

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 Vice-Chairman at 6:00 p.m., May 6, 2003; and she announced that reasonable notice for this meeting was given to the Alamogordo Daily News, Mountain Monthly, and to Radio Stations, KPSA, KINN and KYEE.

Present:

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| Michael Nivison | Chairman |
| Clarissa McGinn | Vice-Chairman |
| Doug Moore | Member |
| Ruth Hooser | County Manager |
| Ray Backstrom | Assistant County Manager |
| Dan Bryant | County Attorney |
| LaDonna Adams | Department Assistant |
| Lynn Estrada | Deputy Clerk |

DRAFT

Mike Shinaberry gave the invocation. John Blansett led the Pledge of Allegiance and Ray Backstrom led those assembled in the Salute to the Flag of the State of New Mexico.

1. Consent Agenda – Commissioner Moore made a motion to approve the minutes of 4/7/03, 4/8/03, 4/15/03 and Bills Lists #43, #44, and #45. The motion was seconded by Commissioner McGinn.

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

2. Administration –

a. Consider approving an Agreement regarding the rental of structure on La Luz Fire Department Land. Wayne Glidden, La Luz Fire Chief, stated that the building would be rented to an individual to conduct Bible study classes. Dan Bryant, County Attorney, would like to make some changes to the language, otherwise the agreement is fine.

Commissioner Moore made a motion to approve the agreement subject to the language changes by the County Attorney. The motion was seconded by Commissioner McGinn. A vote was taken and the motion passed unanimously. See pages

b. Consider approval of an agreement for employment of the Misdemeanor Court Compliance Officer Linda Bird. Commissioner Moore made a motion to approve the agreement for employment of the Misdemeanor Court Compliance Officer Linda Bird. The motion was seconded by Commissioner McGinn. A vote was taken and the motion passed unanimously. See pages

c. Consider approval of a Fair Housing Policy in Otero County per CDBG guidelines. Commissioner Moore made a motion to approve the Fair Housing Policy in Otero County as well as the Citizen Participation Plan per CDBG. The motion was seconded by Commissioner McGinn. A vote was taken and the motion passed unanimously. See pages

d. Consider approval of a Residential Antidisplacement and Relocation Assistance Plan & Certification per CDBG and the Section 3 Plan in Otero County. Commissioner Moore made a motion to approve the Residential Antidisplacement and Relocation Assistance Plan as well as the Section 3 Plan in Otero County with regards to CDBG funding. The motion was seconded by Commissioner McGinn. A vote was taken and the motion passed unanimously. See pages

e. Consider approval of the Flickinger Center Lease with Otero County per CDBG. Dan Bryant stated that he has worked with Robert Doughty on the language to be sent to the state for approval.

Commissioner Moore made a motion to approve the Flickinger Center Lease with Otero County as the fiscal agent. The motion was seconded by Commissioner McGinn. A vote was taken and the motion passed unanimously. See pages

3. Personnel – Consider approval of New Hires: Sue Ellen Cox, Administration; Timothy Salazar, Detention; Nicole Prather, SWI Dept.; Daniel Soltero, Detention; Lynne Muller, Detention; Dana Hergenreder Jr., Detention; Joe Parks, Detention; Wallace B. Anderson, Sheriff Dept.; Ken R. Selman, Sheriff Dept.

Commissioner Moore made a motion to approve all the items under personnel which are filling vacancies. The motion was seconded by Commissioner McGinn. A vote was taken and the motion passed unanimously. See pages

Promotion – Dorothy C. Patton, Sheriff Dept.; Brenda Gibson, Detention.

Commissioner Moore made a motion to approve the promotions to fulltime for the departments listed. The motion was seconded by Commissioner McGinn. A vote was taken and the motion passed unanimously. See pages

Term Employment Contract- D.J. Gallegos, DWI; **Status Change-** Jeff McMaster, Detention; **Other-** Jose Rodriguez, Sheriff Dept; Victor Rodriguez, Sheriff Dept; Robert Hedman, Sheriff Dept; Lisa Delorm, Sheriff Dept.

Commissioner Moore made a motion to approve the Term Employment Contract, The Status Change, as well as those listed as others which is the rectification of an inequity. The motion was seconded by Commissioner McGinn. A vote was taken and the motion passed unanimously. See pages

Merit- H.R. Prather, DWI Dept; Linda Tolonen, DWI Dept; Pete Forrest, DWI Dept; Linda Bird, DWI Dept. Dan Bryant requested a brief discussion in Executive Session about the legal implications

on the grant. Commissioner Moore made a motion to table this item until after Executive Session. The motion was seconded by Commissioner McGinn. A vote was taken and the motion passed unanimously.

4. Public Hearing- The time being 6:15 p.m., Commissioner McGinn opened the Public Hearing to consider preliminary approval for Stone Corner, LLC, for liquor license transfer or issuance of new license in accordance with Section 60-6B-4 NMSA of the Liquor Control Act.

