

Special Meeting

April 28, 2008

The Board of County Commissioners, in and for the County of Otero, State of New Mexico, met in a Special Meeting at the Otero County Courthouse in Alamogordo, County and State aforesaid. Meeting called to order by the Chairman at 9:00 a.m., April 28, 2008; 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 |
| Ray Backstrom | Assistant County Manager |
| Dan Bryant | County Attorney |
| Pamela Heltner | Commission Liaison |
| Lynn Estrada | Deputy Clerk |

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

1. Consent Agenda:

Commissioner McGinn made a motion to remove item 1 from the consent agenda.

Commissioner Nivison requested that we take the items one at time. Commissioner McGinn withdrew her motion.

a. Request approval of the employment agreement between Otero County and Timothy C. Smith for the position of Otero County Manager.

Commissioner Nivison made a motion to approve the employment agreement between Otero County and Timothy C. Smith for the position of Otero County Manager. The motion was seconded by Commissioner Moore. A vote was taken and the motion passed 2-1 with Commissioner McGinn voting against. See pages

b. Request approval to appoint Maurice Gutierrez as the third member of the Otero County Labor Relations Board.

Commissioner Nivison made a motion to appoint Maurice Gutierrez as the third member of the Otero County Labor Relations Board for discussion. The motion was seconded by Commissioner McGinn.

Commissioner Nivison stated that there is a little controversy around this item and how this selection was made. Commissioner Moore stated that the three member Board for Labor Relations is achieved by the County Commission appointing one member, the Union appointing the second member and those two individuals jointly selecting a third member. Commissioner Moore stated that we did not select Mr. Gutierrez, it was done according to the by-laws of the Labor Contract that we have. Mr. Backstrom stated that this is correct. Mr. Bill Mershon and the Labor group chose Mr. Wally Anderson and they in turn chose Mr. Gutierrez. We are formalizing this appointment according to state law. A vote was taken and the motion passed unanimously. See pages

c. Request approval to ratify an Inter Governmental Service Agreement between Otero County and the Immigration and Customs Enforcement service for Detention and Transportation Services at the Otero County Processing Center.

Commissioner McGinn made a motion to approve and ratify an Inter Governmental Service Agreement between Otero County and the Immigration and Customs Enforcement service, also known

as ICE. The motion was seconded by Commissioner Nivison. A vote was taken and the motion passed unanimously. See pages

Commissioner Moore introduced Mr. Timothy Smith, the new County Manager, to the elected officials and employees that were present.

There being no further business before the Board, the Chairman adjourned the meeting at 9:21 a.m.

APPROVED:

Doug Moore, Chairman

ATTEST:

Robyn Holmes, County Clerk

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