

The Board of County Commissioners, in and for the County of Otero, State of New Mexico, met in a Regular Meeting at the Otero County Administration Building in Alamogordo, County and State aforesaid. Meeting called to order by the Chairman at 6:00 p.m., January 21, 2010; 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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| Doug Moore | Chairman |
| Clarissa McGinn | Vice-Chair Person |
| Ronny Rardin | Member |
| Ray Backstrom | County Manager |
| Dan Bryant | County Attorney |
| Pamela Heltner | Commission Liaison |
| Lynn Estrada | Deputy Clerk |

DRAFT

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

1. Scheduled Citizen Communications:

a. Gerald Champion Regional Medical Center-Request for FY 10/11 Sole Community Provider Medical Services funding in the amount of \$3,038,948.

Commissioner Rardin made a motion to approve the Sole Community Provider Medical Service funding in the amount of \$3,038,948. to Gerald Champion. The motion was seconded by

Commissioner McGinn. A vote was taken and the motion passed unanimously.

2. Unscheduled Citizen Communications:

a. Sylvester Mattox stated that he was here tonight on behalf of his wife who was living in Dungan Addition when we had a structure fire. The house burned to the ground. Mr. Mattox was unhappy with the time frame that it took the fire fighters to respond. Mr. Mattox stated that there was no publicity about the fire in the Alamogordo Daily News. To him, this was racism. When he went to places for help no one knew about the fire that had occurred.

Commissioner Moore asked Mr. Mattox for his contact information so Paul Quairoli, Emergency Services Coordinator, can get him the information about response time in Dungan.

3. Elected Officials, Department Heads, Committee Reports:

a. John Blansett-Mid year budget adjustments.

Mr. Blansett stated that during the Work Session he had asked for some mid-year budget disparities if at all possible. Ms. Brandon, Financial Director, was asked to put together some numbers for the Commission to study before making a decision. Commissioner Moore stated that he had just received those numbers today. He did receive the paperwork on the people that Mr. Blansett is promoting. Commissioner Moore has to look at the numbers and the mid-year review. In the past we've not considered mid-year adjustments, but Mr. Blansett has given the Commission a good description of the reason he'd like us to look at it this year for mid-year. He can't give consideration this evening because he hasn't looked at the revenues for mid-year, but we can get it on the agenda for the next meeting.

b. Donna Brandon- Mid-year budget review.

Commissioner Moore asked where we are at on our revenues and expenditures. Ms. Brandon stated that we are very good on revenues with one exception. The revenues for care of prisoners, is of

concern. The Bureau of Indian Affairs is no longer housing their inmates at our facility. We expect about a 200,000.00 budget shortfall due to that lack of revenue.

Commissioner Moore directed to Ray Backstrom find out if Virginia Blansett, Detention Supervisor, is available next month to look at the budget for Detention by itself. He would like to know how many beds are being used on a daily basis and the situation with the Bureau of Indian Affairs. Is it just a glitch or are they going somewhere else now, and if so what are we going to do about the shortfall.

Ms. Brandon stated that overall we are at 42 percent for expenditures. Revenues are at 47 ½ percent collected at mid-year. Commissioner Moore stated that we are being efficient and our revenues are real close.

Commissioner Moore would like to have the budget schedule posted on the internet for the candidates that are interested in attending any of the meetings and also the public.

4. Consent Agenda:

Commissioner McGinn made a motion to approve all items under consent #5 through #16 pulling #4 for discussion. The motion was seconded by Commissioner Rardin.

Commissioner Rardin stated that he would like to discuss #13, Resolution #01-21-10/98-32 in opposition to the New Energy Economy petition. This is a group that wants to put a 25 percent cap on carbon emissions in the state. At the mid winter conference the Executive Board, passed unanimously to support our resolution. The 33 counties will be using our resolution with a few changes to use in their counties.

A vote was taken and the motion passed unanimously. See pages

5. Jacqueline Jaramillo-Request approval of the Census 2010 Complete Count Committee

Nominees.

a. Ms. Jaramillo stated that she had an amendment to the original list. We are adding seven different individuals to the Complete Count Committee. The Complete Count Committee is not based on political or religious affiliation. They bring awareness to the community about the 2010 Census. The committee is there to answer questions, confront any concerns and getting the awareness out to the public for the Census. The community sometimes doesn't understand what the Census does, so the committee will bring information to the community on what the Census is all about.

