

**COUNTY OF OTERO, NEW MEXICO
COUNTY COMMISSION REGULAR MEETING AGENDA
COMMISSION CHAMBERS – Rm#253
TUESDAY, JANUARY 31, 2006 - 6:00 p.m.**

**Commission Chairman: Doug Moore, Commission District 1
Commission Vice-Chairperson: Clarissa McGinn, Commission District 2
Commission Member: Michael Nivison, Commission District 3**

INVOCATION

PLEDGE OF ALLEGIANCE

“I pledge allegiance to the flag of the United States of America, and to the republic for which it stands, one nation under God, indivisible, with liberty and justice for all.”

SALUTE TO THE FLAG OF NEW MEXICO

“I salute the flag of the state of New Mexico, the zia symbol of perfect friendship among united cultures.”

PRESENTATION:

Safety Award presented to the Detention Center for successfully completing six months of accident free operations.

NEW BUSINESS:

CONSENT AGENDA

All items marked “consent agenda” will be approved by a single motion unless removed at the request of a Commissioner, County staff, or a member of the public. Items removed from the Consent Agenda will be heard in the order of the numbered sequence

		<u>Page No.</u>
A.	<u>Approval of Minutes:</u>	
(1)	January 4, Worksession	1-8
	January 10, Regular Meeting	
B.	<u>Approval of Bills Lists:</u>	
(2)	#29, #30, #31	9-15
C.	<u>Health Care Services:</u>	
(3)	Monthly Report for January 2006	16-21
D.	<u>Personnel:</u>	22-29
(4)	“New Hire” Felix Landin (Detention) To fill a Part Time position at the rate of \$10.00 per hour. This is an approved, budgeted position.	

“New Hire” Ian Conway (Sheriff’s Dept.) To fill a vacancy left by Deputy Robert Virden who was promoted to Sergeant effective 1-1-06. The salary requested is \$28,706.39. This is an approved, budgeted position.

“Transfer” Maria Garcia (Treasurer’s Dept.) to replace a vacancy created by the transfer of Michelle Lynn Carroll to the Assessor’s Dept. The County Treasurer has requested a salary of \$23,988.10; which is within the advertised starting salary range. This is an approved budgeted position.

- E. Purchasing: 30-31**
- (5) Request approval of Sealed bid # 06-016 Sports Utility Vehicle for the Assessor’s Dept. The Item bid is a 2006 Jeep Grand Cherokee, at a cost of \$21,400.00. The Assessor’s Dept. has \$21,396.00 in their budget for this purchase. 32-34
- (6) Request approval for Sole Source to purchase a used 1982 Pierce/Tele-Squirt pumper truck from Artesia Fire Equipment Inc. The amount of purchase is (\$43,160.00), per the attached quote. The use of this pumper truck will be available to all Fire Departments.

**RESOLUTIONS,
CONTRACTS, & AGREEMENTS**

- 35-37**
- (7) Request approval of **Resolution No. 01-31-06/94-45** regarding a Budget Adjustment for the Tire Recycling Grant. Reviewed by: Donna Brandon
- 38**
- (8) Request approval of **Resolution No. 01-31-06/94-48** regarding a Budget Adjustment for the Fire Protection Fund/Alamo West Fire Department. Reviewed by: Donna Brandon
- 39**
- (9) Request approval of **Resolution No. 01-31-06/94-49** regarding a Budget Adjustment for the Fire Protection Fund/Oro Vista Fire Department. Reviewed by: Donna Brandon
- 40-43**
- (10) Martin Moore-Request approval of **Resolution No. 01-31-06/94-47** regarding compliance with the New Mexico Open Meetings Act.

**ELECTED OFFICIALS,
DEPARTMENT HEADS, COMMITTEE REPORTS**

- 44**
- (11) Gus Marker-Request approval to extend Fire Ban **Resolution No. 01-10-06/94-46.**
- 45-68**
- (12) Gloria Sainz-Request approval to review the proposed amendment to the Otero County Indigent Ordinance 01-04.
- (13) Gloria Sainz-Request approval to advertise for a public hearing regarding the amendment to the Otero County Indigent Ordinance 01-04.

PUBLIC HEARING

6:30

- (14) Request for Preliminary Approval of a liquor license transfer of Ownership & Location for Brewer Oil Company 185 US Hwy 82 Alamogordo N.M. to Tularosa Pecan #9 Radio Road Tularosa NM. 69-76
- (15) To discuss the amendment to the Otero County Subdivision Ordinance 97-03. Proposed changes are available on the Otero County Web site. 77-79

COMMISSION DISCUSSIONS/CORRESPONDENCE:

- A. Doug Moore – (District 1)
- B. Clarissa McGinn – (District 2)
- C. Michael Nivison - (District 3)

UNSCHEDULED CITIZEN COMMUNICATIONS: *(Limited to 3 minutes)*

The issues raised during "Unscheduled Citizen Communications" are not action items and shall not be entitled to decision making by the Otero County Commission at the meeting where they are first raised. Please contact the Administration Office at 437-7427 to schedule an item on the agenda.

DECLARATION OF EMERGENCY

80-86

- 16) Consider Approval of **Resolution No. 01-31-06/94-53** Declaring a Drought Emergency for Otero County.

EXECUTIVE SESSION:**A. Collective Bargaining****B. Pending/Threatened Litigation**

1. Lopatitegui, et.Al.V. Vigil, et.Al.
D-202-2005-CV-0433 Regarding voting machines for 2006 election cycle
2. Higuera Rail Road Crossing Subpeona for records
3. Rhino Land Farm administrative appeal
4. Rhino Land Fill public hearing following Supreme Court ruling
5. Approve settlement agreement on the Justice Benefits vs. Otero County lawsuit
6. Walker v. U.S. Participation in New Mexico Supreme Court certification case.
7. Chris Teske and Matthew Harris vs. Otero County lawsuits.

C. Personnel Issues

County Administrator's evaluation and recommendation

D. Land

Discussion of status of negotiations regarding property procurement.

E. Roads**F. Detention Center****ADJOURNMENT****For Information Only:**

The next scheduled Otero County Commission meeting is Tuesday Feb, 21 2006 at 6:00 p.m.