

Board of County Commissioners

417 Gidding Street
Clovis, NM 88101

Tuesday, February 21, 2017

Regular Meeting

Clovis-Carver Library: North Annex

1 **I – CALL TO ORDER**

Attendee Name	Title	Status	Arrived
Ben McDaniel	Chairman	Present	9:00 AM
Chet Spear	Commissioner	Present	9:00 AM
Angelina Baca	Vice Chair	Present	9:00 AM
Ben Smith	Commissioner	Present	9:00 AM
Robert Thornton	Commissioner	Present	9:00 AM

- 2
3 **Invocation**
4 **Pledge of Allegiance**
5 **Approval of Agenda**

6 **RESULT: ADOPTED BY VERBAL VOTE [UNANIMOUS]**
7 **MOTION:** Chet Spear, Commissioner
8 **SECOND:** Ben McDaniel, Chairman
9 **AYES:** McDaniel, Spear, Baca, Smith, Thornton

10 **II – MINUTES APPROVAL**

- 11 **Changes Made to Minutes - County Clerk's Office**
12 *No changes made.*

13 **1. Request Approval of Special Commission Meeting Minutes of January 25, 2017**

14 **RESULT: APPROVED BY VERBAL VOTE [UNANIMOUS]**
15 **MOTION:** Angelina Baca, Vice Chairman
16 **SECOND:** Chet Spear, Commissioner
17 **AYES:** McDaniel, Spear, Baca, Smith, Thornton

18 **III – RECOGNITION OF VISITORS AND PUBLIC INPUT FOR WHICH NO ACTION WILL BE**
19 **TAKEN**

20 Rick Queener of Clovis, NM made a statement regarding Chief Deputy Clerk, Annie Hogland. Queener,
21 husband of Jo Lynn Queener, stated his support for Hogland in appointing a County Clerk, as well as
22 giving his personal knowledge of her work experience and knowledge. Queener also spoke on behalf of
23 his family in support of appointing Hogland.

24 Linda Brown, employee of Landmark Title in Clovis, NM, also made a statement regarding the
25 appointment of a County Clerk. Brown stated her support for Hogland, explaining that they have been
26 pleased with the recent service at the Curry County Clerk's Office.

27 **IV – CONSENT AGENDA**

28 **RESULT: APPROVED BY ROLL CALL VOTE [UNANIMOUS]**
29 **MOTION:** Angelina Baca, Vice Chairman
30 **SECOND:** Ben Smith, Commissioner
31 **AYES:** McDaniel, Spear, Baca, Smith, Thornton

32 **1. Request Approval of Line Item Transfer within Commission Departmental Budget of**
33 **\$5,000 from Line Item #401-12-5549 Potential Grant Cash Match to Line Item #401-12-5509**
34 **Oasis Advocacy Center – Lance A. Pyle**

35 **2. Request Approval to Apply for the Wildfire Risk Reduction Grant in the Amount of**
36 **\$10,000 with a 10% Cash or In-Kind Match from Curry County - David Kube**

37 **3. Request Approval to Disposal of Three (3) Items Identified as Being Beyond Repair -**
38 **From ADC: Old Ice Bin and 40 Gallon Tilt Skillet Groen BP-P-40G J118877-1-1; From**
39 **Road Department - Schumacher Battery Charger Model SE4020, Tag #00086 - Carol A.**
40 **Pipes**

41 **4. Request Acceptance of Recommendation for BID 2016/17-05 Chip Seal Aggregate for**
42 **Curry County Road Department and Approval of Two (2) Separate Contracts; The First**
43 **with Broken Rock Products, LLC, Clovis, NM For a Term of February 21, 2017 thru**
44 **February 22, 2019 for Selections as Identified in the Recommendation; and the Second**
45 **Contract with Nick Griego & Sons Construction, Inc., Clovis, NM For a Term of February**
46 **21, 2017 thru February 22, 2019 for Different Selections as Identified in the**
47 **Recommendation - Carol A. Pipes**

