerts such as the Music Festival which might last for three days, instead
59 of paying \$2,000 for each day for a total of \$6,000, they will give a discounted rate for concerts in the
60 arena of \$200 per day. In visiting with Steve Friskup he recommended that maybe they could make the
61 second day for the events center maybe \$1,800 and each day thereafter \$800. Some of the other
62 questions that came up were if they have an event at the events center and they are leasing the event
63 center and want to lease other fairground facilities, they would be interested in getting a discount on the
64 other facilities. What they recommend on those is a 20 percent discount on the fairground facilities if they
65 are renting the events center.

66 Hulder asked if the 20 percent would apply just to the events center. Pyle said yes.

67 Chairman Smith asked if they were still interested in having their horse sale at the events center. Harrison
68 said they were. She said the first one they want to have is in March. Hulder asked if they had plenty of

1 stalls. Harrison said they had 200 outdoor stalls and 40 indoor stalls. One of the things that was
2 recommended to them in some of the meetings was to be able to move everything out of the Kevin
3 Roberts Arena. That way they can put some of the outdoor stalls in there so they would be covered. That
4 was something Friskup brought up and were interested in doing as well. In mentioning all these rates,
5 Harrison said they were very competitive with the ones they talked to including Lea County, Amarillo, and
6 Lubbock which, right now, were our big competitors as far as trying to get events to Clovis.

7 **Commissioner Sandoval moved to approve the special events user agreement with the changes**
8 **recommended for security.** Hulder 2nd. Sandoval said it seemed cheap enough to him. Blackburn said
9 it was a good facility and after being out at the Mounted Patrol Rodeo the last year on the Friday night the
10 wind was terrible. It is worth an increase in the ticket price to have an indoor facility. Blackburn said our
11 facility is indoors and is air conditioned. You can't beat it. These are very reasonable prices. Smith asked
12 Doerr if they approved this, if it was reviewable at any time and could be adjusted. Doerr said it was.
13 Hulder asked if changes to the agreement would come to the commission or would the manager have the
14 authority to make those changes. Pyle said he would recommend they come to the commission. Doerr
15 said right now the commission was approving it and they didn't have a provision stating administration had
16 any authority. The commission is approving the dollar amount to rent it together with the additional two
17 pages of terms and conditions. 5 verbal ayes.

18 **APPROVAL OF WELLS ONE COMMERCIAL CARD EXPRESS AGREEMENT (PURCHASING CARD)**

19 Pyle presented the Wells One commercial card express agreement (purchasing card). He said they
20 started working on this in May 2007. Several of the counties are going to a credit card or purchasing card
21 instead of using purchase orders along with all those procedures. Currently, Eddy County, Chaves
22 County, City of Clovis, and numerous other counties are using these purchasing cards. Some of the
23 advantages of using the purchase card as opposed to our current policy are if they want to purchase
24 something for \$5, they have to get into the computer system, type in the description of what they are
25 getting, and it prints up a requisition. They then have to sign the requisition and go to the place and
26 purchase the item. They come back staple the receipt to it, sign the requisition and turn it in to Accounts
27 Payable. Accounts Payable keys it into the computer and they then cut a check. On the purchasing card
28 procedure, everything is put on the card. Instead of having all these different purchases they would have
29 to get, if they are out on a lunch break and run to Office Max, all they have to do is swipe the card and
30 they will get one statement a month. They will only cut one check instead of cutting multiple checks each
31 week. As part of their grants, like the DWI and Road grant and state appropriations, they have to make
32 copies of all the checks and all the documentation that goes with that and submit it to the state. The
33 county is spending hours copying checks to send in to the state. With this procedure, they basically would
34 only have 12 checks to copy. There is also better accountability. He was visiting with the Eddy County
35 manager, Steve Massey, and the county commission gets a report each month that they approve. He said
36 as an example, it would show like Lance Pyle and everything he has purchased that month. The
37 commission then reviews it. Massey was questioned one time why he spent \$5,000 on something. The
38 commission will know what the department heads and managers will be spending based on this report.
39 Pyle said Leo Lovett from Wells Fargo was here and could tell them more about the program and the
40 benefits of going with the purchasing card. Hulder asked if there would be a cap on the card. Pyle said
41 there would be a cap and he and Lansford have not yet met to discuss it. The credit limit for the county is
42 \$200,000. Pyle said he would limit it to the managers. He said Eddy County limits it from \$1,000 to
43 \$5,000. Hulder asked if it could be adjusted. Pyle said at any time like if Fury needed to buy chips or oil,
44 he would only need to call the Finance Department and could have his limit increased where he could
45 purchase the oil. Hulder said they wouldn't be able to purchase any items that would require a bid.
46 Lansford said they possibly could depending on whether the vendor had the capability to take payment on
47 a credit card. Doerr said they would still have to comply with the Procurement Code. Pyle said currently
48 any manager or elected official could get a purchase order for \$1,000. He would recommend that their
49 limit be \$1,000. If they need an increase, all they have to do is contact the Finance Department. Hulder
50 said it would be a training process for the people using the cards. Pyle said it was their plan to start in
51 January with Finance and Administration being the test run in January and February so that if there are
52 any problems they can get them worked out.

