

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., June 22, 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	Absent
Ruth Hooser	County Manager
Ray Backstrom	Assistant County Manager
Bobbie Reyes	Department Assistant
Lynn Estrada	Deputy Clerk

DRAFT

Commissioner Moore 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. Bill Lists #57, #58
 - c. Health Care Services- Report for June 2005
 - d. Personnel-New hires and renewal agreements
- 2. Purchasing:**

- a. Consider approval of Sealed Bid # 05-032 Bunker Gear for La Luz VFD in the amount of \$18,240.00.
- b. Sealed Bid #05-033 for a 2006 fire apparatus for Boles Acres VFD.

3. Resolutions, Contracts and Agreements:

- a. Consider approving Professional Service Agreement for the County of Otero and the Regents of New Mexico State University Range Improvement Task Force.

Ruth Hooser stated that they are an independent contractor for the County. They handle multi-use issues concerning field monitoring and interpretation of data in the Lincoln National Forest regarding grazing. Commissioner Moore stated that the language in this contract needs to be expanded to include the Poppy. Commissioner McGinn pulled this item from the agenda in order to have Dan Bryant redo the contract and obtain signatures for the July 26th Meeting.

- b. Consider approving Medical Provider Agreement between The New Rehabilitation Center and Otero County.

The Rehabilitation Center is requesting to become another provider under our Indigent Fund Program. There have been 31 people treated from Otero County who were not able to utilize the indigent program. The cost for these people to be treated was 210,000.00. Under the Indigent Care Ordinance the payment would only be up to the cap for each patient. Gloria Sainz, Indigent Coordinator, stated that it would be up to the patients to apply for the funding, not the agency.

- c. Consider approving agreement between Otero County and the City of Alamogordo for Animal Control costs.

Dan Bryant stated that the City and the County will agree on an annual basis on what the rates will be from year to year. The agreement will continue unless terminated. Commissioner Moore stated that the

City was to provide us with a monthly report of how many animals we had in the County.

Commissioner Moore stated that we need to have an ordinance that requires all dogs in Alamogordo to have a chip identification and registration to owners. We would be able to recover our costs from the owners for having to house the animal.

4. Elected Officials/Department Heads:

- a. Consider a final plat approval for the Kontiki Springs Subdivision.

Dale Palkki, County Assessor, stated that the civil dispute has been resolved and will come before the Board for their final approval.

- b. Consider other provider, indigent funding and budget issues.

Gloria Sainz stated that this issue pertains to past claims that have never been paid. With money in the Indigent Fund from the gross receipt one-sixteenth tax we are now able to pay these other providers.

Dan Bryant referred to state statute, Section 27-5-13 in the statute. It states year, singular, not years.

The hospital wanted this language in the law because they wanted their claims to sit there and if funds became available in ensuing years they wanted those claims paid. Dan has called the Indigent Coordinator at the Health Department to get there opinion on this statute. He is waiting to hear from her and will inform the Board of her answer. Commissioner Moore requested to have a fiscal impact report going back 2 years for these claims.

c. Consider an intent to hire letter from Sheriff, John Blansett regarding Mark Evans a fully funded H.I.D.T.A. position. Mark Evans introduced himself to the Board and explained that he has been an employee with the New Mexico Department of Safety for 17 years. He stated that the New Mexico Department of Public Safety are pulling their employees from the Intel Center at the HIDTA building in Las Cruces. The Director for HIDTA contacted John Blansett and asked if Otero County could become

the fiduciary agent for Mr. Evans. The federal requirement states that Mr. Evans has to be employed by a state or local government entity. There would be no cost to Otero County, only act as the fiscal agent.

d. Consider approval of a permanent part time election clerk.

Robyn Silva, County Clerk, stated that during the budget cycle this position was funded but was never added to our Department. This position is currently a temporary part-time, which limits the hours and the length we can keep this employee. Commission Moore stated that we approved this position as a temporary part-time with the understanding of completing a project that is federally mandated. If we make this position a permanent part-time position the Clerk's Office would be growing by one part-time position and every year you would be asking for the funding for this position. Robyn stated that with all the federal and state mandates for elections, we will need this position. Dan Bryant stated that if the money is in the budget, this person can work as a part-timer this fiscal year. Next fiscal year we need to look at this position to change it to a recurring part-time position. A contract can be done for this employee for April, May and June and create a permanent part time position at the mid year budget cycle. This item will be pulled from the agenda until the mid year budget. A green sheet will be added to personnel under the agenda as a temporary part-time.