5. Request Acceptance of Recommendation for BID 2016/17-06 Heating and A/C Services and Approval of Contract with W.T. Denton Mech., Inc., Clovis, NM Company For a Term of February 21, 2017 thru February 22, 2019; Services Weekday Rates \$75.00 per Hour for Licensed Journeyman and \$40.00 per Hour for Apprentice and Laborer; Weekends, Holidays and Emergency Call Outs Rates are \$112.50 per Hour for Licensed Journeyman and \$60 per Hour for Apprentice and Laborer - Carol A. Pipes
6. Request Acceptance of Recommendation for BID 2016/17-07 Plumbing Services and Approval of Contract with W.T. Denton Mech., Inc., Clovis, NM Company For a Term of February 21, 2017 thru February 22, 2019; Plumbing Services Weekday Rates for all Calls Except Sewer \$75.00 per hour for Licensed Journeyman and \$40.00 per hour for Apprentice and Laborer, Rates for Weekday Sewer Calls at \$80 per hour for Licensed Journeyman and \$40.00 per hour for Apprentice and Laborer; Weekends, Holidays and Emergency Call Outs for all Calls Except Sewer are \$112.50 per hour for Licensed Journeyman and \$60 per hour for Apprentice and Laborer; Sewer Calls for Same Hours are \$117.50 per hour for Licensed Journeyman and \$60.00 per hour for Apprentice and Laborer - Carol A. Pipes
7. Request Ratification of Culvert Application/Permit from Melcena Johnston for Culverts to be Placed on Curry Road N By Curry Road 11 and State Road 245 - Dennis Fury
8. Request Approval on Application for Work, Excavating, Boring, Cross Cuts or other Cuts on County Roads from ENMR Telephone Cooperative for Placement of Fiber Optic Cable on Curry Road 14 from Curry Road N to Curry Road O - Dennis Fury
9. Request Approval of Engineering Task Order 8 for 16-2554 and 16-4033 Project Control Number C2162554 and C2121504 with Cost Estimates from Larkin Group NM, Inc. in the Total Amount of \$6,091.00 - Dennis Fury
10. Request Approval on Application for Work, Excavating, Boring, Cross Cuts or other Cuts on County Roads from James Abacherli for South Slope Dairy for Placement of Water Line on Curry Road C Between Curry Road 10 and State Road 523 - Dennis Fury
11. Request Approval to Apply for Local Government Road Fund Application for School Bus Program for Fiscal Year 2017/2018 for \$162,018.31 With Curry County's Share of 25%; \$40,504.58, The Project Will Improve Various Grady School Bus Routes - Dennis Fury
12. Request Approval to Apply for Local Government Road Fund Application for Cooperative Program for Fiscal Year 2017/2018 for \$209,514.69 With Curry County's Share of 25%; \$52,378.67, the Project Will Improve Various County Roads - Dennis Fury
13. Request Approval to Apply for Local Government Road Fund Application for County Arterial Program for Fiscal Year 2017/2018 for \$514,339.24 With Curry County's Share of 25%; \$128,584.81, This Project Will Improve Various County Roads - Dennis Fury

Spear Motioned to place items 1-13 on the Consent Agenda.

RESULT:	APPROVED BY ROLL CALL VOTE [UNANIMOUS]
MOTION:	Angelina Baca, Vice Chairman
SECOND:	Ben Smith, Commissioner
AYES:	McDaniel, Spear, Baca, Smith, Thornton

Chairman McDaniel Motioned to approve items 1-13 on the Consent Agenda.

RESULT:	APPROVED BY ROLL CALL VOTE [UNANIMOUS]
MOTION:	Angelina Baca, Vice Chairman
SECOND:	Ben Smith, Commissioner
AYES:	McDaniel, Spear, Baca, Smith, Thornton

V – REPORTS OF; BOARDS, COMMITTEES, DEPARTMENTS AND PRESENTATIONS

1. Presentation on January 2017 Fairgrounds and Events Center Financial Statements – Joelle Reed

Reed addressed Commission with the January 2017 monthly report as follows:

Actual Events: 14, Budget: 11, Variance: 3

Actual Net Income (Loss): (28,281), Budget: (18,627), Variance: (9,653)

Attendance: Actual 7,034, Budgeted: 9,000, Variance: (1,966)

YTD Actual Events: 14, Budget: 11 Variance: 3

YTD Actual Net Income (Loss): (28,281), Budget: (28,281), Variance: (9,653)

Attendance: Actual 7,034, Budgeted: 9,000, Variance: (1,966)

Income Variance: Travis Tritt concert projected income was 8,998 actual 650

Expense Variance: There was an additional pay period in January; will even out by year end.

