

Regular Meeting

April 16, 2009

The Board of County Commissioners, in and for the County of Otero, State of New Mexico, met in a Regular Meeting at the Otero County Courthouse in Alamogordo, County and State aforesaid. Meeting called to order by the Chairman at 6:00 p.m., April 16, 2009; and he announced that reasonable notice for this meeting was given to the Alamogordo Daily News, and to Radio Stations, KPSA, KINN and KYEE.

Present:

Ronny Rardin	Chairman
Doug Moore	Vice-Chairman
Clarissa McGinn	Member
Timothy Smith	County Manager
Ray Backstrom	Assistant County Manager
Dan Bryant	County Attorney
Pamela Heltner	Commission Liaison
Lynn Estrada	Deputy Clerk

DRAFT

Commissioner Rardin introduced Donald Yee, who will be putting our Commission Meetings on the internet.

Commissioner Rardin stated that this Commission always opens the meetings with prayer and he has asked Pastor Robert Smith from Cottonwood Fellowship to be the first one to start us off with a prayer.

Robert Smith gave the invocation. Commissioner Rardin led the Pledge of Allegiance and Commissioner Moore led the Salute to the Flag of the State of New Mexico.

1. Scheduled Citizen Communications:

a. Franklin Herrera-Discuss Easement.

Commissioner Rardin stated that he has seen the land and had the old maps when the road was there in the 1940's. One solution that Commissioner Rardin sees for Mr. Herrera's dilemma is to move the road to the south where it comes into Mr. Herrera's property at the present time. It goes due east where the north and south ditch run, turns and cuts straight across your property so that Mr. Herrera's property won't have a long ditch going up along the banks and people won't come and trash it up. Commissioner Rardin doesn't see any other way to move that road any other direction.

Commissioner McGinn stated that Bill Parker from the Road Department has brought the maps so we can view where the property lines fell on the east side of Mr. Herrera's property as well as three others. Mr. Herrera has spoken to us before on this matter. Back in the 70's when we started blading that road, it goes through the mid-section of several people's property and Mr. Herrera is asking that we move it from the middle of his property to that eastern property boundary line. Mr. Herrera stated that the Federal Government and the State Government says that the roads should be along the section lines. Commissioner McGinn stated that since we are going backwards in time here with your request, as this Board of Commissioners. We are looking to you to say, "What solution can we help you work on"? Mr. Herrera stated that this is all great, but what I am getting here, is losing some of my land by giving you permission to go across my land. This doesn't solve my problem, because the people that go across my land are vandalizing my property.

Commissioner Moore asked if we had any easements across the three parcels of land. Dan Bryant, County Attorney, stated that we don't have written express easements on file in the County Clerk's Office. We have investigated this road a number of times over the years and have consistently asserted to Mr. Herrera

and have consistently found that the County has a prescriptive road through here that goes back in excess of 40 years. Mr. Herrera disagrees with that. The road has traversed in a north easterly direction across these parcels for as far back as he has been able to go to look at aerial maps. It has been a long standing access that goes back up into both the Reservation and other public land that is to the north and east of this particular set of parcels.

Commissioner Rardin wanted to look at the old map that Mr. Parker has that shows the old easements and the utility easements. Mr. Parker stated that it would take him about 3 minutes to go get it.

Commissioner Rardin stated that while Mr. Parker is gone he would like to introduce Alexis Duprey, Miss Teen New Mexico USA and present her with a certificate of congratulations.

Commissioner Rardin returned to the discussion of Mr. Herrera's easement. Mr. Parker presented the old map. The Commission continued to discuss several options with Mr. Herrera.

Commissioner McGinn stated that the easements have to be secured to move the road and a survey will have to be provided. We have discussed the option with Mr. Herrera before. If we are going to move the road along the eastern section line, all those property owners will have to provide easement to the County. Until then we can't move forward anywhere. This road has been accessed by the public and is access to state BLM and other properties. Commissioner McGinn can't perceive denying them access at this point.

Commissioner Moore suggested that Mr. Parker give us three options for this easement. This would also be a great opportunity to have a community Commission Meeting in Tularosa. We will get the names and address of all the effected parcels and invite them to the meeting to get a consensus to come up with a plan.

b. Evelyn Trammel-update on Tularosa Red Brick Building.

Evelyn Trammel stated that the Tularosa Red Brick Building received an award for historic preservation.