5. Public Hearings:

a. Consider approving the Preliminary Plat for Danley Ranch Estates #3 Subdivision.

Dale Palkki stated this subdivision has been approved by the Planning Commission. Commissioner Moore stated that when phase 2 was approved two years ago there were some culverts issues about size and location of drainage. Will phase 3 have any drainage issues on any County roads. Dale didn't seem to think there were any problems with the drainage. Bill Parker stated that he recommended 24 inch culverts over the 18 inch culverts that were originally put in.

b. Consider approving the Preliminary Plat for Olga Acres:

This item was pulled from the agenda.

c. Consider approving the Preliminary Plat for Sagebrush La Luz Subdivision.

Dale Palkki stated the Planning Commission approved this subdivision on the condition that the road easement on the north side of the subdivision be resolved. The sub-divider is in the process of establishing ownership of the easement. Commissioner Moore stated that he has major concerns with these disputed access points. Before these subdivisions come before the Board for approval, Commissioner Moore would like to have definite approval of all the access roads coming into the subdivision. If there is a civil challenge he wants it resolved before the subdivision is put on the agenda for approval.

6. Citizen Communications:

Consider reversing the decision of the Planning Commission and approving the JayDee Eight Subdivision.

Mr. Johnson is the sub-divider of this subdivision. He stated that the subdivision consists of three lots all served by a common 30 foot driveway easement. The Planning Commission denied the subdivision because there is no road, just the 30 foot driveway. Mr. Johnson stated that the Subdivision Regulations state that every lot shall have egress and ingress to the public thoroughfares. Hans Steinhoff, Planning Commission member, stated that the Subdivision Regulations don't say how many lots you can run off one driveway. He is concerned about setting a precedence for future subdivisions. There are no provisions for turn arounds for emergency vehicles. Commissioner Moore stated that if there were another 20 ft. and a designated cul-de-sac all these concerns would go away.

a. Grace Gonzalez, County Treasurer, stated that our Treasurer's Office will be hosting a

Treasurer's Training Retreat September 13-16 for our 22 new Treasurers in the State. Grace is requesting any help the Board can give her with this event. Commissioner McGinn requested to have some details once the agenda is complete and what she would like to have help with.

The Treasurer is requesting to put an after hour payment box outside the Courthouse. Commissioner McGinn stated that Buildings and Grounds will erect the box at the north end of the building.

7. Unscheduled Citizen Communications:

Commissioner McGinn stated that we have several Fire Chiefs with us today to discuss the Public Safety Answering Point. Gus Marker, Fire Coordinator, stated they are wanting clarification on this unit. Commissioner McGinn stated back in December we had a joint meeting with the City of Alamogordo and we discussed the PSAP issue, federally mandated. There will be a grant amount for one PSAP in the County. At that time both the Sheriff's Department and the Department of Public Safety discussed an exemption for that mandate based upon the capabilities we have in our dispatch centers. The exemptions would allow DPS and the Sheriff to keep what they have. Only one office is going to receive the grant for the equipment. Our exemption was denied so the state is coming down to do a study of the County to see what we need because we asked for 2 PSAP's. Commissioner Moore stated that we feel that our request has a broader base than any other request and so far they have turned us down 3 times. He believes that the only reason the state is coming down to look at the situation is because we got the Federal Government involved. Commissioner Moore stated that them coming down to look at our situation is just a courtesy call and will turn us down again. He urges all agencies to prepare for a consolidation. Dan Bryant agreed with Commissioner Moore. Mr. Bryant stated that we need to set difficulties aside and come up with a plan that will satisfy everyone because he too believes that Otero County will have one dispatch center. Commissioner Moore stated if and when they come

down here and we have a Board seated and we were looking at a centralized location it would probably buy us a little more time. If the State is going to force us to centralize, we need more time and a lot more money.

8. Executive Session:

Commissioner Moore made a motion to go into Executive Session to discuss pending and threatening litigation, and personnel issues. The motion was seconded by Commissioner McGinn. Roll call was taken as follows:

Commissioner Moore yes

Commissioner McGinn yes

Commissioner Moore made a motion to come out of Executive Session having discussed potential pending and threatening litigation and personnel issues and no decisions were made. The motion was seconded by Commissioner McGinn. Roll call was taken as follows:

Commissioner Moore yes

Commissioner McGinn yes

There being no further business before the Board the Chair person adjourned the meeting at 12:45 p.m.

APPROVED:

Clarissa McGinn, Chair person

ATTEST:

Robyn Silva, County Clerk

Work Session June 22, 2005