Attendance Variance: Travis Tritt concert projected attendance was 2,800 actual 1,094

1
2 Rolling Forecast:

3 Actual Events: 14, Projected: 142, Tot Act/Proj: 156 Budget: 154, Variance: 2

4 Actual Net Income (Loss): (28,281), Projected: (377,000), Tot Act/Proj: (405,281), Budget: (406,257),
5 Variance: 977

6
7 Incentive Fee Calculation:

8 Total Gross Op Revenue: 55,611 Benchmark: 600,000 In Excess: (544,389) Percentage 20% Incentive
9 Fee: (108,878)

10
11 Events:

12 January Events: World Series Team Roping, Travis Tritt Concert, Cow Girl Rodeo Association Dream
13 Race, Cornhole, Produce to the People, Mounted Patrol Dinner, Plains Regional Medical Center Annual
14 Banquet, and Original Team Roping.

15 **2. Semi-Annual Advertising Sponsorship Report July 2016 to December 2016 – Joelle**
16 **Reed.**

17 Reed gave the status of what she and her staff are currently working on in advertisement. There are
18 currently 6 active advertising sponsors and 5 renewal agreements are pending, and they would like to
19 increase the number of advertising sponsors in the Events Center to 15. Reed stated they would like also
20 to expand advertising sponsors to Fairgrounds through naming rights. The following buildings would be
21 utilized Pavilion, Mounted Patrol, AG, Commercial, Cow, Sheep, Swine Poultry, and Horse barn; the
22 potential revenue for naming rights of the Events Center is \$50,000 annually. Spear inquired about the
23 signage for CCEC if the name is changed, due to the Commission and administration currently working
24 on signage. Baca requested information on where the sponsorship money is used once received. Reed
25 explained that the money is considered revenue and goes directly to the operating budget.

26 **3. Presentation on the Events Center and Fairgrounds Marketing Plan – Joelle Reed**

27 Reed provided information to Commission regarding Marketing Report, referencing the objectives as: 1)
28 Continuing to use Spectra resources to effectively book the venue, generating new revenue for the
29 Curry County Events Center; 2) Enhancing the social media, digital and interactive strategies at the
30 facility; 3) Event Marketing; 4) Public Relations at Local, Regional and National Levels. Reed stated she is
31 working closely with Spectra and food and beverage companies, and shared her research on other
32 Spectra buildings, as well as events centers in New Mexico with the Commission. CCEC plans to: 1)
33 Increase arena awareness, 2) Enhance social media, digital objectives at venue, 3) Event Marketing and
34 Public Relations.

35 **VI – ACTION ITEMS**

36 **1. Discussion and Request Direction on Events Center Sign - Ben Roberts**

37 Roberts addressed Commission with a proposal from an Albuquerque, NM company for a sign for the
38 Events Center. Roberts requested direction and/or approval on sign. McDaniel reiterated Spear's
39 concern of naming rights; Roberts responded there would be a panel on the sign that could be changed
40 to reflect name. Spear asked if any local business submitted a proposal, and Roberts stated in the past
41 there were few local proposals, and not competitive. Thornton stated he reviewed the plans, as well as
42 sign at front gate, and reached out to Terry Whitener with the FFA welding program at Texico High
43 School. Thornton expressed that having the Texico FFA build the sign would be a great opportunity for
44 youth involvement, praised the award-winning local FFA welding lab, and suggested the proposal would
45 save money. Roberts asked the Commission how they would like to proceed with obtaining designs from
46 Texico FFA. Thornton stated that he took Whitener some information for them to begin working with,
47 and would initiate communication between Roberts and Whitener. Discussion followed referencing
48 lighting and placement of sign.

49 **Spear Motioned for Commission to direct Roberts to contact FFA and put sign on hold.**

50	RESULT:	APPROVED BY VERBAL VOTE [UNANIMOUS]
51	MOTION:	Chet Spear, Commissioner
52	SECOND:	Angelina Baca, Vice Chairman
53	AYES:	McDaniel, Spear, Baca, Smith, Thornton

54 **2. Presentation and Request Approval of New Curry County Road Policy Resolution**
55 **#2017-12 - Stephen Doerr and Dennis Fury**

56 Doerr presented revisions to the Curry County Road Policy, creating the new policy under the proposed
57 resolution. Doerr referenced a situation involving a damaged cattle guard that created a dangerous
58 situation; Doerr noted that although Curry County did not own the cattle guard, the Road Department
59 repaired it for the safety of the public. Doerr read aloud the following Section of the new policy
60 regarding cattle guards: Land owners are responsible for repairing any and all cattle guards that they
61 have requested to be installed. No repairs can be performed without County approval, which is to be
62 obtained through the Road Superintendent. County requires that an application/ permit be prepared