Mrs. Trammel would like to thank the County for taking over this building when they did to preserve it. Mrs. Trammel has had several people ask her where everyone will park once the school is open to the public. There is a piece of land to the north of the school yard that the Red Brick Building has purchased. It is adjacent to the school yard that we will be able to use for parking. Ms. Trammel asked if the County could pave the entrance area and back to where the school goes. This would get rid of our dust problem. Commissioner Moore asked if the Red Brick Building is functional. Ms. Trammel stated that at one time we discussed having a committee to make a plan for what we want in the building and where we want to put it. That's the only way we can move forward with the architect, is to have a plan. The County needs to be involved with this committee. The Red Brick has \$60,000.00 to finish up with the architect for the inside of the building.

The Board thanked Ms. Trammel for her report.

2. Unscheduled Citizen Communications:

a. Janet White approached the Board and congratulated the Commission for broadcasting the meetings. This is a real public service. Ms. White also had a quilt with signatures from the Tea Party that happened in Alamogordo yesterday.

Ms. White requested a brief report from Mr. Smith on his meeting at the Coalition of Counties.

Mr. Smith stated that the Regional Director from the Forest Service came and talked with the Coalition of Counties about cooperating agency status and setting up some Memorandum of Understanding between the counties and the Forest Service. The re-introduction of the Mexican Grey Wolf was also discussed.

b. Donald Homan from Chaparral, New Mexico, stated that he appreciates the efforts of the

County Commission that have recently been shown, such as the Health Clinic. Mr. Homan is requesting that the Board look into having a Code Enforcement Officer from Otero County. Dona Ana has a Code Enforcement Officer in Chaparral and he inquired if the two Counties could get together on the cost of an officer for both counties. Mr. Homan stated that he appreciates the work that has been done on the roads in Chaparral.

c. Brenda Purvis and Mrs. Hartwig approached the Board to discuss if anything is being done with the flooding problems in Dog Canyon. Ms. Purvis stated that there was some money appropriated back in 2007 in a special session with Nate Cote for flood control, "Where do we stand with that money"?

Mr. Smith stated that since the last meeting we have been dealing with the Corp of Engineers. They have drafted a Memorandum of Agreement with the County. The MOU is for the County to pay them to do a reconnaissance study of the entire County, but in particular all the canyons. To do the study will cost \$100,000.00. After the study is done, then a federal match of about \$500,000.00 to \$3,000,000.00 is required to do the actual engineering. From that we would get an engineering plan and then a construction plan that could run into millions of dollars. The re-authorization of the \$900,000.00 that was built up over the years, Mr. Smith doesn't know where we stand on that at the time. Ray Backstrom, Assistant County Manager, stated that the money has been re-authorized. We are currently waiting for contracts that actually indicate that. Once we have the contracts the money will be freed up and spent.

Commissioner Rardin stated that when he traveled to Washington, the flood issue was top priority. He spoke with Senator Udall and his office has spoke with the Corp and now they are listening to Otero

County. Commissioner Rardin stated that we haven't been ignoring Ms. Purvis and her situation. We are doing the work that we have set out to do from the February meeting.

3. Elected Officials:

a. Discuss and consider purchase of a new radio system (Dispatch Console). The estimated cost of a new system is approximately \$260,000.

Norbert Sanchez, Under Sheriff, and Paul Quairoli, Emergency Service Coordinator, approached the Board to discuss the purchase of a Dispatch Console. Mr. Sanchez stated that the console is about 25 years old and the console isn't equipped to handle the new technical equipment that is being used today. We have gotten with Motorola and received some estimates to replace the console. We are looking at the MCC5500 for Dispatch. Mr. Quairoli stated that the equipment is about 25 years old. What we are running into now is that the equipment has come to the point where it is failing several times a day and has to be rebooted. This jeopardizes officer safety and fire emergency service personnel. The equipment that we are proposing is upgradeable to when we will be forced to go digital with the FCC mandates. The MCC5500 is the full console system. It has the ability to cross patch if there is a big emergency in the County. Mr. Sanchez stated that the system is capable of either analog or digital. We are trying to upgrade everybody, but there is still a lot of departments out there with analog systems. So this system would be capable of either analog or digital or both.

