

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., May 24, 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:

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| Clarissa McGinn | Chair person |
| Doug Moore | Vice-Chairman |
| Michael Nivison | Member |
| Ruth Hooser | County Manager |
| Dan Bryant | County Attorney |
| Ray Backstrom | Assistant County Manager |
| Bobbie Reyes | Department Assistant |
| Lynn Estrada | Deputy Clerk |

DRAFT

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

1. Consent Agenda:

Commissioner Moore made a motion to approve items A. Minutes, B. Bills List #51, #52, #53, C. Health Care Services monthly report, D. Personnel, E6, E7, E8, Purchasing and Resolutions, Contracts, F9, F10, F11, excluding E5 Sealed Bid #05-027. The motion was seconded by Commissioner Nivison. A vote was taken and the motion passed unanimously. See pages

a. Consider approval of Sealed Bid #05-027 for the site work, building slab, foundation, concrete and testing, for the new County Road Shop. (amount \$241,800.00)

Commissioner Nivison made a motion to go out to re-bid Sealed Bid #05-027. The motion was seconded by Commissioner McGinn. Commissioner Moore stated that he will abstain from voting on this item because he was active in the bid process. Commissioner Nivison would like to bid out in a bigger area if we hadn't done that in the first place. Bill Lee Parker, Road Superintendent, stated that he understood that there were 40 to 50 packets picked up and only 3 turned in. He didn't know if the information on the packet was hard to understand, but something was definitely wrong or we would have gotten more returns. A vote was taken and the motion passed 2-0 with Commissioner Moore abstaining.

2. Elected Officials/Department Heads:

a. John Blansett- Consider approval of Memorandum of Understanding between Dona Ana County and Otero County Sheriff's Department for cross deputization of selected Peace Officers. John Blansett stated this is a duplication of what we have had in the past. Dona Ana has a new Sheriff so this is just a matter of protocol adding his name to the Memorandum.

Commissioner Moore made a motion to approve the Memorandum of Understanding between Dona Ana County and Otero County Sheriff's Department. The motion was seconded by Commissioner Nivison. A vote was taken and the motion passed unanimously. See pages

b. Ruth Hooser- Consider filling a vacancy for the Alamogordo Public Library Board.
(Applicants are Stenger Allen, and Harriett Damski)

Commissioner Moore made a motion to consider filling the vacancy for the Alamogordo Public Library Board with Harriet Damski. The motion was seconded by Commissioner Nivison. Stenger Allen

approached the Board to read his resume into the records. Ruth stated that we will have another vacancy, Mr. Posey resigned his position. Commissioner McGinn thanked both applicants for applying. A vote was taken and the motion passed unanimously. See pages

c. Bill Parker- Requesting permission from County Commissioners to take two recently purchased Caterpillar motor road graders out for sealed bid to sell.

Commissioner Moore made a motion to grant permission to sell the two Caterpillar road graders. The motion was seconded by Commissioner Nivison. A vote was taken and the motion passed unanimously. See pages

d. Requesting to advertise Ordinance No. 01-05 amending the Otero County Subdivision Ordinance to implement the Sacramento Mountain Checkerspot butterfly Conservation Plan. Commissioner Moore made a motion to advertise Ordinance No. 01-05 to implement the Sacramento Mountain Checkerspot Butterfly. The motion was seconded by Commissioner Nivison. Commissioner McGinn stated that letters have been prepared to send to the property owners who will be affected by this ordinance. There are 176 property owners within the purple area on the map. Commissioner Nivison stated that the Mescalero Tribe needs to be notified also.

Commissioner Moore amended his motion to advertise for a Public Hearing for Ordinance No. 01-05 regarding the Otero County Subdivision Ordinance to implement the Sacramento Mountain Checkerspot Butterfly Conservation Plan on June 28th at 6:30 p.m. The amended motion was seconded by Commissioner Nivison. A vote was taken and the motion passed 2-1 with Commissioner McGinn voting no.

e. Requesting permission to advertise for property owners to install and maintain a controlled access gate on the south ½ mile of Canyon Road.