1 and filed for any cattle guard. If an application/permit has not been filed, one will be required before
2 any repairs can be performed on an existing cattle guard. It is hereby declared and established by the
3 Curry County Board of County Commissioners that damaged or broken cattle guards may present a
4 hazard to the motoring public and, if the land owner fails to make said repairs, the County Road
5 Department may repair said cattle guards and bill the owner of the property for the same. Any bill not
6 paid may be subject to a lien filed by the County for all said work. Doerr also referenced policy's
7 application fees and charges for certain work (i.e. culvert, etc.). Baca asked for clarification on permits
8 for cattle guards and installation. Doerr stated installment, improvements are responsibility of
9 landowner, but monitored by road superintendent with implantation of cattle guard application/permit
10 contained in the new road policy. Spear and Doerr clarified enforcement of policy.

11 **Baca Motioned to approve Curry County Road Policy Resolution #2017-12.**

12	RESULT:	APPROVED BY ROLL CALL VOTE [UNANIMOUS]
13	MOTION:	Angelina Baca, Vice Chairman
14	SECOND:	Chet Spear, Commissioner
15	AYES:	McDaniel, Spear, Baca, Smith, Thornton

16 **3. Discussion and Request Approval of Resolution #2017-13 Supporting Senate Bill 299;**
17 **An Act Relating to Whistleblower Protection Act – Lance A. Pyle**

18 Pyle read aloud resolution 2017-03 and expressed necessity for modifications to Whistleblower
19 Protection Act in order to clarify language to ensure that the County is made aware of claims in a timely
20 manner and provided with the opportunity to address and resolve the claims asserted by a public
21 employee under the Act. Pyle stated the Act would still intended protection for employees. Pyle stated
22 that the NMAC Board of Directors supports bill and Senator Candelaria requests support to make said
23 modifications.

24 **Spear Motioned to approve Resolution 2017-13 supporting Senate Bill 299; An Act**
25 **Relating to Whistleblower Protection Act.**

26	RESULT:	APPROVED BY ROLL CALL VOTE [UNANIMOUS]
27	MOTION:	Chet Spear, Commissioner
28	SECOND:	Angelina Baca, Vice Chairman
29	AYES:	McDaniel, Spear, Baca, Smith, Thornton

30 **4. Discussion and Request Action on Resolution #2017-14 In Opposition to Any**
31 **Increased Burden on the Counties in New Mexico to Fund the State Medicaid Program –**
32 **Lance A. Pyle**

33 Pyle explained same day the agenda packet for the meeting was finalized, House Bill 490 was
34 introduced. Pyle read aloud resolution 2017-47, referencing that Counties fund the state Medicaid
35 program. Curry County's annual contribution to the state Medicaid program is over \$600,000 a year;
36 Counties affected by the 2014 enactment of the Safety Net Care Pool Fund pay 1/12th percent to fund
37 the Safety Net Care Pool (SNCP) program. Curry County's contribution to the Safety Net Care Pool
38 Program for fiscal year 17 is \$828,407. Pyle referenced section in resolution regarding support of any
39 legislation requiring "local hospitals and healthcare providers to accept any and all funds paid or
40 transferred to it (them) from the State Medicaid and/or State Safety Net Care Pool Program to cover all
41 of their costs, expenses, billing, other claims for providing medical and/or healthcare services to the
42 indigent population in Curry County". Spear clarified terms of "any legislation", as provided, and Pyle
43 responded that because other bills during the session that would create an increased burden on
44 counties create an increased burden on Counties to fund the State Medicaid Program, it is important to
45 record Commission's opposition. Thornton requested clarification, and was provided same by Pyle
46 regarding the increased amount that would be imposed if legislation passed.