Commissioner Moore stated that this is a budget item of \$260,000.00 and this is the first time he has heard of it. Is this on top of the PSAP equipment that we are talking about? Mr. Sanchez stated yes sir that's correct. Commissioner McGinn asked Ms. Brandon if we would have to do resolution for a budget adjustment to include in this fiscal year. Ms. Brandon stated that this is correct. So if we were

to move to proceed with the purchase Ginger, is there any other thing we have to do on this particular item if it's on state contract. Ginger stated that she wasn't sure if it was on state contract. Mr. Quairoli stated that this item along with the 911 equipment is on the San Juan County Contract, which is a Motorola Contract that we can piggy back off of. Commissioner Rardin asked if the contract had a cut off date. Mr. Quairoli stated that the current pricing we have is expiration in 90 days, the contract that San Juan County has is for 1 year. Commissioner Rardin stated that he has to agree with Commissioner Moore on this, he didn't see this item on the budget and this \$260,000.00 would be on top of the million plus that the Sheriff has asked for. Commissioner McGinn stated that we are talking about one thing that we should be focusing on, and that is public safety. If the equipment is failing, how long is it going to take to receive the equipment and install it, once you give the OK on the purchase? Commissioner Rardin stated that the reason he agrees with the PSAP is because it will take us to another level. If we didn't have it, it wouldn't shut your men down or make you unsafe. You are saying this will. Mr. Quairoli stated that right now the console system we have gone in and replaced the vna box that was one of the pieces that was failing. We have replaced that, we have replaced the microwave interface box and we still can't find the problem. It's somewhere in the console equipment itself where it switches from the dispatchers screen, through the card system and then into the microwave. Commissioner Rardin stated OK that's all I have. Commissioner Moore stated again, why is this the first time he has heard about replacing this console. If it's \$260,000.000.00 he wanted them to start telling him about it two and a half years ago. With this console being 25 years old, plans should have been done in the capital outlay to look forward for the replacement and yet today is the very first he has heard of this \$260,000.000.00 piece of equipment, which is apparently failing multiple times

everyday. How is that, that this is the first he has heard of it? He isn't saying that you don't need one, but if we are going to buy a road grader we start talking about it 3 years out and make a plan to do that. Not just I need a quarter of a million dollars. This was not even presented in the Sheriff's Department request for funding at all. So when did this issue develop? A quarter of a million dollars and he has no choice but to spend that money right now. How many times a day is it failing and how many times has it failed in the last six months? Mr. Quairoli stated that he would have to go to the logs to look. In the last week it has failed 5 times on Monday, 6 times on Tuesday and 3 times on Wednesday.

Commissioner Moore asked it has been doing that for how many years? Mr. Quairoli stated that no, it just started. It's only been the last 4 to 5 months that this has been going downhill fast. Commissioner Rardin stated that this is strictly analog, it doesn't do digital. Mr. Quairoli stated that the current system is analog. Commissioner Moore asked if we buy this PSAP equipment, it doesn't include these consoles? Mr. Quairoli stated that a couple of months ago when we brought the PSAP equipment to you, we had a copy of this also with it saying that, when we think about doing this we should consider doing this right away because we are starting to have some issues. Those issues have gotten progressively worse over the last month and half, two months. Commissioner McGinn stated that what's been happening now you are trying to repair the system up to this point. Mr. Sanchez stated that yes, daily repair on the system, trying to keep upgrades. Some of the equipment that we currently have we can't find parts for anymore. We have quite a bit of trouble contacting other departments in other areas that used to have systems like this to see if they can keep them up. Commissioner Rardin asked who works on it, Mike. Mr. Sanchez stated no Key Communications. Commissioner McGinn stated, so we pay them each time they come out. Mr. Sanchez stated that it is costing us on average about any

where from \$400.00 to \$600.00 a trip. This doesn't include the equipment they have to buy.

Commissioner McGinn stated that if we make a motion to proceed with the purchase, what is the next step? The next step comes as a budget adjustment on the next agenda, and the contract part through the state, you have to work on that for the next agenda? Ms. Herndon stated that she would have to look at what Paul has because she doesn't have a copy of anything, so she doesn't know what this bid needs.

Commissioner Moore would like to have a second opinion. Commissioner Rardin stated that he needs to ask this question, could you do without the PSAP equipment then and let us buy this? Commissioner McGinn stated that the PSAP is mandated. Mr. Quairoli stated that they are getting ready to switch the system probably in the next couple of months we will not be able to receive the information correctly. The data stream will be switched. PSAP is definitely is our biggest issue.

