

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 Chair person at 9:00 a.m., May 18, 2005; and she announced that reasonable notice for this meeting was given to the Alamogordo Daily News, and to Radio Stations, KPSA, KINN and KYEE.

Present:

Clarissa McGinn	Chair person
Doug Moore	Vice-Chairman
Michael Nivison	Member
Ruth Hooser	County Manager
Dan Bryant	County Attorney
Ray Backstrom	Assistant County Manager
Bobbie Reyes	Department Assistant
Bill Lee Parker	Road Superintendent
Lynn Estrada	Deputy Clerk

**DRAFT**

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

**1. Consent Agenda:**

- a. Approval of Minutes
- b. Bills Lists- #51, #52, #53
- c. Health Care Services- Monthly report for May 2005

- d. Personnel- New hires and replacements.

Other- Mandatory Employee Assistance Program (Employee participation is mandatory)

Sue Torian, Payroll Tech., explained this service to the Commissioners. She recently found out that this service is mandatory for every County employee. It is provided through CIGNA Health Care. This is a wonderful program for all employees in time of need.

**2. Purchasing:**

a. Consider approval of Sealed Bid #05-027 for the site work, building slab, foundation, concrete and testing for the new County Road Shop, (amount \$241,800.00 plus taxes) Ginger Herndon, Purchasing Agent, stated that three bids were submitted and two were thrown out because they didn't go by state regulations.

**3. Resolutions, Contracts & Agreements:**

a. Consider approving Resolution No. 05-24-05/93-51 regarding Emergency Preparedness Coordinator position within Otero County. Gus Maker, Emergency Preparedness Coordinator, stated this isn't creating a new position, it's just moving the function from the City to the County. The City is no longer providing a position for this function which is Homeland Security. Gus will be filling this position and we will also be able to apply for the funding from the State for exercises and classes.

**4. Citizen Communications:**

a. Jean Baish/Sharon Stevens- Requesting permission from County Commissioners to allow the High Rolls Mountain Park Association members to plant natural vegetation on median. Ms Baish handed out maps of the area that they would like to plant on Old Rail Road Drive. They would like to make a hedge and a block area with large rocks. Commissioner Nivison asked Ms Baish if they have been working with the Fire Department to make sure their trucks will be able to get through. Ms Baish

stated that they have been working with the Fire Departments in the area. Bill Lee is concerned with the big Fire Trucks not being able to turn around. There has to be enough room for the trucks. Dan Bryant suggested that we do a public notice in the community to let everyone know what is being planned. Dan would also like Bill Lee to do some measurements and turn radiuses so we can get big trucks through this area and have it marked. Big rocks are probably not a good idea. There are approved traffic barriers that we can look at to create a division. Commissioner McGinn stated that we will have this request on the agenda for the May 24<sup>th</sup> meeting to publish for a public hearing.

5. Consider approving State of New Mexico Governmental Services between Otero County and the Energy, Minerals and Natural Resources Department regarding CPR summit. Commissioner Nivison stated that when we had the County partnership summit in Ruidoso we were asked by Washington to put together an overview of the summit and what policy changes in Washington might be recommended of what came out of this meeting. The Secretary of Energy, who helped with the summit would like to have this produced out of there office. Commissioner Nivison stated that it would have much more force coming from the State. We had some money left over from the summit and we would like to transfer thirty five hundred dollars up there to do the report and they will issue it at the State level. The report will identify the policy changes at the national level.

**6. Elected Officials/Department Heads:**

a. John Blansett-Consider approval of memorandum of understanding between Dona Ana County and Otero County Sheriff's Department for cross deputization of selected Peace Officers. Commissioner McGinn stated that John Blansett couldn't be here today but he had informed her that this is to expand on the Memorandum of Understanding we currently have in place with Dona Ana County to handle the Chaparral area. It's also including the name of the new Dona Ana County Sheriff.

b. Ruth Hooser-Consider filling a vacancy for the Alamogordo Public Library Board, (two applicants- Stenger Allen and Harriett Damski) Ruth stated that Mr. Posey is also retiring from the Library Board. We will need to advertise for Mr. Posey's position.

c. Bill Parker-Requesting permission from County Commissioners to take 2 recently purchased Caterpillar motor road graders out for sealed bid with a minimum bid on the graders for the County Road Shop.

d. Requesting to advertise Ordinance No. 01-05 regarding amending the Otero County Subdivision Ordinance to implement the Sacramento Mountain Checkerspot Butterfly Conservation Plan. Dale Palkki, County Assessor, stated that he will be sending letters out to the people that are in the purple areas of the map, located in the County Administration Office.

e. Requesting permission to advertise for property owners to install and maintain a controlled access grate on the south ½ mile of Canyon Road.

