

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., September 9, 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:

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|-----------------|------------------------|
| Ronny Rardin | Chairman |
| Doug Moore | Vice-Chairman |
| Clarissa McGinn | Member |
| Ray Backstrom | Interim County Manager |
| Pamela Heltner | Commission Liaison |
| Lynn Estrada | Deputy Clerk |

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

1. Scheduled Citizen Communications:

- a. Peggy Korth gave a power point presentation on cattail evaluation.

Commissioner McGinn asked what a 250 thousand gallon facility cost? Ms. Korth stated that if you were purchasing it from a standard entity, you would have about \$2.00 per annual gallon production capacity. Our engineers have moved into a new dynamic where we believe we will do it for less than a dollar. By growing incrementally, part of the plan is to first grow 3 acres and expand as we can.

Commissioner Moore asked what it will cost to build a facility. The production cost to run the product through a facility would be somewhere between a dollar and seventy-five cents. Ms. Korth stated that if you start out with a fifty thousand gallon size, then that would be fifty thousand to build the plant. So after the first year the plant is paid for. Ms. Korth stated that this is correct.

Commissioner Rardin stated that Tularosa is having a hard time with their Waste Water facility Plant, so they have gone back to their original one with the big ponds. The EPA came in and told them they were out of compliance. By doing the cattail studies we are putting them back in compliance.

Commissioner Rardin stated that Ms. Korth is asking the Commission to give her the authority to write the grants and bring them to the Commission for approval. Commissioner Rardin stated that Ms. Korth does not need the Commissions permission to do this. He realizes that it takes time to write a grant and Ms. Korth is very limited in her time and money. Ms. Korth stated that she has worked 14 years for free and intends to one day capture the money back.

b. Judy Fair-Discuss House Bill #572, Solar equipment.

Ms. Fair is here today because she would like to get solar for her house. She has a 55 year old adobe house in Tularosa and this bill is a wonderful opportunity for homeowners to get solar equipment for their homes.

Commissioner Moore stated that we have been looking at solar energy for about 15 years now. Between the Federal Government and the State, they have made some solar packages available. It was a good program but as soon as the rebates were over and you had the equipment installed you had to keep the maintenance on it, which was extremely expensive. When it came time to replace the water heater on it they were also very expensive. When the consumer had to make that economic decision, most went back to the regular gas water heater. Ms. Korth stated that she is only interested in the

electrical solar equipment. Ms. Fair is requesting that the Commission adopt House Bill #572 for the ability to finance solar equipment on homes. Commissioner Moore stated that by adopting this HB, it puts the Assessor having to evaluate the installation. He doesn't see any mechanism here to capture the 30 percent offset from the Federal Government, at least that is not in the New Mexico Bill to recapture that money. It looks like to him that he would be financing the deal. When Commissioner Moore read the HB, it says that the County can enact an ordinance that will allow an imposition of a Special Assessment Tax against the property for the sole purpose of purchasing solar equipment to be used on the property. Over the years it would be the County's responsibility to collect said tax from the owner and in turn, turn it over to whoever had financed the original acquisition. Commissioner Moore read this bill when the session was getting ready to pass it and he had some questions that were never answered from the Department of Finance. Ms. Fair stated that if she was staffing this question, she would be going to banks and solar installers. Commissioner Rardin stated that he is hearing Commissioner Moore say, "that there is no mechanism in this bill that says where are you getting the money from". Commissioner Rardin stated that he will do a little more research on this subject, because he is very interested in putting solar in his home also.

2. Elected Officials, Department Heads:

a. Consider participating in the 2010 Sole Community Supplemental Allocation. The match payment is \$230,609.07, which results in a supplemental payment of \$1,121,639.44 from Medicaid to Gerald Champion Regional Medical Center.

Jim Heckert, Chief Executive Officer of Gerald Champion and Morgan Hay, Chief Financial Officer of Gerald Champion approached the Board.