53 Lovett said he would give a quick overview. The card is for convenience and is to save time. They had
54 some records from the county and they were able to match with these records about \$6 million to vendors
55 that would possibly take the credit card. Out of those transactions and amounts, 14,699 transactions were
56 in the study and of these almost 14,000 transactions were under \$1,000 and they averaged \$154.05. How
57 they came to this total is of this amount there was \$2,156,290 and they divided that by the under \$1,000
58 transactions. What they are seeing here is that 95 percent of the county's transactions are under \$1,000
59 but only represent 36 percent of what is spent, but yet the county is spending all this time with the
60 requisitions, purchase orders, and the time the personnel are spending just to buy a \$5 item. Lovett said
61 they felt like the employee could be using their time more appropriately to advance the county. The
62 purchase cards can be used in place of a credit, debit, or check transactions without the paper invoices,
63 purchase orders and reimbursements. He said the cards could be assigned to individuals or departments
64 or even to projects with a maximum budget amount. There are many ways to be accountable. There is a
65 project manager that would be assigned. Lance Pyle is on the contract and he feels that is who the county
66 would want to have as project administrator. From that point, the administrator or the Finance Department
67 or whoever could set these cards up individually or by department. Their reporting system will integrate
68 directly with the county's. That can be downloaded as it is all electronic. Instead of manually posting to a

1 general ledger, it would be automatic. Again, it would be saving time. The system allows the manager to
2 monitor spending and have full reporting of expenditures by each individual, department, or project. He
3 knows legal counsel from both parties, from Wells Fargo as well as the county, have met and the contract
4 has been changed to the best possible way to protect the county. At this point, the purchasing card is a
5 cost saving to the county. They would hope to work with the county on the spending so that the county
6 could get to the point of having a rebate from this program. The county is not there yet but can be. In the
7 years to come the county will be and he fully expects it. Eddy County has used this system to save them
8 the time and Wells Fargo is cutting them a check for over \$20,000 just for using the card. That is where
9 they would like to get to with Curry County. Smith asked how they got there. Lovett said they had to have
10 a minimum of \$3 million in spending to get to that.

11 Pyle said it was his recommendation they approve this based on the amount of time it will save the county
12 and the better accountability. Ashley said they should have been using the card when they built the
13 events center. **Commissioner Hulder moved to approve the WellsOne Commercial Card Express**
14 **Agreement.** Sandoval 2nd. 4 verbal ayes. Ashley abstained.