Commissioner McGinn made a motion to proceed with the purchase of the new radio system dispatch console and have it come back to us at our next meeting with the resolution for the budget adjustment and the completed state contract procedures. The motion died for a lack of a second.

Commissioner Rardin stated that he will need to look into it a little more before we spend \$260,000.00 off the cuff like this. This motion will have to die for a lack of a second.

c. Consider the purchase of E911 PSAP Equipment. The cost of the system is \$323,812.88.

Norbert Sanchez stated that we followed the recommendations from the PSAP Board and this is the cost of the equipment.

Commissioner Moore made a motion to approve the purchase of the E911 PSAP Equipment at a cost for the system at \$323,812.88. The motion was seconded by Commissioner McGinn.

Commissioner Moore stated that our intent is clear here to buy this equipment. He would ask that we

follow normal procedures and make the request to DFA (Department of Finance) one last time that they acknowledge we are going to buy this equipment, and we want our funding through our 911 grant to offset the cost of said purchase. Commissioner Moore would ask that we request this in writing and we insist on the answer in writing from the Director, Kathryn Miller. If she denies the request for payment, she should do this in writing.

A vote was taken and the motion passed unanimously. See pages

Norbert Sanchez had a question going back to the equipment for the console. What kind of research does the Commission need? Commissioner Rardin stated that Commissioner Moore wanted a second opinion and for Commissioner Rardin it was a shock to see it on the agenda. Mr. Sanchez stated that the Sheriff's Department had brought the subject of the console to the Commission about 2 months ago.

Commissioner Moore stated that his recollection of that was they were going to add another seat. The discussion about the console, you were going to expand your capabilities by adding on to the console. That was Commissioner Moore's understanding and the department would get a new console with the new PSAP equipment and expand their capabilities. Commissioner Moore stated that what he has heard tonight is the system is failing several times a day, two key components have been replaced, an outside vendor is coming to do the work and charging \$400.00 to \$600.00 a trip. This is \$3,000 to \$4,000 a day is what he has been told tonight. First, Commissioner Moore would like to see those bills.

He wants to know what's inside the console that hasn't been replaced. What's left in there?

Commissioner McGinn asked, "What we are going to do in the interim"? Are we going to keep unplugging it everyday and have the service people come and have it last until the next agenda? Mr.

Sanchez stated that we call our service providers out of Ruidoso. It takes them any where from an hour

to up to four hours to respond. On weekends, we can't get them to respond. The officers safety, deputies, fire and EMS responding are at great risk. We can't take those chances. We hope everyday that this equipment won't go down, but it has been lately. Commissioner Moore asked how this piece of equipment is challenging officer's safety. Mr. Quairolì stated that when the console system goes down currently, the dispatchers don't know that it's down at all until they either get a phone call from the officer. The officer will say that they are calling on the radio, can they not here them or if for some reason the dispatch is quiet inside, they can hear a very faint radio call. That's when they know the system is down. They then have to go into the computer room and unplug a wire in the interface box. After about a minute, whatever is causing the problem resets itself. They then can plug it back in and it will work for several more hours. Commissioner Rardin asked if we don't have a switch where the Department of Public Safety backs you up when you go down. Mr. Quairolì stated that would be the E911, not the radio system. Commissioner Moore had several recommendations. First, get some hand held radios in there. Pull one out of the car, because you have the antenna, so they can hear what's going on. Mr. Sanchez stated that we have installed a mobile radio in there for this purpose. If the guy is calling on the phone telling us the system is down, dispatch is automatically turning the mobile radio on. But the mobile radio itself, they are having to change channels for the console. It delays the systems getting units out to the incident.

Commissioner McGinn stated that in her motion she said proceed with the purchase of, but it's not going to actually go through until the next agenda. This will give everyone time to get familiar with it because Donna has to come to us with a budget resolution adjustment and Ginger has to check on the state contract to make sure that we are set there.

Commissioner Moore stated that we can get by without this console, because we have got by without it before. We can do without this console for a little while to figure out what is wrong with it or at least give the shock of the cost some time to sink in. There is no money tree.

Commissioner Rardin would like to think about this till the end of meeting. It may have to be discussed in executive session.

d. Recovery Act: 2009 Edward Byrne Memorial Justice Assistance Grant.

