

Emergency Meeting

March 29, 2007

The Board of County Commissioners, in and for the County of Otero, State of New Mexico, met in an Emergency Meeting at the Otero County Courthouse in Alamogordo, County and State aforesaid. Meeting called to order by the Chairman at 1:00 p.m. March 29, 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:

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| Doug Moore | Chairman |
| Clarissa McGinn | Vice-Chairperson |
| Michael Nivison | Member |
| Dr. Martin Moore | County Manager |
| Ray Backstrom | Assistant County Manager |
| Pamela Heltner | Commission Liaison |
| Lynn Estrada | Deputy Clerk |

DRAFT

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

New Business:

1. Request approval of Resolution #03-29-07/95-57 declaring a state of emergency and disaster in and around the communities and watersheds in the Sacramento Mountains of Otero County.

Commissioner McGinn made a motion to approve Resolution #03-29-07/95-57 declaring a state of emergency and disaster in and around the communities and watersheds in the Sacramento Mountains of

Otero County. The motion was seconded by Commissioner Nivison.

Commissioner Moore read the Resolution into the records.

Janet White came before the Board to state that on page 2 the 6th paragraph it states that the County commissioners hereby formally request immediate action from the State and Federal officials. I think that immediate is subject to interpretation. I'm sure a lot of the folks would like immediate to mean now, or in the very near future. Maybe that language could be tightened up just a little bit. I'm sure that the Forest Service will have a different interpretation of immediate.

Commissioner Nivison stated that some of the people that we were to notify will be the Governor and Mr. Quairoli has notified the Emergency Services. I called the Deputy Secretary of agriculture yesterday and told him what our problem was and he said he would call by the end of the week. In this bureaucratic world, the caution that was given was, we have to do this and we have to do that. I hope to have an answer from the Deputy Secretary as to what immediate action they can take. Do you have any proposed language?

Ms. White stated that she didn't, but would like to see a time limit inserted into the resolution. Ms. White supports the Boards efforts.

The second issue, Ms. White doesn't see any where in the resolution that Otero County could go against the Forest Service in terms of money sanctions, if they don't perform as they have been requested to do. This might be tied into the time limit somehow. Since Otero County is suffering in many ways and one of them is monetary it seems to me that we should have recourse against the source of the problem. Commissioner Moore stated that some of the mechanisms are in New Mexico Senate Bill 1, 4-36-11 NMSA. There is some discussion where, if a federal agency is remiss in their duties there is a state mechanism by which state entities can take action.

Ron Hannan, Lincoln National Forest, thanked the Board for a chance to speak. On page 2 the fifth

whereas, some folks in the public might be a little misled. We did provide briefing paper on the 27th of March to the Commission. Mr. Hannan is hoping that this situation isn't a complete surprise to the Commission. He just wanted to clarify that there has been some discussion. Commissioner Moore stated that there had been some discussion with Frank Martinez, District Ranger, about the defoliating of the trees over the last 2 years. Mr. Martinez assured Commissioner Moore repeatedly that there was an insect in there that kept eating the buds as the tree tried to put on new growth in the Spring, but it would not kill the tree. Now based on the information that I saw yesterday there is a multitude of infections, it's just not one bug. The language I saw yesterday is there is an anticipation of loss of tens of thousands of acres of mortality in that forest. Mr. Hannan stated that the last bug we found we don't even have a name for it. Commissioner Moore stated that our disturbance is that we have been given assurances by the Forest Service that they are on top of this, but based on the release that we received that's not the message I get from this release. It is not isolated and we might lose thousands of trees.

Commissioner Nivison stated that Mr. Hannan has always worked with the County and has been very forthcoming. It seems to be a disconnect at a higher level. Commissioner Nivison suggested that Mr. Hannan, notify the Tribe and the State Forestry. Commissioner Moore stated that this wouldn't be Mr. Hannan but his boss.

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

2. Request pursuant to Otero County Ordinance No. 93-04, to prepare an informal letter and initial assessment report on the areas in Otero County impacted by the declared state of emergency disaster that has been caused by insect and disease infestations in the Sacramento Mountains.

Commission McGinn made a motion to request pursuant to our Ordinance No. 93-04 to prepare an informal letter and assessment report. The motion was seconded by Commissioner Nivison.

Dr. Martin Moore stated that for clarification that this particular Ordinance established for Otero County, it's process is in relationship to joint planning and working together with federal agencies. In addition, it established a mechanism by which the County utilizes it's scientific experts with the university to be able to provide to the agencies our assessments and reports. It also triggers within federal laws and regulations those mechanisms for joint planning. What you are doing is triggering for us to lay out our information and join it up with what the Forest Service is doing.

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

There being no further business before the Board, the Chairman adjourned the meeting at 1:30 p.m.

APPROVED:

Doug Moore, Chairman

ATTEST:

Robyn Silva, County Clerk

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