

<p><b>OTERO COUNTY COMMISSION</b>  <b>"SPECIAL" MEETING</b>  <b>FRIDAY, AUGUST 16<sup>TH</sup>, 8:00 A.M.</b></p>
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<p><b>Commission Chairman: Richard Zierlein, Commission District 1</b>  <b>Commission Vice-Chairman: Timothy D. McGinn, Commission District 2</b>  <b>Commission Member: Michael Nivison, Commission District 3</b></p>
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**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, and the zia symbol of perfect friendship among united cultures."**

- |                  |   |            |
|------------------|---|------------|
| <b>8:00-A.M.</b> | <b><u>Consider Approval</u> of the "<u>Final Budget</u>" for the Fiscal year 2002/2003 per Department of Finance and Administration, Local Government Division.</b> | <b>1-2</b> |
|                  | <b><u>Consider Approval</u> of two (2) Proposed CEQ Correspondence from CPR Working Group on Legal Strategies.</b>  | <b>3-7</b> |
|                  | <b><u>Consider Approval</u> of the Otero County Employee Compensation package not including those employees in the collective bargaining units.</b>                 |            |

**AGENDA REPORT  
OTERO COUNTY COMMISSION**

**MEETING DATE:** August 16, 2002

**REPORT DATE:** August 14, 2002

**SUBMITTED BY:** Ruth Hooser

**APPROVED FOR AGENDA:** *RH*

**Subject:** Consider Approval of the "Final Budget" for the Fiscal year 2002/2003 per Department of Finance and Administration, Local Government Division.

**Fund:** \_\_\_\_\_ **Additional Appropriation:** \_\_\_\_\_ **From Funds:** \_\_\_\_\_

**Additional Explanation:** \_\_\_\_\_

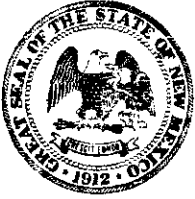
**Recommendation:** \_\_\_\_\_

**Background:** \_\_\_\_\_

**Reviewed By:** Roads: \_\_\_\_\_ Attorney: \_\_\_\_\_ Purchasing: \_\_\_\_\_ Finance: \_\_\_\_\_

**G.I.S. Information Services:** \_\_\_\_\_

**County Administrator:** \_\_\_\_\_ **Assessor:** \_\_\_\_\_ **Clerk:** \_\_\_\_\_



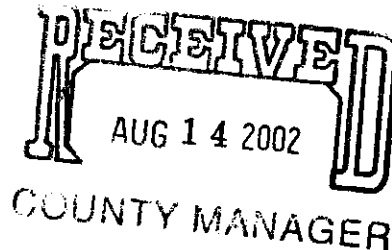
**STATE OF NEW MEXICO**  
**DEPARTMENT OF FINANCE AND ADMINISTRATION**  
**LOCAL GOVERNMENT DIVISION**  
Bataan Memorial Building, Suite 201 • Santa Fe, New Mexico 87501  
(505) 827-4950 • FAX No. (505) 827-4948  
www.nmlocalgov.net

HAROLD G. FIELD, II  
SECRETARY

GARY E. JOHNSON  
GOVERNOR

JEFF CONDREY  
DIRECTOR

August 8, 2002



Ruth Hooser, County Administrator  
Otero County  
1000 New York Avenue, Rm. 101  
Alamogordo, NM 88310-6935

Dear Ms. Hooser:

In accordance with Section 6-6-2-(E) NMSA 1978, the Local Government Division hereby certifies your final budget for the 2002-2003 fiscal year. I have reviewed your budget and find that governing body has developed the budget in accordance with applicable statutes and that sufficient resources appear to be available to cover budgeted expenditures.

Please be advised that state statutes require budgets approved by the Division to be made a part of the minutes of the governing body. In addition, state statutes provide that the approved budget is binding on local officials and governing authorities and that any official or governing authority approving claims or paying warrants in excess of the approved budget or available funds will be liable for such claims and warrants allowed.

Finally, please be advised that prior approval by the Division is statutorily required on all budget increases, and transfers between funds. If you have any questions please do not hesitate to call me at (505) 827-8062.

Sincerely,

Martin A. Ortega  
Executive Budget Analyst, Senior

**AGENDA REPORT  
OTERO COUNTY COMMISSION**

**MEETING DATE:** August 16, 2002

**REPORT DATE:** August 13, 2002

**SUBMITTED BY:** Dan Bryant

**APPROVED FOR AGENDA:** RA

**Subject:** Consider Approval of two (2) Proposed CEQ Correspondence from CPR Working Group on Legal Strategies.

**Fund:** \_\_\_\_\_ **Additional Appropriation:** \_\_\_\_\_ **From Funds:** \_\_\_\_\_

**Additional Explanation:**

**Recommendation:**

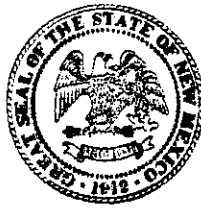
**Background:**

**Reviewed By:** Roads: \_\_\_\_\_ Attorney: \_\_\_\_\_ Purchasing: \_\_\_\_\_ Finance: \_\_\_\_\_

**G.I.S. \_\_\_\_\_ Information Services: \_\_\_\_\_**

**County Administrator: \_\_\_\_\_ Assessor: \_\_\_\_\_ Clerk: \_\_\_\_\_**

Email: oteroadm@co.otero.nm.us  
COMMISSION / ADMINISTRATION  
(505) 437-7427  
FAX (505) 443-2904



1000 NEW YORK AVE., RM 101  
ALAMOGORDO, NM 88310-6935

State of New Mexico  
County of Otero

To: Pete Shumway, Dave Ubell, Mike Nivison  
From: CPR Working Group on Legal Strategies  
Date: August 5, 2002  
Subject: Proposed CEQ Correspondence

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This letter supports an immediate emergency determination pursuant to 40 CFR 1506.11. The 22 Western State Governors feel we have, and are, experiencing a disaster of major proportions due to catastrophic wildfire. It has long been recognized that emergency fire suppression efforts are entitled to immediate access to funds, manpower, equipment and exemption from NEPA requirements. It is now requested that re-mediation, rehabilitation, and restoration following a fire, including removal of dead and dying trees, must be given the same authorities.