47 **Baca Motioned to approve Resolution 2017-14 In Opposition to Any Increased Burden on**
48 **the Counties in New Mexico to Fund the State Medicaid Program.**

49	RESULT:	APPROVED YB ROLL CALL VOTE [UNANIMOUS]
50	MOTION:	Angelina Baca, Vice Chairman
51	SECOND:	Ben McDaniel, Chairman
52	AYES:	McDaniel, Spear, Baca, Smith, Thornton

53 **5. Discussion and Request Action on Resolution #2017-15 Outlining Local County**
54 **Government Services – Lance A. Pyle**

55 Pyle presented 2017-15, in an attempt to provide our legislators with information regarding vital
56 services offered by County that make an impact on people's lives. Specifically, Pyle referenced: 1)
57 maintenance of approximately 1,357 miles of roads; 2) primary law enforcement coverage throughout
58 Curry County by the County Sheriff's Office; 3) fire and medical services in the outlying areas of Curry
59 County; 4) comprehensive anti-DWI programs that include treatment, screening, enforcement, and
60 prevention; 5) operation of the Curry County Adult and Juvenile Detention Center; and 6) administration
61 of local, state and federal elections, including school elections. Pyle also referenced the following,
62 stating there is no state funding to offset the responsibilities: 1) provide adequate office space and pay

1 utility costs for the District Courts, District Attorney's Office and public health facilities; 2) provide
2 1/16th of 1% to fund State Medicaid. Curry County's annual contribution to the State is over \$600,000 a
3 year; 3) send 1/12th of 1% to the State to fund Safety Net Care programs. Curry County's payment for
4 fiscal year 2017 is \$828,407. Pyle also referenced County housing state prisoners.

5 **Spear Motioned to approve Resolution #2017-15 Outlining Local County Government**
6 **Services.**

7	RESULT:	APPROVED BY VERBAL VOTE [UNANIMOUS]
8	MOTION:	Chet Spear, Commissioner
9	SECOND:	Angelina Baca, Vice Chairman
10	AYES:	McDaniel, Spear, Baca, Smith, Thornton

11 **6. Update, Discussion, Direction and Action if Needed on 2017 Legislative Session Items**
12 **and Bills - Lance A. Pyle**

13 **House Bill 490 Funds to County Supported Medicaid** - Effective Date of April 1, 2017. The New
14 Mexico Association of Counties Board of Directors opposed and the Commission opposed.

15 **Spear Motioned to oppose House Bill 490 Funds to County Supported Medicaid.**

16	RESULT:	APPROVED BY VERBAL VOTE [UNANIMOUS]
17	MOTION:	Chet Spear, Commissioner
18	SECOND:	Ben McDaniel, Chairman
19	AYES:	McDaniel, Spear, Baca, Smith, Thornton

20 **Senate Bill 451 Excludes Local Governments From Hold Harmless Distribution** - This will
21 have a fiscal impact to Curry County of several hundreds of thousands of dollars. Currently, the way the
22 law is written, the Hold Harmless Distribution payments will be phased out each year through 2029, but
23 this speeds up the phase out and stops distribution effective July 1st for any County who has imposed
24 the Hold Harmless Gross Receipts Tax increments. The New Mexico Association of Counties Board of
25 Directors opposed and the Commission voted unanimously to oppose.

26 **Spear Motioned to oppose Senate Bill 451.**

27	RESULT:	APPROVED BY VERBAL VOTE [UNANIMOUS]
28	MOTION:	Chet Spear, Commissioner
29	SECOND:	Angelina Baca, Vice Chair
30	AYES:	McDaniel, Spear, Baca, Smith, Thornton

31 **House Bill 401 Manufactured Home Definition Expanded** - Pyle mentioned that New Mexico
32 Association of Counties Board of Directors supports this bill, as well as the Assessor's Affiliate. Assessor
33 Morrison explained the definition of a manufacture home would be expanded to include homes known
34 as "tiny homes," a current trend. By doing so, the homes would be titled and regulated through the
35 Motor Vehicle Department, and assessed by County Assessor. The Commission voted unanimously to
36 support.

37 **Spear Motioned to support House Bill 401 Manufactured Home Definition Expanded.**

38	RESULT:	APPROVED BY VERBAL VOTE [UNANIMOUS]
39	MOTION:	Chet Spear, Commissioner
40	SECOND:	Angelina Baca, Vice Chair
41	AYES:	McDaniel, Spear, Baca, Smith, Thornton

42 **House Bill 174 Local Election Act** - Pyle mentioned New Mexico Association of Counties Board of
43 Directors supports this bill, as well as the Clerk's Affiliate. Chief Deputy Clerk Hogland explained the
44 "Local Election Act" proposes to provide a single election day and uniform processes for many local
45 government elections. Further: Election day on the first Tuesday after the first Monday of November in
46 each odd-numbered year; terms would begin January 1st, following the election; act covers school
47 districts, all municipalities, special hospital districts, community college districts, technical and
48 vocational institute districts, arroyo flood control districts, special zoning districts, soil & water
49 conservation districts, water & sanitation districts, and in 2022 would include conservancy districts.
50 Hogland also explained that the bill would not affect state and federal elections, including local
51 commission elections. Hogland also referenced the discussion among the Clerk's Affiliate regarding the
52 process of collecting "reasonable fees" from the NM Secretary of State's Office, but addressed the
53 concept of increasing voter turnout and election awareness. The Commission voted unanimously to
54 support.