#### **7. Citizen Communications:**

a. Jay Frost/Richard Barbaras-Present the Shooting Range Plan to the Otero County Commission Board. Jay stated that they are trying to bring funds into the range in order to be self sufficient. He presented the plan to the Board so they would know what he has been working on. Commissioner McGinn stated that the information was adequate for them and this item could be removed from the agenda.

#### **8. Public Hearing:**

a. Peter Renken and Gabriele Pabst- Proposing to name a street, PG Ranch Road. Brenda Garcia, Rural Addressing, stated that there has been a protest to this name. There are no structures on this easement. Mr. Clements, a property owner out there would like to name it Inca Road. There are

four owners on this road. Commissioner Moore would like Brenda to make another attempt to contact Mr. Clements and find out if he is willing to put up the fees associated with naming a road.

Commissioner Moore stated that he will go with the majority rule.

b. Dale Palkki-Consider approval of the Preliminary Plat for Kontiki Springs Subdivision a 21.537 acre tract of land in Section 25 of 714S R9E, Otero County to be divided into 18 lots, the smallest being 1.0 acres. Dale Palkki stated that this is a very large subdivision. Changes were made according to the Planning Commission and everyone was satisfied. Dale stated that the problem now is that the State Engineer's Office is asking for a geo-hydrologic report. Dale has no idea what this report is except that it's costly and detailed and beyond the scope of what regulations say you have to have. Dan Bryant stated that this is a renewal of a dispute with the State Engineer's Office that was present in 1996 when the new subdivision law was passed. All the Counties did their regulations pursuant to the statute. At that time the Engineer's Office was making these comments routinely in all subdivision proposals all over the state. For a period of time they stopped doing that with a change of administration, but now they are coming back to that. There is no new regulation or rule. The Board will have control of whether to require the report or not. With population growing and demands on the water increase these issues will get increasing attention, but currently there is no requirement. Commissioner Nivison stated that we need to write a letter to the State Engineer for clarification of what they are wanting and why.

#### **9. Commission Discussion/Correspondence:**

a. Michael Nivison- Commissioner Nivison stated that on his Washington trip, John Colquitt came for one day to speak with Congressman Pearce. Commissioner Nivison gets the impression that they aren't wanting to fund the medical clinic in Chaparral. Additional services are needed in this

community.

**10. Unscheduled Citizen Communications:**

a. Hans Steinhoff discussed the Planning Coordinator's duties with the Board and would like to have the Planning Commission involved in the process of approving claim of exemptions. Hans stated that the Planning Commission would like to be involved in this process whereas now Dale Palkki is the only one that reviews the claims and approves them. Hans requested that the Board speak with Mr. Palkki to get his opinion on having the Planning Commission involved in this review. Commissioner Moore stated that they will have a discussion with Dale about this issue.

**11. Executive Session:**

Commissioner Moore made a motion to go into Executive Session to discuss pending and threatening litigation, personnel issues to include the new hire of the County Manager and Detention Center issues.

The motion was seconded by Commissioner McGinn. Roll call was taken as follows:

Commissioner Moore            yes

Commissioner McGinn        yes

Commissioner Nivison        yes

Commissioner Moore made a motion to come out of Executive Session having discussed pending and threatening litigation, personnel issues, County Manager position and Detention Center possible

litigation and no decisions were made. The motion was seconded by Commissioner Moore. Roll call was taken as follows:

Commissioner Moore            yes

Commissioner McGinn        yes

Commissioner Nivison        yes

There being no further business before the Board the Chair person adjourned the meeting at 12:37 p.m.

APPROVED:

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Clarissa McGinn, Chair person

ATTEST:

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Robyn Silva, County Clerk

Work Session May 18, 2005