Commissioner McGinn asked if all the people that volunteered were assigned to the committee. Ms. Jaramillo stated that yes, anybody who contacted her to be put on the committee were added. Commissioner Rardin made a motion to accept the list with the addition of Francine Heckert. The motion was seconded by Commissioner McGinn.

Commissioner Rardin amended his motion to add Patricia Troutman to the list. The amended motion was seconded by Commissioner McGinn. A vote was taken and the amended motion passed unanimously. See pages

b. Ms. Jaramillo discussed AIPP, (Art in Public Places).

Ms. Jaramillo stated that the Art in Public Places was signed by the Governor in 1989. It gives a portion of Legislation appropriation for purchase of art in public buildings. New Mexico allots one percent of the Legislation portion exceeding 100,000.00 for new construction or major renovations. We have participating sites in Otero County. One of the sites is this Administration Building. We have purchased art for the front foyer area. We also have the La Luz Fire Station that has purchased art and the Fairgrounds has purchased two pieces.

Commissioner Rardin stated that we had asked the Legislators at the Special Session to delete

this item back out. It takes \$1,000 out of every \$100,000 that could be used for infrastructure and puts it into art. In a time of crunch it needs to go away. Ms. Jaramillo stated that the offset to that is they are local New Mexico artists.

Commissioner Moore stated that for him it's custom and culture. He had the prior County Manager, Tim Smith, nominate some of our local artists. If we are forced to either take the money or give it to the North land, then we at a minimum be able to embrace local artists within our community. We submitted at least one name. Commissioner Moore directed Mr. Backstrom to check if we received any acknowledgment back.

Tim McGinn asked how much the County spent on art. Commissioner Moore stated that it was money that was inside a grant that we had to rehabilitate and upgrade this building. It was earmarked that it had to be spent on art, to be shown publicly. If we chose not to purchase the art, the money would have gone in to a pool of money statewide that could be accessed by other counties, municipalities and government agencies to purchase art for their public display. While the program is in place, whether you believe art is important or not, the money is important. Mr. McGinn asked how much we spent on the picture. Ms. Jaramillo stated that we spent \$2,000 on the painting.

6. Commission Discussion/Action Items:

a. Ronny Rardin-Otero County ordinance regarding Anthropogenic (Man-Made) Global Warming/Climate Change.

Commissioner Rardin stated that this was a big topic at the mid winter conference. He would like to pursue this as an ordinance, but believes we need to have a public hearing first.

Commissioner Moore stated that if Commissioner Rardin is interested in having this issue as an ordinance we can advertise for it and begin the process of public hearings. The language was fairly

concise and well stated in the draft. We can word smith it as we move through the process.

Commissioner McGinn stated that the next step would be in the February meeting to have permission to publish a public hearing for this topic.

b. Commissioner Rardin stated that the situation with the Legislation Session and things going on money wise, he would like to put a flag on all spending and hiring. We need to watch our budget with the Legislators taking away our grants and cutting here and there.

Commissioner Moore directed Ray Backstrom to check with personnel to see if we have any vacancies and if we do please have the Department Head or Elected Official present to us some information to see if that position is crucial between now and June 1st. Given the tight economic situations, if we can, through attrition not fill that spot for a few months until the economic outcome is a little more solid. Mr. Backstrom stated that the Sheriff's, the Clerk's, Emergency Services and Finance are the Department's that have a vacancy.

Commissioner Rardin would like to recognize Maude Rathgeber.

c. Commissioner Moore stated that he wishes all our Legislators the best of luck for this Session.

7. Executive Session:

Commissioner McGinn made a motion to go into Executive Session to discuss items under B. Pending/Threatening Litigation, (a.) Public Safety Answering Point and (b.) Presbyterian, C. Personnel Issues and G. Contracts, (a.) #17 County Manager Contract. The motion was seconded by Commissioner Rardin. Roll call was taken as follows:

Commissioner McGinn	yes
Commissioner Rardin	yes

There being no further business before the Board, the Chairman adjourned the meeting at 7:55

p.m.

APPROVED:

A handwritten signature in black ink, appearing to read "Doug Moore", written over a horizontal line.

Doug Moore, Chairman

ATTEST:

Robyn Holmes, County Clerk

Regular Meeting
January 21, 2010