

Work Session

May 21, 2003

The Board of County Commissioners, in and for the County of Otero, State of New Mexico, met in a Work Session at the Otero County Courthouse in Alamogordo, County and State aforesaid. Meeting called to order by the Chairman at 9:05 AM, May 21, 2003; and he announced that reasonable notice for this meeting was given to the Alamogordo Daily News and to Radio Stations KPSA, KINN, and KYEE.

Those being present:

Michael Nivison	Chairman
Clarissa McGinn	Vice-Chairperson
Doug Moore	Member
Ruth Hooser	County Manager
Ray Backstrom	Assistant County Manager
Dan Bryant	County Attorney
Bill Parker	County Road Superintendent
LaDonna Adams	Department Assistant
Kim Chavez	Deputy Clerk

The Chairman called the meeting to order and gave the invocation. Commissioner Moore led the Pledge of Allegiance and Commissioner McGinn led those assembled in the Salute to the flag of the State of New Mexico.

1. Dan Abercrombie from the Otero County Soil and Water Conservation District approached the Board to discuss the clean up of the Penasco Fire and what his part has been in the Walker Fire. Mr. Abercrombie stated that for the Penasco Fire he

had an agreement with the County for debris removal and to help protect the land from flooding. Commissioner Moore stated he appreciates all the hard work from Mr. Abercrombie and all the other people who have pitched in to help. Commissioner Nivison stated that the Walker Fire was not as big a disaster as the Penasco Fire was. Commissioner Nivison also stated that the forest Service is to go do some reseeding at their expense.

2. LeeAnn Loney approached the Board to consider approval of the Community Health Council Annual Membership. Ms. Loney gave the Commission some information on the success stories and rules and responsibilities of the Council.

3. Cathe Prather, Otero County Treasurer approached the Board to discuss the penalties on delinquent taxes and the administration fee. Mrs. Prather stated that if property taxes become delinquent, a penalty of one percent of the delinquent taxes for each month or any portion of a month they remain unpaid shall be imposed, but the total penalty shall not exceed five percent of the delinquent taxes except that, when the penalty determined under the foregoing provisions of this subsection is less than five dollars (\$5.00) the penalty to be imposed shall be five dollars (\$5.00). A county may suspend for a particular tax year application of the minimum penalty requirements of this subsection by resolution of its county commissioners adopted not later than September 1 of that tax year. A copy of any such resolution shall be forwarded to the county Treasurer. Mrs. Prather stated that as of May 8, 2003 there were 6,623 current bills for 2002 with a total of \$28,292.01 in penalty attached. Understanding that some penalties were probably more than \$5.00, we would have had at least \$33,115.00 in penalties attached to those bills. Additionally on that day, we receipted payments of 4,054 current

bills in the amount of \$12,391.67 which would have yielded at least \$ 20,270.00. Commissioner Moore stated that the county's interest and penalties are next to nothing. Commissioner Moore would like to make the interest and penalty higher so that people would want to pay their taxes on time. Mrs. Prather informed the Commission that they need to make a decision before September of this year if they want to change anything.

4. John Blansett, Otero County Sheriff discussed a Memorandum of Understanding regarding Mutual Aid between Dona Ana County Sheriff's Department and the Otero County Sheriff's Department. Sheriff Blansett stated that this would help both counties with back up. Sheriff Blansett also stated that this is required by State Statute 4-41-12. Commissioner Moore asked if the Animal Control Officer is under this same statute. Sheriff Blansett stated that he is not. David Henley, Chief Deputy Sheriff, also discussed the dispatcher problems in the Sheriff's office. Mr. Henley stated that every time a dispatcher is trained, they leave the Sheriff's department for full time dispatchers position somewhere else. Mr. Henley asked the Commission if the Sheriff's office could replace the six part-time dispatcher positions with three part-time positions and one full-time position. The cost would be about the same. Commissioner Moore feels that this is an internal discussion and should be up to the Sheriff's Department.

5. Bill Giddeon, on behalf of the Timberon Water and Sanitation District approached the Board to discuss the Timberon Airport. Commissioner Moore informed the public that the County is looking into taking over the Airport from the Timberon Water and Sanitation District so that the airport will be eligible for grant money from the FAA. This will cost the County \$5000.00 for insurance. Commissioner Moore stated that the Timberon Development Council would be the new managing officials. The

County does not intend to upgrade the airfield. Commissioner Nivison stated that there may be some grant money from the Forest Service also.

6. Dan Bryant, County Attorney reminded the Commission about the selling of fireworks in the County. Commissioner Nivison stated that the Lincoln National Forest has already gone to phase I, which are no open flames, no charcoal grills and no fire works in the forest. Commissioner Moore asked LaDonna to have this item under old business as a reminder for the next five meetings.

7. Consider Approval of Resolution No. 05-27-03/91-36 regarding a Standardized Fire Department Numbering System for "ALL" Fire Departments in Otero County. Terry Muller approached the Board and stated that the Fire Departments already have numbers and they do not want them changed because it would be very costly for them.

8. John Blansett, Otero County Sheriff, asked the Commission about replacing an employee and filling the position before the employee leaves so that the new employee can be trained. Sheriff Blansett stated that Mr. Harper is leaving and he knows of a couple of people at the college who may be interested in the position. Autumn Hacker, Personnel Technician stated that it is against the law to do pre-selected hiring, the position must be advertised and she must first get a letter of resignation before advertising the position. Commissioner Moore stated that he does not see why an employee cannot be hired and trained by the employee leaving but this issue should be handled through the County Manager.

