

Regular Meeting

March 1, 2005

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 Chair person at 6:00 p.m., March 1, 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
Michael Nivison	Absent
Ruth Hooser	County Manager
Ray Backstrom	Assistant County Manager
Dan Bryant	County Attorney
LaDonna Perry	Department Assistant
Bill Lee Parker	Road Superintendent
Lynn Estrada	Deputy Clerk

DRAFT

Michael Shinaberry gave the invocation. Commissioner McGinn led the Pledge of Allegiance and the Salute to the Flag of the State of New Mexico.

Presentation: Consider approving a Proclamation for National FFA Week in Otero County for the Alamogordo FFA Chapter, starting February 19th through February 26th 2005.

Commissioner Moore read the Proclamation into the records. Commissioner Moore made a motion to approve the Proclamation for National FFA Week in Otero County for the Alamogordo Chapter. The

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

See pages

1. Consent Agenda:

- a. Approval of Minutes
- b. Bills Lists
- c. Personnel
- d. Purchasing

Commissioner Moore made a motion to approve items A,B,C, and D under the Consent Agenda. The motion was seconded by Commissioner McGinn for discussion. Commissioner McGinn stated that under Personnel, Promotion of Michael S. Mullikin, Computer Network Specialist, Data Processing. At the Work Session Commissioner McGinn had requested some information on the job description and the hours Mr. Mullikin would be assigned to at each of the 3 departments that he would be working at. Ray Backstrom stated that he was unable to come up with a schedule. He is another Data Processing employee who will be servicing the departments like the rest of the employees do. When this individual isn't working out at the Sheriff's Office or Detention he will be performing duties here at the Courthouse. Commissioner McGinn asked if his priorities will be with the Sheriff's Office and Detention? Ray stated that this is correct. He will also be on call 24/7 as are all the Data Processing employees. A vote was taken and the motion passed unanimously. See pages

2.. Resolutions & Agreements:

a. Consider approving Resolution No. 03-01-05/93-34 regarding a budget increase for Sunspot Volunteer Fire Department. (amount \$195,000.00- FEMA Grant).

Commissioner Moore made a motion to approve Resolution No. 03-04-05/93-34. The motion was

seconded by Commissioner McGinn. A vote was taken and the motion passed unanimously. See pages

b. Consider approving Resolution No. 03-01-05/93-36 regarding authorizing and approving submission of a completed application for financial assistance and project approval to the New Mexico Finance Authority for a new 2005, 3500 gallon tanker apparatus for La Luz VFD.

Commissioner Moore made a motion to approve Resolution No.03-01-05/93-36. The motion was seconded by Commissioner McGinn. A vote was taken and the motion passed unanimously. See pages

c. Consider approving Resolution No.03-01-05/93-37 regarding a budget increase for the Treasurers Office to purchase a Network Receipt Printer in the amount of \$1,499.00 plus \$500.00 for cables.

Commissioner Moore made a motion to approve Resolution No.03-01-05/93-97 for discussion. The motion was seconded by Commissioner McGinn. Commissioner Moore stated that this is the printer that hasn't broken down yet. Cathy Prather, Chief Deputy Treasurer, stated that our purpose is to buy it before the other printer breaks down, because if we wait we can't give receipts to our customers. We would like to have this in place before our next busy season starts in April. We have a plan for the old printer. It will be set out front for the abstractors to use. The underwriting for title policies are requiring proof from the abstractors that taxes have been paid. The abstractors have been printing a lot of receipts themselves and this is also causing some problems for our girls. The abstractor has to walk behind the counter and the girls have their cash drawers unlocked and also they are having a backlog of receipts. We would like to have the printer in place and not have to wait until our old printer is totally dead. A vote was taken and the motion passed unanimously. See pages

d. Consider approving a Professional Service Agreement between Otero County and NM State University Range Improvement Task Force.

Commissioner Moore made a motion to approve the Professional Service Agreement. The motion was

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

See pages

e. Consider approving Exhibit A regarding an agreement between Otero County and the City of Alamogordo for ambulance service dispatch center and dispatch services showing the allocation of expenses among participating government for the new year.

Commissioner Moore made a motion to approve Exhibit A regarding an agreement between Otero County and the City of Alamogordo. The motion was seconded by Commissioner McGinn. A vote was taken and the motion passed unanimously. See pages

f. Consider approving Amendment Number One to the operation, management and maintenance agreement between Otero County and Management & Training Corporation.

Commissioner Moore made a motion to approve Amendment Number One. The motion was seconded by Commissioner McGinn for discussion. Dan Bryant stated that this is the amendment that we have been negotiating and discussing with the Board of County Commissioners. It increases the County fee from .50 cents per inmate per day to 1.50 per inmate per day for all inmates in the facility. It's effective October 10, 2004, so there will be a payment going back to that date that will be for a 1.00 a day for every inmate in the facility because we have already received the first .50 cents. Paragraph 2 of the Amendment contains an acceleration and deceleration clause that provides if MTC's per diem rate goes up the County's fees increase proportionally. This particular provision will stay in place for the remaining 3 years and about 9 months that are left on the first 5 year contract. At that time we will be able to renegotiate.

John Blansett stated that he heard Dan state that this contract has been in effect for over a year and he has finally received a copy of the contract from the Warden. He had asked several times for a copy and never received one. The Sheriff's Office has a large stake in this contract with helping them out with situations

that happen out there. John wasn't aware of having to respond to riot situations, trainings, and felony situations. He felt that it was odd that we had to wait 1 year and 3 months for a contract and then getting the contract from the Warden himself. Commissioner Moore stated that this contract was not finalized until just recently. John stated that we were never consulted on this contract and a lot of items that are being asked of the Sheriff's Office, we can't perform. Commissioner Moore stated that we need to have a contract review with Detention, the Sheriff, Warden Frawner, the Commission and the County Attorney to talk about the operational aspects rather contractual obligations that we may need to have a Plan B. A vote was taken and the motion passed unanimously. See pages

3. Elected Official/Department Heads:

a. Consider approving one appointment for the Otero County Planning Commission; Andrew Jr. Gomolak as the City of Alamogordo representative.

Commissioner Moore made a motion to approve the appointment for the Otero County Planning Commission, Andrew Jr. Gomolak. The motion was seconded by Commissioner McGinn. A vote was taken and the motion passed unanimously. See pages

b. Consider approving New Mexico Department of Transportation Projects for the coming year 2006/2006 including the School Bus Route, Cooperative and County Arterial Projects.

Commissioner Moore made a motion to approve the Department of Transportation Projects. The motion was seconded by Commissioner McGinn. A vote was taken and the motion passed unanimously. See pages

4. Executive Session:

Commissioner Moore made a motion to go into Executive Session to discuss pending and threatening litigation and personnel issues. 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 having discussed pending and threatening litigation and personnel issues and no decisions were made. 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 8:25 p.m.

APPROVED:

Clarissa McGinn, Chair person

ATTEST:

Robyn Silva, County Clerk

Regular Meeting, March 1, 2005