

Regular Meeting

April 25, 2006

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., April 25, 2006; 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
Dr. Martin Moore	County Manager
Dan Bryant	County Attorney
Sue Ellen Cox	Executive Secretary
Bill Lee Parker	Road Superintendent
Lynn Estrada	Deputy Clerk

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

Commissioner Moore opened the meeting for the County Health Services and recessed the meeting until the conclusion of the County Commission Meeting.

1 .Consent Agenda:

Commissioner Nivison made a motion to approve items A. Minutes, B. Bills List #41, #42, #43 #44 C. Health Care Services, other Providers D. Personnel, and E. Purchasing and F. Resolutions,

Contracts & Agreements. The motion was seconded by Commissioner Nivison. Commissioner Moore would like to remove item 13, Resolution No. 04-25-06/94-75 regarding Otero County's position on the National Animal Identification System from the Consent Agenda for discussion.

Commissioner Nivison amended his motion to remove Resolution No. 04-25-06/94-75 from the consent agenda and approve items 1 thru 12 and 14. The amended motion was seconded by Commissioner McGinn. A vote was taken and the motion passed unanimously. See pages

Commissioner McGinn made a motion to approve Resolution No. 04-25-06/94-75, regarding Otero County's position on the National Animal Identification System. The motion was seconded by Commissioner Nivison.

Commissioner Moore stated that we as Commissioners understand the need to protect our food sources and adequate animal identification in the livestock industry. We feel that the proposed National Plan currently on the table is inadequate to provide the information that would be required to protect our food sources. We also believe that our Brand Laws are adequate to identify our livestock. We have created a Resolution for all to review and comment. A vote was taken and the motion passed unanimously. See pages

2. Elected Officials, Department Heads, Committee Reports:

a. Request approval of Resolution No. 04-25-06/94-76 regarding a budget increase for Natural Resource Recovery Task Force Seminar.

Commissioner Nivison made a motion to approve Resolution No. 04-25-06/94-76. The motion was seconded by Commissioner McGinn for discussion. Commissioner Nivison stated that the Natural Resource Recovery Task Force was pushed through the Legislature by Russell Grider. He had gotten thirty counties to pass a resolution on the emergency for agriculture in New Mexico. It had to do with

the quality of food that we eat and the disparity of devaluation of pesos that hasn't been addressed by the Federal Government. The task force mission was to put together a recommendation for the Legislature so they could address the deficiency that the federal agencies were not following the present laws that are on the books. Also required by the Legislation was to have a seminar which will be held at the end of this week. We will have people coming in from other nations and some from other countries to discuss the way the federal agencies have not been enforcing the law. A vote was taken and the motion passed unanimously. See pages

b. Request approval to extend Fire Ban Resolution No. 01-10-06/94-46 with amendments.

Commissioner Nivison made a motion to approve to extend the Fire Band Resolution No. 01-10-06/94-46. The motion was seconded by Commissioner McGinn. A vote was taken and the motion passed unanimously. See pages

c. Request approval of a service agreement between Otero County and Commercial Metal Company for Otero County to sell metal with an assurance that it is not mixed with any hazardous material or refrigerants.

Commissioner Nivison made a motion to approve the agreement between Otero County and Commercial Metal Company. The motion was seconded by Commissioner McGinn. A vote was taken and the motion passed unanimously. See pages

d. Request signatures for Cielo Vista Ranch Subdivision Final Plat. The preliminary plat was approved by the County Commission on April 4, 2006 meeting.

Commissioner Nivison made a motion to approve signatures for Cielo Vista Ranch Subdivision Final Plat. The motion was seconded by Commissioner McGinn. Dale Palkki stated that all is in order for the final approval of this plat. A vote was taken and the motion passed 2-0 with Commissioner Moore

abstaining. See pages

e. Request final approval and signatures of Galaway-Otero Subdivision, Phase 4 final plat.

Commissioner Nivison made a motion to approve the final plat of Galaway-Otero Subdivision Phase 4.

The motion was seconded by Commissioner McGinn.

Commissioner Moore stated that Bill Parker, Road Superintendent has verified that the turn lanes and acceleration lanes have been put in place as required by the State Highway Department. A vote was taken and the motion passed unanimously. See pages

f. Request approval of four new DWI Planning Council Member, Denise Syling, Sharon Hodges, Sylvia King and Santiago Rodriguez.