It is determined by the GAO and federal land management agencies there is a dangerous buildup of trees and ground fuels in the western forest ecosystems which places over 70 million acres at high wildfire risk. This has been exacerbated by periodic drought and extensive community development in forested areas. This results in eminent danger to the health and safety of our communities, citizenry, quality of life, customs, welfare and rural economic viability. The 2002 wildfires totally nearly 4 million acres across our Western States has created extensive natural resource and property losses. It has left millions of dead and dying trees which are a serious threat to all adjacent properties. Remediation of this burned area and the dead and dying trees must include removal of these materials to prevent insect and disease spread throughout adjacent state Tribal, community and federal land ownerships.

Three similar emergencies in the recent past have utilized an Executive Orders for emergency resource salvage.

1. 1998 After an extensive Mountain Pine Beetle infestation in a Texas wilderness area,

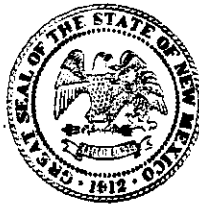
CEQ expedited timber harvest in the emergency..

2. 1998 In upstate New York, 17,000,000 acres were impacted by a regional ice storm. CEQ expedited harvest on both public and private lands and protected the activities from appeal.
3. 1999 In a 477,000 acre blow down on Minnesota's Arrowhead National Forest, CEQ expedited harvest and protected activities from appeal.

Pursuing these recommended actions will protect our forest and community environments from further degradation due to the after effects of the disaster, and allow the resource recovery to benefit the local and national economies. It is our contention that failure to salvage the burned trees in a timely manner will place a large number of acres adjacent to the fires at high risk to bark beetle infestations. Further, the local economy has been severely impacted by this catastrophe, making the salvage effort critical to an orderly economic recovery.

Therefore, it is requested that the council on Environmental Quality support an Executive Order dictating the salvage of as many burned or severely damaged trees as is possible in the next 24 months.

Finally, it is important to recognize that in addition to the nearly 4 million acres of western forests burned this year, there are approximately 70 million acres of forest lands still in imminent danger of loss. A major roadblock to restoring these areas of critical need is perpetuation of rules and processes that continually delay the implementation of forest restoration projects. Accordingly, it is imperative that these areas be identified, and that streamlined processes be developed immediately to allow for well designed, scientifically sound forest restoration.



State of New Mexico  
County of Otero

To: Pete Shumway, Dave Ubell, Mike Nivison  
From: CPR Working Group on Legal Strategies  
Date: August 5, 2002  
Subject: Proposed CEQ Correspondence

ARIZONA

This letter supports an immediate emergency determination pursuant to 40 CFR 1506.11. The 22 western states have, and are, experiencing a disaster of major proportions due to catastrophic wildfire. It has long been recognized that emergency fire suppression efforts are entitled to immediate access to funds, manpower, equipment and exemption from NEPA requirements. It is now requested that re-mediation, rehabilitation, and restoration following a fire, including removal of dead and dying trees, must be given those same authorities.

There is a dangerous buildup of small and large fuels in the ecosystem which has been exacerbated by periodic drought and extensive community development in forested areas. This has placed at high risk our forest environment and resources and the health and safety of our communities, citizenry, quality of life, customs, welfare and rural economic viability. The resultant wildfires across our western states has created widespread states of emergencies. The catastrophic Rodeo-Chediski fire in Arizona has left millions of dead and dying trees which are a serious threat to all adjacent properties. Remediation of this burned area and the dead and dying trees must include removal of these materials to prevent insect and disease spread throughout the adjacent state, Tribal, community and federal forests.

Three similar emergencies in the recent past have utilized an Executive Order for emergency resource salvage.

1. 1998 After an extensive Mountain Pine Beetle infestation in a Texas wilderness area, CEQ expedited timber harvest by protecting the activities from appeal.

2. 1998 In upstate New York, 17,000,000 acres were impacted by a regional ice storm. CEQ expedited harvest on both public and private lands and protected the activities from appeal.
3. 1999 In a 477,000 acre blow down on Minnesota's Arrowhead National Forest, CEQ expedited harvest and protected activities from appeal.

Pursuing these recommended actions will protect the environment from further degradation due to the after effects of the fire disasters and allow the resource recovery to benefit the local and national economies. It is our contention that failure to salvage the dead and dying trees in a timely manner will place a large number of acres adjacent to burned areas at high risk to bark beetle infestations. Further, the local economy has been severely impacted by this catastrophe, making the salvage effort critical to an orderly economic recovery.

Therefore, it is requested that the Council on Environmental Quality support an Executive Order dictating the salvage of as many burned or severely damaged trees as is possible in the next 24 months.

Finally, it is important to recognize that in addition to the approximately 4 million acres of western forests burned this year, there are nearly 70 million acres of forest lands still in imminent danger of loss. A major roadblock to restoring these areas of critical need is perpetuation of rules and processes that continually delay the implementation of forest restoration projects. Accordingly, it is imperative that these areas be identified, and that streamlined processes be developed immediately to allow for well designed, scientifically sound forest restoration.