Mr. Sanchez stated that the Sheriff has applied for \$79,000.00 for equipment. It is still in the process and hasn't been approved. We are trying to get some more funds in to help offset the budget.

Commissioner Rardin stated that this is a good grant for us. There is no match and it doesn't affect our general fund.

Commissioner McGinn made a motion to proceed forward with the grant that the Sheriff has applied for. The motion was seconded by Commissioner Moore. A vote was taken and the motion passed unanimously.

e. Consider approval of a Housing Authority PILOT waiver.

Commissioner Moore made a motion to grant the waiver for the Housing Authority on remittance of taxes on Housing Authority Property. The motion was seconded by Commissioner McGinn. A vote was taken and the motion passed unanimously. See pages

4. Consent Agenda:

Commissioner McGinn made a motion to approve consent agenda items #8 through #13. The motion was seconded by Commissioner Moore. A vote was taken and the motion passed unanimously. See pages.

5. Resolutions, Contracts & Agreements:

a. Request approval of an amendment to the lease between Otero County and the Armed Forces Museum.

Mr. Smith stated that there was a mistake in the original contract. We had an extra insurance provision in the contract that was not required. Mr. Smith is asking to re-approve the contract now that it has been fixed.

Commissioner Moore made a motion to approve the amended Armed Forces Museum Contract. The motion was seconded by Commissioner McGinn. A vote was taken and the motion passed unanimously. See pages

b. Discuss and consider approval of the first amendment to the Hospital Real Estate Purchase Agreement and discuss and consider approval of Resolution No. 04-16-09/97-58.

Dan Bryant, County Attorney, stated at the March 19th meeting, we approved the main body of the purchase and sale agreement for the hospital track and parking lot. Under the rules, that transaction is subject to approval by the State Board of Finance. On the following work day, County staff then submitted all the required documentation and paperwork to the State Board of Finance and the State Attorney Generals Office for review. At the time, he predicted that the Attorney Generals Office would tinker with the agreement and want some amendments. We set the process up, so that we would have this meeting available to approve any amendments that they demanded. In the ensuing days, Mr. Bryant has been in touch with both Marty Daily, at the Attorney Generals Office and Nichols Petredis, as the lawyer that is handling the transaction for Otero Federal. We have hammered out the amendment. There is a version of the amendment under tab 15 in the book. There was one additional sentence

added in paragraph 19.1 by the Attorney Generals Office. He can characterize all of the amendments with the following description. Local governments in New Mexico, because we are the trustees and care takers of public funds, are subject to a number of laws that limit our ability to create contingent liabilities and debt. In various provisions dealing with the subject matter, if a dispute happens over this contract, we have gone back in and written language that says, this contract will be interpreted in accordance with New Mexico law, governing local bodies and the limitations that local bodies have under the law concerning contingent liability and unlawful debt. Unlawful debt is any debt that you contract for whether it's a contingent liability or not that can not, at the time of contracting be paid from the funds existing in the current fiscal year. It's called the Bateman Act.

This is what that set of statutes means. We are limited to this years budget and the funds that are available in this years budget. We don't get to obligate future fiscal years in contracts that we do during the existing year. The indemnification provision in paragraph 19.1, the indemnification that was called for in paragraph 22 under the broker, were both amended to include that limitation. In paragraph 22 the County was taken completely out of it because we did not hire a broker or not paying a broker, have no involvement in any brokerage contract with respect to this transaction whatsoever. In paragraph 26, there was a series of provisions and sentences throughout the sub-paragraphs and paragraph 26 that provided for arbitration pursuant to the American Arbitration Association Commercial Arbitration rules. There is a line of cases that have been decided that tell parties, when you agree to arbitration and you agree that they are subject to the American Arbitration Association rules, you don't get to limit the arbitrator in any way. The limitation language, subject to New Mexico law and interpretation of New Mexico law, has been deemed to be ineffective when you are dealing with the subject of arbitration.