55 **Spear Motioned to support House Bill 174 Local Election Act.**

56	RESULT:	APPROVED BY VERBAL VOTE [UNANIMOUS]
57	MOTION:	Chet Spear, Commissioner
58	SECOND:	Angelina Baca, Vice Chair
59	AYES:	McDaniel, Spear, Baca, Smith, Thornton

60 **Senate Bill 277 Releasing Pregnant or Lactating Incarcerated Women** - Pyle mentioned that
61 the New Mexico Association of Counties supports the bill. Detention Administrator Gallegos explained
62 bill and barriers of pregnancy in detention centers; Gallegos also referenced statistics of substance

1 abuse. Baca requested clarification on bonding circumstances for detainees to be placed on ankle-
2 monitors. Gallegos referenced judicial involvement in process. The Commission voted unanimously to
3 support.

4 **Baca Motioned to support Senate Bill 277 Releasing Pregnant or Lactating Incarcerated**
5 **Women.**

6	RESULT:	APPROVED BY VERBAL VOTE [UNANIMOUS]
7	MOTION:	Angelina Baca, Vice Chair
8	SECOND:	Chet Spear, Commissioner
9	AYES:	McDaniel, Spear, Baca, Smith, Thornton

10 **House Bill 175 Restricting the Use of Solitary Confinement in Corrections Facilities** - New
11 Mexico Association of Counties Board of Directors opposes the bill. Detention Administrator Gallegos
12 explained "Special Management Unit" making restricted housing. Detention Affiliate and administrators
13 oppose bill due to the concept of making administration "gatekeepers" to mental health treatment in
14 the detention facilities. Gallegos stated it would create necessity to hire psychologists and psychologists
15 to assess cases of potential mental health disorders. Gallegos stated concerns of funds for additional
16 personnel if passed. Spear stated if approved, County does not have facility to comply with this kind of
17 legislation. Gallegos agreed and stated the bill also does not reference judiciary involvement or State
18 behavioral institutes. Spear concerned with personnel standards, and concerns of liability. The
19 Commission voted unanimously to oppose.

20 **Spear Motioned to oppose House Bill 175 Restricting the Use of Solitary Confinement in**
21 **Corrections Facilities.**

22	RESULT:	APPROVED BY VERBAL VOTE [UNANIMOUS]
23	MOTION:	Chet Spear, Commissioner
24	SECOND:	Angelina Baca, Vice Chair
25	AYES:	McDaniel, Spear, Baca, Smith, Thornton

26 **House Bill 346 Creating a Mental Illness Exemption for Assault or Battery Upon a**
27 **Healthcare Worker** - New Mexico Association of Counties General Counsel Grace Phillips supports the
28 bill. After lengthy discussion, the action failed to pass in support at the New Mexico Association of
29 Counties Board meeting Saturday. Detention Administrator Gallegos explained concerns of incarcerating
30 individuals, classifying the individuals, and assessing mental health treatment. Undersheriff Reeves, also
31 a Registered Nurse, stated concerns of putting paramedic and health care workers at risk and the use of
32 judicial relief for competency issues. Thornton referenced "mind-altering" language, and his concerns
33 with protection of health care workers. Spear requested info on Phillips's support. Pyle clarified votes of
34 NMAC Board, referencing a lack of representation of Detention Affiliate at the meeting determining
35 stance. Doerr referenced an estimated 10 year old case in Doña Ana County resulting from actions of
36 individuals in the detention center, and belief that this legislation is an attempt to resolve this due to the
37 high dollar case. The Board of Curry County Commission unanimously opposed.

38 **Baca Motioned to oppose House Bill 346 Creating a Mental Illness Exemption for Assault**
39 **or Battery Upon a Healthcare Worker.**

40	RESULT:	APPROVED BY VERBAL VOTE [UNANIMOUS]
41	MOTION:	Angelina Baca, Vice Chair
42	SECOND:	Chet Spear, Commissioner
43	AYES:	McDaniel, Spear, Baca, Smith, Thornton

44 Pyle said there have been several other bills that have been filed and we are monitoring and may
45 request action on some of those on March 7th if they start moving.