Commissioner Nivison made a motion to approve the four new DWI Planning Council Members. The motion was seconded by Commissioner McGinn. A vote was taken and the motion passed unanimously. See page

Commissioner Nivison introduced James Christianson from the BLM and Dr. Fowler from the University of New Mexico.

3. Citizen Communications:

a. John Colquitt approached the Board to ask them where we are with the Transfer Station and the Health Clinic. Martin Moore, County Manager, stated that with the Transfer Station we have the funds available and we are in the stage of getting the design work done. We would like to meet with Mr. Colquitt to go over the designs and then build it.

Gloria Sainz, Health Care Services Coordinator, met with the people in Chaparral that are coordinating the Mobile Clinic. We are expecting to have the Mobile Clinic up and running sometime in May. The permanent Clinic is still in discussion with two potential Medical Care Providers. Our main issue is

that when the building is built, will we have someone there to run it. Mr. Colquitt thanked Mr. Moore for his report.

b. Charles Walker stated that he can see a potential problem starting with the Forest Service. He read in the paper, coming out of the Regional Office, that they are planning on restricting the off road vehicle use all over Region III in the forest. There is an agreement in place with the forest service that allows the allotment owners to use roads that aren't marked to do their ranching business. Mr. Walker would like the Commission to suggest to the new acting supervisor, that we go ahead on the Lincoln and ask the Regional Office to allow each National Forest Service to come up with their own off road travel plan. Commissioner Moore instructed Dr. Moore to get a copy of the agreement from the Forest Service so he can take it to the next Grazing Advisory Meeting. Commissioner Nivison stated that he believes this issue is coming from the Governor's Office. We need to let the Governor know that we already have a plan in place.

4. Commission Discussion/Correspondence:

a. Commissioner Moore had a moment of silence for the loss of one of our Emergency Responders in Chaparral and 2 Otero County Electric Coop. Linemen.

b. Commissioner McGinn would like to remind everyone that Holloman would be holding a Public Scoping Meeting about rerouting traffic from the West Gate to possibly the La Luz Gate. The meeting will be at 7:00 p.m. at the Civic Center

5. Public Hearing:

The time being 6:30 p.m. the Chairman opened the Public Hearing for the approval of the Preliminary Plat of Tierra De Oro Subdivision. This subdivision is located in the Chaparral area.

Commissioner Nivison made a motion to approve the Preliminary Plat of Tierra De Oro Subdivision.

The motion was seconded by Commissioner McGinn for discussion. Dale Palkki, stated that this subdivision has gone through the entire review process by the reviewing agency's and they have all signed off on it, including the State Engineer's Office. They will be on a community water system. It has also been reviewed by the Planning Commission at their April 11th Meeting. There were a few conditions that needed to be fixed. They met again on the 18th of April and all conditions had been met. The Sub-divider, John Colquitt and Engineer, Marvin Magee, were present to answer any questions. A vote was taken and the motion passed unanimously. See pages

The Chairman adjourned the Public Hearing and returned to Regular Session.

6. The Chairman recessed the Regular Meeting and opened the County Health Care Service Board Meeting Agenda.

a. Request approval and denial of Indigent claims for the month of April 2006 as presented.

Commissioner Nivison made a motion to approve the claims as presented. The motion was seconded by Commissioner McGinn.

Commission Nivison amended his motion to approve the denials and to approve the approvals of the claims submitted. The amended motion was seconded by Commissioner McGinn. A vote was taken and the motion passed unanimously. See pages

The Chairman closed the County Health Care Service Meeting and returned to Regular Session.

7. Executive Session:

Commissioner Nivison made a motion to go into Executive Session to discuss Collective Bargaining, pending threatening litigation, Personnel issues including Personnel Policy, organizational restructuring, Departments, limited personnel matters for the purpose of discussing the investigation of a complaint against an individual employee, land the purpose of discussing the purchase, acquisition, or

disposal of real property, roads, Detention Center, Contracts. The motion was seconded by Commissioner McGinn. 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 personnel issues related to the Personnel Policy, organizational restructuring, review of Departments, limited personnel matters for the purpose of discussing the investigation of a complaint against an individual employee, and under land, discussed the purchase, acquisition, or disposal of real property having made no decisions. 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 8:30 p.m.

APPROVED:

Doug Moore, Chairman

ATTEST:

Robyn Silva, Otero County Clerk

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