

The Board of County Commissioners, in and for the County of Otero, State of New Mexico, met in a Work Session at the Otero County Courthouse in Alamogordo, County and State aforesaid. Meeting called to order by the Chairman at 9:00 a.m., May 10, 2006; 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:

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| Doug Moore | Chairman |
| Clarissa McGinn | Vice-Chair person |
| Michael Nivison | Member |
| Dr. Martin Moore | County Manager |
| Ray Backstrom | Assistant County Manager |
| Julie Bryant | County Attorney |
| Pamela Heltner | Department Secretary |
| Bill Lee Parker | Road Superintendent |
| Lynn Estrada | Deputy Clerk |

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Commissioner Nivison gave the invocation. Commissioner McGinn led the Pledge of Allegiance and the Salute to the Flag of the State of New Mexico.

Proclamation:

- a. A proclamation to declare New Mexico a Multi-cultural State, which celebrates New Mexico as a state full of cultural diversity that has shaped its rich history and unique modern identity.
- b. A proclamation for Railroad History Days.

1. Consent Agenda:

- a. Approval of Minutes
- b. Bills Lists #45, #46, #47
- c. Health Care Services for May 2006
- d. Personnel-New hires, promotions and transfers.

Commissioner Moore would like to publicly thank all the temporary election workers for all the work they do for us.

2. Resolutions, Contracts & Agreements:

a. Resolution No. 05-16-06/94-77 regarding a budget increase for cash transfer from General Fund to H.I.D.T.A.

b. Resolution No.05-16-06/94-78 regarding a budget increase for ¼% Fire Protection Fund/Dog Canyon VFD.

Donna Brandon, Financial Director, stated that the 1/4 % Fire Protection Board gave their approval for a loan from the fund in order to purchase breathing apparatus.

c. Resolution No.05-16-06/94-80 regarding a \$1,970.15 budget increase for Alamo West VFD.

d. Resolution No.05-16-06/94-79 regarding the revision of Resolution No.07-08-03/92-02 for ADA Grievance Procedure for Otero County that is required for public posting.

Martin Moore, County Manager, stated this Resolution revision will replace the previous County Manager's name with Mr. Moore's name as the point of contact.

e. Approval for an increase of \$1,825 for a medical contract at the Detention Center in the amount of \$38,325 plus gross receipts tax.

f. Approval of proposal from Canteen Food Service for an increase of 2 cents per meal for each

meal served to the inmates of the Detention Center.

Commissioner Moore requested staff to provide him more information on this issue before next Tuesday night's meeting.

g. Agreement for professional services between Justice Benefits, Inc. and Otero County.

h. Approval to renew the contract between Dona Ana County and Otero County for Housing of Juvenile Prisoners.

i. Approval of DFA/LGD, grant agreement involving the purchase of a firefighting apparatus (pumper) by Mescalero Apache Fire and Rescue.

j. Approval to accept and sign SEI Grant Agreement 07-D-J.G-20 received from DFA.

k. Resolution No. 05-16-06/94-81 Fiscal Year 06/07 Interim Budget Adoption.

3. Elected Officials, Department Heads, Committee Reports:

a. Bill Parker-Request approval to sell by sealed bid, a 1998 John Deer 770C Motor Grader.

Bill Parker stated that this grader has had a lot of maintenance problems. It will cost more to fix it than if we were to sell it and get another one. By doing a sealed bid we would get more money for it than taking it to auction.

b. Martin Moore-Request approval to appoint Jerry Johnson as the Otero County Policy Committee member and Becky Lane as an alternate for the Southeast Regional Planning Organization, (SERPO).

Mr. Moore stated that Sharon Gilsdorf will be stepping down from the Committee and Jerry Johnson has agreed to replace her as a Board member. Becky Lane will be serving as a back-up for Jerry Johnson.

c. Dale Palkki-Request approval on the final plat for the Tierra de Oro Subdivision. The

preliminary plat for this subdivision was approved by the County Commission on April 25, 2006.

4. Citizen Communications:

a. Ron Wright- consider building a fire escape route through Waterfall Subdivision located on Highway 130 near the community of Cloudcroft.

Mr. Wright presented a map to show the Commission where the fire escape route would be. As of now the residents have no means of escape if there was a fire. Mr. Wright is asking the County to do the work. Bill Parker stated that it would cost about \$2,000 with culverts and labor. Commissioner Moore asked Mr. Wright if he has approached any of the residents for funding and to do this road themselves. Mr. Wright stated that he has not approached any residents for funding. Commissioner Moore stated that this road should have been built by the subdivider when the subdivision was built. This is a prime example of why we are redoing our subdivision ordinance. With it not being a County Road or if it is not able to be brought to County standards for acceptance, Commissioner Moore stated that if we did any work on it would be setting a precedence for other non County roads. Commissioner Moore stated that we will certainly consider it at the upcoming meeting.

b. J.J. Duckett, a resident of Timberon stated that we are having a problem with livestock running at large. There is one resident who lives on a lot with no restrictive covenants and he has put in a herd of goats near the downtown area. They aren't fenced so they roam free all day. They are destroying local shrubs and creating a hazard for drivers. The Sheriff has been up there to talk with the gentlemen and he is very unperceptive. John Blansett requested the Commission to consider creating an ordinance to give the Sheriff some power to take care of this problem. New Mexico is a fence out state, so if you don't want them in your yard you have to fence them out yourself. Commissioner Moore requested staff to create an ordinance that makes free roaming goats a citable offense, a \$100.00 per animal, per

day. Have legal council draw it up for review for the June 7th scheduled meeting. Bill Parker stated that we are a fenced out state, but he believes there is a law that you have to make a reasonable effort to keep your livestock off someone else's property. Commissioner McGinn would like to check into this so we wouldn't have to create a new ordinance to take care of this situation.

c. Sid Benson, a citizen of Timberon would like to thank the Board for their efforts in the formation of the Special District in Timberon.

5. Commission Discussion/Correspondence:

a. Commissioner Moore discussed the consolidation of the County and City Dispatch. There is a new DFA Director in Santa Fe. The Board will be presenting him with the County's plan that had been previously turned down.

6. Executive Session:

Commissioner McGinn made a motion to go into Executive Session to discuss items listed under pending threatening litigation, special district formation, personnel, organizational restructuring, and contracts listed as approval for yearly contract renewal for leasing Thomas S. Overstreet's building, located across from the Courthouse, having made no decisions. The motion was seconded by Commissioner Nivison. Roll call was taken as follows:

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| Commissioner McGinn | yes |
| Commissioner Nivison | yes |
| Commissioner Moore | yes |

Commissioner McGinn made a motion to come out of Executive Session having discussed pending threatening litigation under special district formation, personnel issues organizational restructuring and contracts listed as approval for yearly contract renewal for leasing Thomas S. Overstreet's building

across from the Courthouse. The motion was seconded by Commissioner Moore. Commissioner Nivison was called away to a meeting while in executive session. Roll call was taken as follows:

Commissioner McGinn yes

Commissioner Moore yes

There being no further business before the Board the Chairman adjourned the meeting at 11:55 a.m.

APPROVED:

Doug Moore, Chairman

ATTEST:

Robyn Silva, County Clerk

Work Session, May 10, 2006