15 **APPROVAL OF CONTRACT WITH DURRANT FOR DETENTION CENTER ARCHITECTURAL**
16 **SERVICES**

17 Pyle presented a contract with Durrant for the Detention Center architectural services. The Jail Committee
18 met over the last several months and discussed the needs of the facility. Based on those needs, they feel
19 it is in the best interests of the county if they contract with someone that is experienced in detention center
20 design and architecture. They want assistance in prioritizing their needs so they can come in and say,
21 "No, this area is good, this is what you need to do." That is what they want with their expertise. Last week
22 the Jail Committee met and Bruce Swingle and Manny Romero from the Association of Counties were
23 present as well as representatives from Durrant. In the packets is a proposal submitted by Durrant. As a
24 cost for doing this plan for the Adult Detention facility, the cost is \$8,540. Manny Romero and Bruce
25 Swingle have looked at this and think it is a great opportunity for the county and have recommended we
26 proceed with this and come back with a plan with a list of the improvements that we need to do. They will
27 be prioritized and will have the estimated costs of repairing the certain areas. Other items that came up
28 over the last couple of months: Pyle said as they knew, last November the Juvenile Detention Center was
29 inspected and their capacity was 16 at that time. They inspected the JDC and based on our staffing and
30 the way the area is constructed, they lowered our capacity down to 10 juveniles. We are getting re-
31 inspected next week. One of the situations they have right now is two weeks ago they were at capacity.
32 They had 10 juveniles from Curry County and were not housing anybody from out of county. They cannot
33 book anyone else in the facility. If they book anyone else, they will go over their numbers and will be in
34 violation of CYFD regulations. A lot of the juveniles they have are book and release. They are booked
35 and in 30 minutes they are released, but that still counts against our numbers. One of the things Durrant
36 did while they were here was they did a walk through at the JDC and they are willing to give us a
37 recommendation and work with us as far as maybe a temporary 6-hour holding facility that we can do our
38 booking and releases from as well as come up with a plan that maybe they can do. They may can do
39 some type of construction that based on our current staffing levels we can go back and again house the
40 maximum of 16 juveniles. Durrant is still in the process of giving him a dollar amount for that proposal.
41 They put in a call to CYFD to get the regulations they would have to comply with as far as applications go.
42 They originally told him it would be \$1,000. He received a note from them this morning and they are
43 recommending \$4,800 for the juvenile facility. He has not talked to them about that yet.

44 Pyle said he was not comfortable with the contract they have in the packet. He spoke to them about it and
45 they were fine. If our legal counsel prepares one of his contracts, they will sign off on it. His
46 recommendation today is that they contract with Durrant and let Doerr prepare the contract at an amount
47 of \$8,540 and continue to work with them on the juvenile facility and then bring it back to the commission.
48 **Commissioner Blackburn moved to approve the county manager's recommendation.** Sandoval
49 2nd. Sandoval asked Doerr if it would be any problem doing it this way without the contract. Doerr said
50 the contract, if necessary, would be brought back to them, but this falls under the Procurement Code and
51 what they are doing is what the Jail Committee is asking them to do and what Pyle has advised.

52 Hulder said he would like to add one or two things to what Pyle said. They have had issues with the jail
53 since 1993 and Delk will testify to this with the doors, etc. As recently as six years ago, they instructed the
54 warden at that time that they wanted cameras in there. As a commissioner, he thought that was being
55 taken care of, but it didn't happen. When Pyle came on as the manager, he realized what the issues were
56 at the jail. Since then he has ramrodded it and they have made steps in the right direction addressing a lot
57 of the issues they have had for seven or eight years like the doors. They started to put cameras in that
58 place in January and they didn't get them taken care of until about July. He said that sounded like, "My
59 gosh, why haven't they taken care of it when they knew what the problem was?" As they studied the
60 camera situation, they realized they didn't know anything about cameras. They went through two and
61 three processes until they felt very comfortable with the camera system they were putting in. Mr. Romero
62 and Mr. Swingle came in and they reviewed the cameras. Finally, they are going to get the cameras in.
63 Well, Durrant is a firm or experts in detention centers and we have folks working for us in the county who
64 are not experts. We do what we think is the best thing to do. When they went out to Durrant, we asked
65 for their expertise. We put together what we thought the priorities were in the detention center, but we
66 don't know what goes on in the detention center. Durrant does. They visited with Durrant for about an
67 hour the other day and they emphasized what the county wanted. They want to be sure when they finish
68 with this that we have a facility that is 99 percent secure. He believes Durrant can do that for them. As