Commissioner Nivison made a motion to advertise for property owners to install and maintain a controlled access gate on the south ½ mile of Canyon Road. The motion was seconded by Commissioner Moore. Commissioner Nivison discussed that property owners were going to be sent a letter to notify them of the Public Hearing. Commissioner McGinn stated that the notification is going to be to everyone within the subdivision, also to the property owners that live near or adjacent to South Canyon Road.

Commissioner Moore amended the motion to include the date of June 28th meeting to have a Public Hearing to commence after the Public Hearing of the Checkerspot Butterfly. The amended motion was seconded by Commissioner Nivison. A vote was taken and the motion passed unanimously.

Commissioner Moore made a motion to recess for 3 minutes. The motion was seconded by Commissioner Nivison. A vote was taken and the motion passed unanimously.

Being 6:30 p.m. the Chair person called the meeting back to order.

3. Public Hearing:

The time being 6:30 the Chair person called the Public Hearing to order for Peter Renken and Gabriele Pabst-proposing to name the street name PG Ranch Road.

Brenda Garcia, Rural Addressor, Peter Renken and Gabriele Pabst approached the Board. Mr. Renken stated that we need an address to build our place of business. The road has been put in on their easement and paid for by Mr. Renken and Ms Pabst. There has been one protest of the road name by Mr. Clements, he suggested naming it Inka Way. Brenda stated that she has sent Mr. Clements a letter with the road name being considered and the time of the Public Hearing to make a formal protest. He owns property but does not reside there. There are no other structures out there. Commissioner Moore stated that since this person is non-responsive, he believes this is a vote of approval.

Commissioner Moore made a motion to name the street PG Ranch Road as requested by the fee paying citizens of the County. The motion was seconded by Commissioner Nivison. A vote was taken and the motion passed unanimously. See pages

The time being 6:43 p.m. the Chair person closed the Public Hearing regarding approving the street name PG Ranch Road.

The Chair person opened the Public Hearing at 6:44 p.m. to consider the preliminary plat for Kontiki Springs Subdivision.

Dale Palkki, County Assessor, Monroe Curtis and Hans Steinhoff, Planning Commission, approached the Board. Commissioner McGinn stated that all of the reviews came back favorable with the exception of the State Engineer. He is requiring a geo-hydrology study of the wells within the subdivision that are currently not in State regulations or in the County Subdivision regulations.

Commissioner Nivison made a motion to approve the preliminary plat for Kontiki Springs Subdivision.

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

The time being 6:50 p.m. the Chair person closed the Public Hearing.

4. Citizen Communications:

a. Jean Bash/Sharon Stevens- requesting permission from County Commissioners to allow the High Rolls Mountain Park members to plant natural vegetation on the median on Old Railroad Drive in High Rolls. Commissioner McGinn stated that this request has been changed to hold a Public Hearing on this item. Bill Parker, Road Superintendent, recommends fixing the mud hole for County liability. Commissioner Moore made a motion to advertise for a Public Hearing to be held at the June 14th Commission Meeting, to allow High Rolls Mtn. Park members to plant natural vegetation on the

median on Old Railroad Drive. The motion was seconded by Commissioner Nivison. A vote was taken and the motion passed unanimously. Commissioner Moore directed staff to chip seal the big pot hole on Railroad Drive.

5. Executive Session:

Commissioner Moore made a motion to go into Executive Session to discuss collective bargaining, personnel issues and land issues. The motion was seconded by Commissioner Nivison. Roll call was taken as follows:

Commissioner Moore	yes
Commissioner Nivison	yes
Commissioner McGinn	yes

Commissioner Moore made a motion to come out of Executive Session and stated that all that was discussed was collective bargaining, personnel and land issues. The motion was seconded by Commissioner McGinn. Staff will be directed to notify selected finalists for interviews for the County Manager position and obtain consent to disclose those identities to the public or withdraw. Roll call was taken as follows:

Commissioner Moore	yes
Commissioner McGinn	yes
Commissioner Nivison	yes

There being no further business before the Board the Chair person adjourned the meeting at 8:31 p.m.

APPROVED:

Clarissa McGinn, Chair person

ATTEST:

Robyn Silva, County Clerk

Regular Meeting
May 24, 2005