

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., January 12, 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
Ray Backstrom	Assistant County Manager
Dan Bryant	County Attorney
LaDonna Perry	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. Bills Lists- #30, #31, #32
- c. Personnel- New Hire and replacement hires
- d. Resolutions & Agreements- Consider approving a Space Sharing Agreement between the City of Alamogordo, State of New Mexico and Otero County Sheriff's Department regarding leasing space in a building located at 1175 26th Street in Alamogordo, NM. This is to be used only for law enforcement

purposes. John Blansett, County Sheriff, stated this agreement is cost sharing between all the entities using this building. Commissioner Moore has a problem with the 72 hour escape clause. This isn't enough time if this was to ever happen. Commissioner Moore would like to work with the City to have this clause changed to at least 60 days. John Blansett stated that would be fine with him to have it changed. Commissioner Moore directed staff to have Ruth Hooser get with the Mayor to see if he will have issues changing the 72 hour escape clause to 90 days and have Dan Bryant review the Agreement. John Blansett stated that a 60 day clause would probably be better than 90 days.

2. Elected Officials/Department Heads:

- a. Consider approving board appointments (Clarissa McGinn-representative and Ray Backstrom-alternate) for two years on the Southeastern New Mexico Economic Development District.
- b. Appoint a new Chairperson for the Otero County Board of Commissioners and approve board appointments (Doug Moore-representative and Ruth Hooser-alternate) for the New Mexico Association of Counties Insurance Authority
- c. Consider approving (Jack M. Glahn) as a member at large to remain on the Otero County Planning and Zoning Committee
- d. Consider approving the Otero County mid-year budget review. Commissioner Moore would like to have a break down line by line of revenues and expenditures.

3. Citizen Communications:

- a. Kenneth Pearce-Requesting installation of a traffic light at Highway 82 and North Florida via the State Highway Transportation Department.

Mr. Pearce stated that he has contacted The Department of Transportation in Santa Fe and also the Department of Transportation in Roswell. He also circulated a petition and the response was tremendous.

La Luz is growing especially with the new subdivision going in. Commissioner McGinn stated that she will do some research to see when the last traffic study was done. She will get back with Mr. Pearce before the Tuesday night meeting. Bill Lee stated that the last traffic study was done in 2002. The Department of Transportation from Roswell is planning on doing another traffic survey this year.

b. Ronny Rardin- Discuss limbs to landfill, rate and solutions.

Mr. Rardin had a lengthy discussion with the Board about dumping the limbs from his business at the landfill. According to Mr. Rardin the landfill will not accept commercial dumping any longer. The City will charge him about \$85.00 a truck load. He would have to pass that cost on to his customers and he couldn't justify doing that. The Board discussed several solutions that they have been working on. Mr. Rardin stated that while the Board is looking for a solution where does he take his limbs? Commissioner Moore directed staff to prepare a list for Tuesday night of all the central locations that will take tree limbs from commercial operators along with the fee rates. In the meantime Mr. Rardin will contact the County landfill to inquire if they will accept commercial trucks. Mr. Rardin stated that he will work with the Board to help come up with any solutions that will work for everybody.

c. Bobby Jones/Bebo Lee- Discuss a proposed ordinance for the comprehensive land use plan regarding protection of fresh water aquifers county wide.

A draft ordinance was given to the Board to incorporate into the Land Use Plan. Bobby Jones discussed the enforcement provisions of this ordinance. Without the enforcement provisions this ordinance would just be a piece of paper. Dan Bryant stated that before we can adopt this ordinance we will have to publicize for a Public Hearing. Commissioner McGinn thanked Mr. Jones and Mr. Lee for coming and she stated that we will have a Public Hearing on the ordinance February 8th.

4. Public Hearings:

a. Consider a preliminary approval for Heart of the Desert, Inc. located at Eagle Ranch, 7288 Hwy 54/70 in Alamogordo, NM for liquor license transfers or issuance of new license.

Stan Sweeney and Mary Anne Schweers approached the Board. Commissioner McGinn stated that this procedure is pretty routine. Currently the Eagle Ranch operates under a wine license and they are applying for wholesalers of wine license. All the paperwork has gone to the State and has come back for approval through the local government. The Public Hearing will be at 6:30 on the January 18th meeting for public input and approval. Commissioner McGinn thanked Mr. Sweeney and Ms Schweers for attending the meeting today.

b. Consider adopting an ordinance on Low-Income Property Taxpayer Rebates.

Dan Bryant stated that according to the statute paragraph H and I, in every odd year we have to hold a Public Hearing and take public input on the issue should the County adopt a low income tax rebate ordinance. The statute is mandatory and we have to hold a Public Hearing. No county has ever adopted this ordinance and we have never had any one come to the Public Hearing on this issue.

5. Commission Discussions:

Commissioner McGinn stated that we have a five year contract with the Red Brick Restoration Foundation. The School Board did the Quit Claim Deed to the County. Dan Bryant stated that this document needs to go through the next Commission Meeting to be approved.

6. Executive Session:

Commissioner Moore made a motion to go into Executive Session to discuss pending and threatening litigation, personnel issues, land, roads, Detention Center and collective bargaining. 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 and stated that all that was discussed was pending and threatening litigation, personnel issues, land, roads, Detention Center and collective bargaining. 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 11:55 p.m.

APPROVED:

Clarissa McGinn, Chair person

ATTEST:

Robyn M. Silva, County Clerk

Work Session, January 12, 2005