

Regular Meeting

January 23, 2007

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 Courthouse in Alamogordo, County and State aforesaid. Meeting called to order by the Chairman at 6:00 p.m., January 23, 2007; 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:

Doug Moore	Chairman
Clarissa McGinn	Vice-Chair person
Michael Nivison	Member
LaDonna Perry	Department Secretary
Ray Backstrom	Assistant County Manager
Christina Nuno	Deputy Clerk

DRAFT

Stephanie Dubois, from the audience gave the invocation. Commissioner Moore led the Pledge of Allegiance and the Salute to the Flag of the State of New Mexico.

1 .Consent Agenda:

Commissioner Moore stated there are eleven (11) items to be considered on the consent agenda and any may be withdrawn by the Commission or if anyone in the audience would like for any to be withdrawn the Commission would do so for further discussion.

Commissioner McGinn made a motion to remove item number eleven (11) from the consent agenda, it is not a voting item. The motion was seconded by Commissioner Nivison. A vote was taken and the motion passed unanimously.

Commissioner McGinn made a motion to approve the consent agenda A-1 through nine (9) excluding D-4 and removing item number ten (10). The motion was seconded by Commissioner Nivison for discussion. A vote was taken and the motion passed unanimously.

Commissioner Moore discussed D-4 under Personnel to consider approving a transfer of Pamela Heltner from Position of Payroll Technician to the newly created position of Commission Liaison with a salary increase of \$28,000.00 effective on January 28, 2007. Commissioner Nivison made a motion to approve item D-4. The motion was seconded by Commissioner Moore. Commissioner McGinn stated this item should be considered during budget time when they can consider all the priorities presented by each department in regards to new positions. A vote was taken and the motion passed 2-1 with Commissioner McGinn voting against.

2. Elected Officials Department Heads, Committee Reports:

Item number ten (10) requesting an amendment to the Detention property warranty deed between Michael Shyne and Otero County regarding the chain link fence that will be used in the Detention yard. Commissioner Moore's understanding is that they have not been able to have communication with Mr. Shyne to consummate the deal and this item should be tabled. According to Ray Backstrom, that is correct Mr. Shyne apparently has issues with the wording in the amendment.

Commissioner Nivison made a motion to table this item until it has been resolved and then it can be put back on the agenda. The motion was seconded by Commissioner McGinn. A vote was taken and the motion passed unanimously.

3. Commission Discussion:

Commissioner McGinn stated that the road department and perhaps Commissioners have received calls on some of the roads with pot holes that are in need of repairs due to some of the weather that occurred

in the summer and fall. The road shop recently received the materials to start the work and should begin this week.

4. Unscheduled Citizen Communications:

Donald Homan, a Chaparral resident stated that one of the problems Chaparral has is solid waste. Mr. Homan stated that one of the regulations of a municipality is that a population of 3,000 shall provide once a week collection. Some of the waste is being collected by three different private companies from Chaparral and El Paso. The problem is that some residents are not having any collection services. Mr. Homan stated they are trying to ratify the situation by finding out the rules and regulations with the state or county in order to remedy this. He stated they would appreciate any cooperation they would get from the County Commission. The Commission thanked Mr. Homan and stated that staff is working on to find out the Incorporated status.

Janet White, a resident, approached the Board to ask some questions. She had a question for Commissioner Moore, Ms. White asked if he or an extended family member or business associate or other people that he knows intimately have any financial or managerial connections to Darnold Plumbing. Commissioner Moore stated that he owns a portion of it. Her next question was did Lane Plumbing or the County Commission sub-contract utilities or plumbing upgrade work to the old Wal-Mart property to Darnold Plumbing or to an employee or employees in anticipation of the County renting, leasing or buying the property and were public funds used. Commissioner Moore and McGinn stated no and search of properties has not ceased. Commissioner Moore stated that the county has not spent any monies, but are in the negotiations looking at different parcels of properties. Commissioner McGinn stated to Ms. White if the question is the county pursuing looking at places to expand the growing needs of the courts of the 12th Judicial District and District Attorney that is true and that's all that's been done, just looking at options.

Ray Backstrom stated that he would like to follow up on Mr. Homan's issue in Chaparral regarding Solid Waste. He stated the new collection station being built in Chaparral will be ready in March for the residents and hopefully that will address at least partially some of the issues of trash and refuse spilling out. Commissioner Moore stated the residents of Chaparral as well as any Otero County resident can haul and dispose of their own solid waste at the regional landfill or hire a private contractor to come to a property or a resident and make arrangements for pick up. Commissioner Moore stated whether or not there is a state statute involved for the county to provide service is a new question for the Commission and they will have to look into it.

Stephanie Dubois approached the Board to thank the Commission for approving the resolution on Health Security Legislation.

5. Executive Session:

Commissioner McGinn made a motion to go into Executive Session to discuss an item under contracts which is a protest regarding the Flickinger Center's bid. The motion was seconded by Commissioner Nivison. Roll call was taken as follows:

Commissioner McGinn	yes
Commissioner Nivison	yes
Commissioner Moore	yes

Commissioner McGinn made a motion to come out of Executive Session having discussed contracts regarding the Flickinger's Center bid. No decisions were made. The motion was seconded by Commissioner Nivison. Roll call was taken as follows:

Commissioner McGinn	yes
Commissioner Nivison	yes

Commissioner Moore

yes

There being no further business before the Board the Chairman adjourned the meeting at 6:30 p.m.

APPROVED:

Doug Moore, Chairman

ATTEST:

Robyn Silva, County Clerk

Regular Meeting January 23, 2007