Commissioner Moore stated that Otero County has always supported Gerald Champion. They are

are the medical sole provider and we are tasked constitutionally with providing medical care to the best of our ability to citizens of the County. We do that in partnership with Gerald Champion and their Board. They have a policy that they don't turn anybody away. If you need medical care and you go to their facility, you will receive care regardless of your ability to pay. We have a great partner in Gerald Champion. In the past times, they have supported the community well above and beyond our ability to pay with federal matches. They continue to do so. If you look at their overall operational cost and the money that they have spent providing care to those without the ability to pay. Some of those folks without the ability to pay would not be approved through the County's program. Each year we submit a letter requesting that the State consider an amount of money that would go directly to the hospital to support the health care needs of the County. About 6 years ago the State came up with what they call the supplemental. The first year we ever saw that was a total yield of about \$50,000.00 and our part of that was 5 or 6 thousand. We applied on behalf of the hospital, which is our partner, they are just providing the care. Over the last 5 or 6 years the supplemental has sky rocketed. In many states they don't fully utilize the fund. In New Mexico we utilize the fund, but we don't maximize it for some reason. Two years ago we asked that the supplemental be included in the initial sole provider fund and the Feds agreed. We took the base payment from about one point six or seven million to over two million. We were prudent enough this year to set aside some money in the chance that there were some supplemental funds. We are trying our best to fund the care of the citizens in Otero County and not be a deterrent to Gerald Champion. We could all do a better job of understanding each others goals and objectives into the future and to that end the Board members have suggested that we sit down together and look at each others long term plan. We want to make sure that the money we are giving them is being used for health care for individuals and not construction. He doesn't believe that is the case, but

people have approached Commissioner Moore with that concern.

Commissioner Moore made a motion that we forward the letter and submit the funding required so that Gerald Champion can maximize the ability to provide health care to the tune of 1.1 million and change by the submission of a letter and a check for the match money of approximately \$230,609.07. The motion was seconded by Commissioner McGinn. A vote was taken and the motion passed unanimously.

b. Consider implementation of the 2009 Property Tax Rates.

Dale Palkki, County Assessor, stated that the Department of Finance sends the Commission this letter on an annual basis to impose the tax rate for 2009. The Assessor reviews the rates to verify that there are no errors.

Commissioner McGinn made a motion that we implement the 2009 tax rates. The motion was seconded by Commissioner Moore. A vote was taken and the motion passed unanimously.

See pages

3. Consent Agenda:

a. Consider acceptance of a quitclaim deed and purchase of property from Ann Dunham to Otero County for the benefit of the Sixteen Springs Canyon VFD.

Paul Quairoli, Emergency Management, stated that the fire department, to improve their ISO rating did a construction project at their fire station adding on two more bays to house the equipment necessary to get that ISO upgrade. During that expansion it eliminated all of their parking lot. There is no place to park now for the fire department. The property owner who originally gave the land to the fire station approached them also and asked if they would like to purchase additional property for the parking lot. Since it was only a \$12,000 .00 purchase price, the fire department was able to do this on

their own without having to go through the Department of Finance and the Commission could approve it.

b. Consider approval of the vacation of a portion of Oak Ave. (aka Ironwood Ave.) located in Chippeway Park Subdivision.

Commissioner Moore would like to know who was putting this request forward. Klad Zimmerle stated that Patricia Atkins is requesting the vacation. It's not constructed or has it had any road work done within the right-of-way. Mr. Zimmerle stated that it will consolidate blocks 14 and 15 and eliminate that portion of the road. There is access on two other sides so nobody is landlocked.

4. Purchasing:

a. Consider approval of the yearly renewal of Contract PS-08-007 Staley's Veterinary Medical Clinic for animal shelter and veterinary services for Otero County.

Commissioner Moore wanted to visit with Sheriff Blansett on how this service is working out. Mr. Blansett stated that we have everything clarified now and it is working fine now. The majority of the animals are being adopted out and not being euthanized.

5. Commission Discussion:

a. Commissioner Rardin stated that he received a letter from the Cloudcroft School Board requesting the County help them out with some trails and material. Their cross country team runs on these trails and they are asking for our help.

b. Commissioner McGinn stated that she had received information from the Chief at the La Luz Fire Department that he is having issues getting final approval on the construction project for their new Volunteer Fire Department. Commissioner McGinn wants this situation remedied, not at the county's expense and a progress report by the next meeting.

5. Executive Session:

Commissioner Moore made a motion to go into Executive Session to discuss items listed on the agenda as A. Collective Bargaining, B. Pending Threatening Litigation, C. Personnel, D. Land, E. Roads, F. Detention Center, G. Contracts. 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. Collective Bargaining, B. Pending Threatening Litigation, C. Personnel, D. Land, E. Roads, F. Detention Center, G. Contracts, having made no decisions. The motion was seconded Commissioner McGinn. Roll call was taken as follows:

Commissioner Moore	yes
Commissioner McGinn	yes
Commissioner Rardin	yes

There being no further business before the Board, the Chairman adjourned the meeting at 11:30 a.m.

APPROVED:

Ronny Rardin, Chairman

ATTEST:

Robyn Holmes, County Clerk

Work Session
September 9, 2009