Floyd Stone approached the Board with his request for the transfer of a the liquor license from Mayhill Bar. There being no public input Commissioner McGinn closed the Public Hearing.

Commissioner Moore made a motion to approve the preliminary approval of the transfer of this liquor license for Stone Corner LLC. The motion was seconded by Commissioner McGinn. A vote was taken and the motion passed unanimously. See pages

5. Purchasing-Award Sealed Bid #03-015 for the lining of the shower stalls for the Detention Center.

Consider approval of Sealed Bid #03-016 for SCBA'S for the James Canyon VFD.

Consider approval of Sealed Bid #03-019 for ½ ton Chevy Silverado 4x4 pickup for the Sheriff's Department (\$20,425.00).

Commissioner Moore made a motion to approve Bid #03-015, Bid #03-016 and Bid #03-019. The motion was seconded by Commissioner McGinn. A vote was taken and the motion passed unanimously. See pages

6. Road Department- Consider approval of a Co-op Agreement with Otero County and Puebla Subdivision to chip-seal Puebla Drive. The funding will come from the Puebla Subdivision and the County will furnish the equipment. The road is already county maintained.

Commissioner Moore made a motion to approve the Co-op Agreement between Otero County and Puebla

Subdivision for the chip seal project. The motion was seconded by Commissioner McGinn. A vote was taken and the motion passed unanimously. See pages

7. Subdivision Coordinator- Consider final approval for Star's End Estates Subdivision. Monroe Curtis, Steven Sandoval, and Prentiss Blanscett, approached the Board with the final changes for Star's End Estates. All the requirements have been finally met for this subdivision. Commissioner Moore made a motion for the final approval of Star's End Estates Subdivision. The motion was seconded by Commissioner McGinn. A vote was taken and the motion passed unanimously. See page

8. Barbara Luna- Discuss Air Burners for Otero County to help mitigate forest waste from thinning projects, and what is the best tool for Otero County to help with forest waste. The Forest Service is trying to help fix some of the problems with forest waste. There is a lot of forest waste in the subdivisions in the mountains. Ms Luna put in for a \$55,000 grant for an air burner for Otero County. The money would be set aside for the county through the State Forestry Division. We would do a Joint Powers Agreement with the county. The state would purchase the equipment for the county and we would have to have manpower, and a place to operate it. She invited the Commission to attend the field trip to Los Alamos to observe how they are used and the operating cost. Commissioner Moore directed staff to start the process of finding out what the requirements are for the air quality permits. The Board thanked Barbara Luna for all her hard work for Otero County.

9. Public Hearing- The time being 6:30 p.m., Commissioner McGinn opened the Public Hearing to consider preliminary approval for Alamosa Pub, Highway 54-70, Alamogordo. Liquor License transfer or issuance of new license. John Secrest and Rebecca Day approached the Board for the Hearing. This property will be leased from John Secrest, landlord, to Rebecca Day. Ms Day has applied to the State for her permit to operate a micro-brewery. There will be no package sales just micro beer.

John Blansett, County Sheriff, inquired about security when the bar opens. Ms Day stated that they are in the process of hiring with the Department of Labor for bouncers. The manager and Ms Day will be on sight at all times.

Commissioner McGinn closed the Public Hearing. Commissioner Moore made a motion to approve the preliminary licensing for Alamorosa Pub. The motion was seconded by Commissioner McGinn. A vote was taken and the motion passed unanimously. See pages

10. R.L. Posey- Discuss an ordinance for the Otero County Advisory Grazing Board. Mr. Posey approached the Board to discuss the draft ordinance. Mr. Posey would like the County Attorney to look over the draft and make any changes. The ordinance will need to be publicized before approval. Commissioner Moore made a motion to approve the ordinance for first publication. The motion was seconded by Commissioner McGinn. A vote was taken and the motion passed unanimously.

11. Public Input

James Frauner introduced himself to the Board as the new Warden for the new Federal Prison. He believes the prison will be done in about 2 weeks.

Bill Lee Parker stated that after inspecting K.C. Road for chip sealing, he feels that it really doesn't need it. Mr. Parker would like to transfer the funds for K.C. Road to Mesa Verde Ranch Road. The cost and needs will be the same. This is an administrative decision and Ruth Hooser, County Administrator, can do the transfer.

12. Commissioner Moore made a motion to go into Executive Session to discuss personnel, pending and threatening litigation and other matters. Commissioner McGinn seconded the motion. Roll call was taken as follows:

Commissioner Moore yes

Commissioner McGinn yes

Commissioner Moore made a motion to come out of Executive Session. The motion was seconded by Commissioner McGinn. Roll call was taken as follows:

Commissioner Moore yes

Commissioner McGinn yes

The Board went back to the merit raises under personnel. The item died for lack of a motion.

There being no further business before the Board the Vice-Chairman adjourned the meeting at 8:20 p.m.

Clarissa McGinn, Vice-Chairman

ATTEST:

Mary D. Quintana, County Clerk

Reg. Meeting May 6, 2003