9. Dianna Duran, Otero County Chief Deputy Clerk, approached the board to discuss Resolution No. 5-27-03/91-34. Mrs. Duran stated that this resolution is to

purchase voting machines as required under the HAVA act. This resolution needs to be approved before June 1, 2003 so that the Secretary of State can turn it in to the Board of Finance. Mrs. Duran stated that this will be to purchase 25 new Edge Voting Machines. If the County purchases these machines now they will cost \$3200.00 per machine if they wait to purchase them it will cost over \$5000.00 per machine.

10. Jerry Rardin, Convenience Center Manager approached the board and asked if the Convenience Center could put up signs stating that if contractors are caught dumping waste they will be fined. Mr. Rardin is hoping that by putting up signs it will discourage contractors to dump at the Convenience Center. Mr. Rardin stated that when trash is being dumped they are asked if they are contractors and the people say it is personal trash. Mr. Rardin stated that they cannot come out and tell them that they are lying but maybe if they see the signs they will be discouraged to dump at the convenience center. Dan Bryant, County Attorney stated that there is probably an ordinance out there for this. Commissioner Moore stated that maybe each person dumping should have to fill out a form and give an address of where the construction is taking place then the County can see if a building permit was issued for that address. Commissioner McGinn asked how hard it would be to have everyone sign in and about how many people travel through the convenience center a day? Mr. Rardin stated that about 100 - 150 people dump during the week and about 300 on the weekend.

11. Virginia Blansett, Detention Administrator, gave the Commission an update on an Inmate that had to be sent to University Hospital in Albuquerque. Mrs. Blansett stated that the county has to pay a private Security Company to stay with the inmate 24 hours a day. The inmate is going to be released today and the Security

Company will bring him back here at the expense of the County. The cost for the hospital is also at the county's expense. The inmate is going to need surgery within the next few months. Mrs. Blansett also stated that she had a visit from the State Fire Marshall. The State Fire Marshall informed Mrs. Blansett that the square foot per inmate is in question, and it needs to be reviewed. Commissioner Moore stated that the County should send a letter to the State Fire Marshall's Office and complain about the way their employee treated the County.

12. Gloria Sainz, Indigent Fund Administrator discussed the monthly report for May 2003 with the Commission. Commissioner McGinn stated she likes the way the new report is. Mr. Bryant asked about the person appealing their denial. Mrs. Sainz stated that she has turned in all the paper work and the patient will not be at the meeting because the Commission told her they did not need to be. Mr. Bryant stated that the patient needs to be at the meeting.

13. Autumn Hacker, Personnel Technician discussed the new hires and promotion with the Commission. Ms. Hacker also discussed the increase in Health insurance for the County employees. Ms. Hacker stated that they have two choices a 3-tier plan or a 5-tier plan. Ruth Hooser, County Manager stated that she and Ms. Hacker did not feel like the increase for the family plan was fair. Commissioner McGinn agreed. Ms. Hacker also stated that the Commission could decide if they want employee to pay less per month or higher co-pay. Ms. Hacker stated that the Dental Insurance will increase 2% and is not sure about the vision. The Commission directed Ms. Hacker to do a survey of all county employees and see which plan would be better for them. The

survey will need to be back by the middle of June. Ms. Hacker stated that she will need a decision by July 3, 2003 from the Commission.

14. Jay Frost, Rifle Range Director approached the Board to discuss the agreement drawn up by the State Police. Mr. Frost stated that he does not agree with the agreement. Mr. Frost stated that he would like to have a mandatory schedule for the law enforcement at the range. Mr. Frost stated that he had plans last Wednesday, with Bill Parker to work on the range and the State Police came out and stated they were going to do their training and the range lost out on a day of work. Mr. Frost stated that Tuesday's and Wednesday's are set aside just for law enforcement. The law enforcement is required to qualify twice a year and it seems like they wait until the last minute. Virginia Blansett stated that the only time they can qualify is when they have a licensed instructor there so it does take some time. Commissioner Moore stated that the Rifle Range Director should be a licensed instructor because he is there all the time. Commissioner Moore asked that staff red lines the agreement with the State Police and resubmit it.

15. John Cherry of 133 Derbyshire approached the board to discuss having 3/10 of a mile on Derbyshire paved. Mr. Cherry stated that most of the road is paved except for this 3/10 and the road is a school bus route. Mr. Cherry stated that in 2000 he spoke with Mr. Portillo the past Road Superintendent and has discussed this issue with Mr. Parker. Bill Parker, County Road Superintendent stated that he has tried to pave this piece of road but the problem is that it is only 3/10 of a mile and he is trying to fit it in with other roads to make it a whole mile. If the county paves only the 3/10, it will be wasting money. Mrs. Hooser asked if the road could be put on the list for the state

because it is a school bus route. Mr. Parker stated that he will try to put it on for next year.

There being no further business before the Commission, the Chairman adjourned the meeting at 11:00 a.m.

**APPROVED:**

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**Chairman**

**ATTEST:**

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**Mary D. Quintana**  
**Otero County Clerk**