This was an issue that Mr. Bryant originally told Mr. Petredis that he wanted the arbitration clause out. The counties can't do that, he resisted, and Mr. Bryant knew that the Attorney General's Office was going to come back and take that clause out. What we have done in paragraph 26, all the arbitration provisions are out. The contract now reads when you read all those paragraphs, that if the dispute arises we agree to negotiate with each other. If negotiation doesn't solve it, we agree to mediate it with a mediator that we select. If mediation doesn't solve it, then it kicks back into the New Mexico law that says the County's lawsuit will happen in the District Court of the County where the County is. The final thing is paragraph 27.6, which is a pretty standard provision in real estate contracts that says if there is a dispute the prevailing party will be entitled to an award of their cost and attorney fees. Once again, this is a contingent liability, so the same limiting language has been inserted in the paragraph 27 that says, subject to the existing funds within the existing fiscal year and don't obligate the County beyond that. The balance of the language in this amendment recognizes, we had an agreement, we did the amendment, the agreement remains in full force and effect except as we have amended it in this document. The plan is to get your approval tonight. The representative from the purchaser will be here tomorrow morning to sign it. The Attorney General's Office and the State Board of Finance will get copies of this document and an original. We are on the State Board Finance agenda for approval on Tuesday of next week. The representation that we have from staff and the Attorney General's Office are that with this amendment, the purchase agreement will be approved by the State Board of Finance.

Commissioner Moore made a motion to approve first amendment to the hospital real estate purchase as well as approve Resolution No. 04-16-09/97-58. The motion was seconded by Commissioner McGinn. A vote was taken and the motion passed unanimously. See pages

6. Commission Discussion/Action items:

a. Commissioner Moore stated that the community group in Boles Acres has cleaned up the Boles Acres Park. BLM was considering taking back the park, but the community stepped in and cleaned up the park.

Commissioner Moore stated that New Mexico Association of Counties had there quarterly Board Meeting in Hobbs. Commissioner Moore stated that Grace Gonzalez has been representing Otero County on this Board for a couple of years. She has done a great job and always looks out for the interest of Otero County. We cast ballots today and wanted to congratulate Grace for representing Otero County for another year.

b. Commissioner McGinn stated that we are moving ahead with the Riata Road flood project, installing a culvert in one of the big arroyos that crosses Riata and floods in the rainy season. Commissioner McGinn wanted to check with legal on the actual easement from the property owner that will go around Riata Road. Have we received that easement and can we move forward.

Dan Bryant stated that we have presented a temporary construction easement, which will allow us to reroute the road and accomplish the construction. It is ready for the Davis's signature. Once they approve it and sign it, the easement will go on the agenda for the next meeting for your approval. The easement agreement grants us an easement, but it also obligates us to make sure that we return the property to its present condition and not leave a mess.

c. Commissioner Rardin stated that he had some very upsetting news at the conference he attended in Hobbs, New Mexico. A panelist informed the attendees that the EPA will be releasing a new EPA rule which will say, methane gas that is released in the atmosphere will now be limited. All

of the dairies in New Mexico will not qualify, stay in business in two weeks. The Congress is telling us that we are trying to get everyone working, trying to stimulate the economy and we have the EPA telling us that you will shut your doors until it's fixed. Commissioner Rardin would like to Otero County to have an ordinance in place about methane gas then the Federal government would have to work with our ordinance.

7. Executive Session:

Commissioner Moore made a motion to go into Executive Session to discuss items A. Collective Bargaining, B. Pending/Threatening Litigation, C. Personnel, D. Land-Timberon Airstrip and Acquisition and Disposal, E. Roads, F. Detention Center, G. Contracts-PSAP. The motion was seconded by Commissioner McGinn. Roll call was taken as follows:

Commissioner Moore	yes
Commissioner McGinn	yes
Commissioner Rardin	yes

Commissioner Moore made a motion to come out of Executive Session having discussed items A., B., C., D., E., F., and G. on the agenda and made no decisions. The motion was seconded by Commissioner McGinn. Roll call was taken as follows:

Commissioner Moore	yes
Commissioner McGinn	yes
Commissioner Rardin	yes

The Commission went back to agenda item #4 consider the purchase of a new radio system Dispatch Console. Commissioner Rardin stated that he will second the motion to get it started, but

understand the process will start but he is not sold on buying the equipment. It is probably going to be a real hard sell. It's only strictly for the beginning of the process.

Commissioner McGinn made a motion that we consider the purchase of the new radio system, dispatch console as listed. The motion was seconded by Commissioner Rardin. A vote was taken and the motion passed 2-1 with Commissioner Moore voting against.

There being no further business before the Board, the Chairman adjourned the meeting at 9:15 p.m.

APPROVED:

Ronny Rardin, Chairman

ATTEST:

Robyn Holmes, County Clerk

Regular Meeting April 16, 2009