1 Pyle said, they will look at the Juvenile Detention Center. Hulder said he would ask Pyle to keep an eye
2 on the detention center because he will be gone. Sandoval will remain and he is sure they will get one of
3 the newly elected commissioners to serve on this committee and make sure they stay on top of the
4 detention center. They have had issues in the past and they have bitten us in the rear and they don't want
5 that happening any more. Once Durrant finishes, the county may not like the bill they present to us or
6 their recommendations because they will probably be costly, but if the county does those things, he
7 believes we will be in much better shape.

8 Pyle said after Durrant did the walk through at the juvenile facility, they went through some of the things
9 they had already seen and talked about the detention cameras and a representative from detention was
10 supposed to be here today, but based upon what they talked about, they said they could have the
proposal done in 30 days. But, they asked the county to wait as they may have some recommendations
and changes they might make that would save the county money. Pyle said just to let them know the
cameras have been put on hold until they hear an assessment from Durrant.

14 Smith said they had a motion and a second to accept the proposal with Durrant. 5 verbal ayes.

15 **INDIGENT BOARD MEETING**

16 **At 11:27 a.m. Commissioner Ashley moved to go into an indigent board meeting.** Sandoval 2nd.
17 5 verbal ayes.

18 **RECONVENE**

19 **At 11:29 a.m. Commissioner Ashley moved to come out of the indigent board meeting and back**
20 **into regular session.** Sandoval 2nd. 5 verbal ayes.

21 **PUBLIC INPUT FOR WHICH NO ACTION IS TAKEN**

22 There was no public input.

23 **ADJOURNMENT**

24 **At 11:30 a.m. Chairman Smith adjourned the meeting.**



32 **ATTEST:**
33 *Mario Trujillo*
34 _____
Mario Trujillo - County Clerk

BOARD OF CURRY COUNTY COMMISSIONERS
J. Albin Smith

J. Albin Smith - Chairman

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

- 41 **ATTENDANCE:** People attending the November 4th meeting:
- | | |
|--|---|
| 43 Wendell Bostwick – Citizen | Darwin Speicher – Citizen |
| 44 Randy Kamradt – Davtek | Sandra Speicher – Citizen |
| 45 Dan Stoddard – Citizen | Gayla Brumfield – Mayor of Clovis |
| 46 Ted Mudgett – Citizen | Leo Lovett – Wells Fargo |
| 47 Theresa Sandoval – Citizen | Lisa Dunagan – Wells Fargo |
| 48 Karen Garcia – Teen Court | Lee Delk – Maintenance |
| 49 Jim Sours – First Community Bank | Matt Murray – Sheriff |
| 50 Ray Mondragon – ENMR Plateau | Wesley Waller – Undersheriff |
| 51 Susan Ferrell – Fairgrounds Manager | Dennis Fury – Road Department |
| 52 Sharna Johnson – Clovis News Journal | Randy J. Williams – Assessor |
| 53 John A. Widmark – Citizen | Audrey Barriga – CC Detention Center |
| 54 Gloria Wicker – Citizen | Mark Lansford – Administration |
| 55 Jeff Lynn – Citizen | Connie Harrison – Administration |
| 56 Sandra Smith – Citizen | Paul D. Barnes – Citizen |
| 57 Casey Peacock – Rooney & Moon Broadcasting | Diane Foster – Subdivision Issue |
| Linda Teakell – Alcohol Sales at Events Center | Phil Teakell – Alcohol Sales at Events Center |
| Ronnie Brooks – Alcohol Sales at Events Center | |