46 **7. Discussion and Request Approval of Resolution 2017-16 Establishing Curry County**
47 **Procurement Procedures - Carol Pipes**

48 Pipes presented resolution 2017-16. Last updated September 2014. Pipes pointed out major changes
49 including: Sole Source contract procedures, removal of "piggy-backing" of contracts portion, and urgent
50 purchases procedure and policies. Baca inquired about "urgent purchases" and requested an example.
51 Pipes referenced a situation in Melrose of a roof caving due to rain, after hours, creating a possibility of
52 dangerous conditions. Doerr clarified that the language regarding urgent purchases is an informative
53 policy. Pyle noted past instance of detention center, Sheriff's office, road department, and Melrose
54 situation.

55 *Spear requested "red-line" copies for review of policy changes in the future.*

56 **Baca Motioned to approve Resolution 2017-16 Establishing Curry County Procurement**
57 **Procedures.**

58	RESULT:	APPROVED BY ROLL CALL VOTE [UNANIMOUS]
59	MOTION:	Angelina Baca, Vice Chairman
60	SECOND:	Chet Spear, Commissioner
61	AYES:	McDaniel, Spear, Baca, Smith, Thornton

62 **8. Discussion and Request Approval of Resolution 2017-17 Adopting a New Curry**
63 **County Purchasing and Per Diem Policy - Carol Pipes**

1 Pipes presented resolution 2017-17, as well as changes to Curry County Purchasing and Per Diem Policy.
2 Specifically, Pipes pointed out changes, revisions, and additions to policy in regards to following: line
3 item transfers, deposit following receipt of cash by County offices, must be deposited to treasurer's
4 office; County Manager approval of asset transfers; disposal of county assets, asset disposal policies
5 reflecting process conducted in correspondence with State of New Mexico, and submission of requests
6 to County Attorney to transfer of buildings or land. Spear requested clarification of electronic equipment
7 disposal, and Pipes responded by referencing process and form certifying removal of all data.

8 **Spear Motioned to approve Resolution 2017-17 Adopting a New Curry County Purchasing**
9 **and Per Diem Policy.**

10	RESULT:	APPROVED BY ROLL CALL VOTE [UNANIMOUS]
11	MOTION:	Chet Spear, Commissioner
12	SECOND:	Ben Smith, Commissioner
13	AYES:	McDaniel, Spear, Baca, Smith, Thornton

14 **9. Discussion on Process of Appointing County Clerk and Action Thereon – Stephen**
15 **Doerr**

16 McDaniel requested guidance from Doerr. Doerr referenced statute (§10-3-3 NMSA 1978), as provided
17 to Commission, setting forth their obligation to appoint a successor. Doerr stated the process utilized
18 would be entirely up to Commission. Thornton asked Pyle if there was precedent for vacancies of public
19 offices, and Pyle responded that in the past when elected officials retired or left office, it was always
20 their Chief Deputy who received the appointment. McDaniel clarified term of appointment being two
21 years. Thornton referenced communication several abstractors dealing with Clerk's office, and their
22 satisfaction with Hogland's service; Thornton also referenced Hogland meeting requirements,
23 completion of School Board election in short period of time. Thornton also voiced that Hogland was not
24 afraid to ask questions and referenced the resources available to Hoagland; also referenced support
25 from Queener family. McDaniel stated that he has also received an overwhelming amount of support for
26 Hogland. Spear commented regarding two letters of intent: Stephanie Hicks and Annie Hogland. Spear
27 voiced personal knowledge of Hicks and desire to give Hicks opportunity to submit references and
28 resume in fairness. Baca stated support for qualification process of requesting interested persons to
29 submit letters of intent and resumes within a set time limit. Baca referenced transparency to
30 constituents of using a qualifying process, and referenced recent situation in Lea County after the loss of
31 the Lea County Sherriff. McDaniel stated that the Commission had decision on appointment process.
32 Thornton asked if Hicks was a registered voter in Roosevelt County, and asked if Hicks must be a
33 resident of Curry County for position. Attorney Rick Queener, present in audience, commented in
34 regards to the requirement of a candidate being a registered voter in the County of said public office.
35 Queener stated he contacted the County Clerk's office and confirmed Hicks was not a registered voter in
36 Curry County. Smith stated that the people voiced their opinion during the election and chose Clerk
37 Queener; would like to see Ms. Queener's appointment carried on. Chairman McDaniel requested a roll
38 call vote. Spear stated in light of the two people interested, and one being registered voter in Curry
39 County, he voted aye. Doerr noted that Hogland must be sworn in by a notary.

40 **Thornton Motioned to appoint Chief Deputy Hogland for 2 years, until next election.**

41 *Doerr, Notary Public, administered Oath of Office, to Annie Hogland.*

42	RESULT:	APPROVED BY ROLL CALL VOTE [UNANIMOUS]
43	MOTION:	Robert Thornton, Commissioner
44	SECOND:	Angelina Baca, Vice Chairman
45	AYES:	McDaniel, Spear, Baca, Smith, Thornton

46 **VII – COUNTY COMMISSIONER'S REPORTS**

47 Spear stated he attended his son's graduation. Baca stated she would be attending the upcoming
48 National Association of Counties event in Washington, DC. Thornton attended to Council of Government
49 meeting, as well as the Water Policy meeting. Smith attended the La Casa Committee Meeting and the
50 NRCS Quay and Curry Soil and Water Conservation District Meeting.

51 **VIII – COUNTY MANAGER'S REPORT**

52 Pyle addressed Commission with information as follows: **City/County Luncheon** will be hosted by the
53 City of Clovis and will be on Tuesday, March 14th at 12:00 p.m. at Clovis Civic Center.

54 The County will be a sponsor for the **Eastern New Mexico Spring Job Fair**. This is part of the P4
55 Partnership. The County has sponsored in the past and this year's fee will be \$1,400. The County will
56 have a booth as part of the sponsorship.

57 **Great American Clean Up** will be May 6th from 8:00 a.m. to 12:00 p.m. The County will have a team and
58 any non-exempt employees who have worked in excess of 40 hours that week will be paid overtime
59 from the County Environmental Fund.

1 **Medical, Dental and Vision insurance premiums** for fiscal year 18 will increase by 1% for the employee
2 and the employer, and stated more information will go out to the employees on the actual amounts in
3 May or June.

4 **Broadview Fire Department Groundbreaking** will be Friday, February 24th at 10:00 a.m. 1/10th of a
5 Mile Northeast of the General Store on State Road 209, and noted the County would have a fire truck
6 there. Pyle also mentioned that Senator Heinrich's office will have representatives at the
7 groundbreaking.

8 Further, Pyle mentioned on May 7th he has to be in Santa Fe by 2:00 p.m. for a Board meeting, so he
9 would structure the agenda for items he must be present for at the beginning, in order to begin travel
10 by 10:30am, if it was okay with Commission. Several other agreements are pending on County right-of-
11 way with Eastern New Mexico Water Authority, New Mexico Gas Company and ENMR/Plateau, and Pyle
12 noted that those will hopefully be prepared for the March 7th or March 21st Commission meetings.

13 **IX – INDIGENT BOARD MEETING**

14 **Enter Indigent Board Meeting at 11:41am and returned to regular session at 11:43am.**

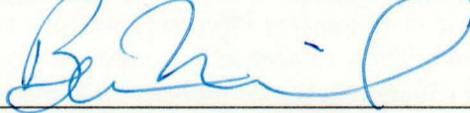
15 **X – FUTURE AGENDA ITEMS**

16 Spear requested information on insurance for Wind Farms, Doerr referenced private land owner's
17 insurance policies. Thornton requested more information on land use plan. Thornton also requested
18 discussion on waterline at CR 6 and old Center School Area.

19 **XI – ADJOURNMENT**

20 **Meeting was adjourned by Chairman McDaniel at 11:48am.**

21
22 **BOARD OF CURRY COUNTY COMMISSIONERS**

23
24 
25 _____
26 **Ben McDaniel - Chairman**

27
28 **ATTEST:**
29
30 
31 _____
32 **By: Annie Hogland – Curry County Clerk**

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

36
37 **IN ATTENDANCE:**

Ben Smith	Angelina Baca	Ben McDaniel	Chet Spear
Robert Thornton	Lance Pyle	Steve Doerr	Ashley Moran
Candace Morrison	Annie Hogland	Carol Pipes	Mark Gallegos
Diane Queener	Coni Jo Lyman	Tim Lyman	Dennis Fury
Joelle Reed	Beni Dampier	Kevin Spears	Mike Reeves
Ben Roberts	Brent Queener	Linda Brown	Rick Queener
Regan Tongate	Jeff Queener		

38