

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 9:00 a.m., June 13, 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 |
| Dan Bryant | County Attorney |
| Pamela Heltner | Commission Liaison |
| Lynn Estrada | Deputy Clerk |

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

1. New Business:

a. Presentation: Virginia Blansett and ASA Architects to discuss prisoner population increase and their impact on the Otero County Detention Center.

Virginia Blansett presented a power point on inmate over crowding and the advantages for Otero County to expand the facility. Ms. Blansett and Mr. Shelton from ASA Architects discussed the

cost of adding 500 more beds to the facility. Currently we are housing inmates in Dickens County and Bailey County. If we had more beds, we would eliminate transportation cost and housing costs for these inmates going to another county. Commissioner McGinn asked if we had numbers, if we are looking at the four years costs of housing outside Otero County including transportation, what are the cost going to be to operate a larger facility versus the outside housing cost? Ms. Blansett stated that we actually haven't worked on the figures for operation cost for a large expansion, because we weren't sure what the Commission would want to do. Commissioner Moore stated that this facility was financed through a general obligation bond that was passed by the voters. These bonds will mature in 2009. We would be remiss as a Commission to leave this for the next Board coming in.

Mr. Shelton had drawings for a 300 bed expansion and a 500 bed expansion. Commissioner Moore asked the cost. Mr. Shelton stated that estimating the construction cost, it would be around 14 million. The whole project would roughly be around 16 million. Commissioner Moore stated that he likes the concept of the drawings and thanked Ms. Blansett and Mr. Shelton for making the Board aware publicly of the growing need to expand.

b. Presentation: John Kelley, Executive Engineer with Albuquerque Metropolitan Arroyo Flood Control Authority, discussed flood control issues.

Commissioner Moore stated that based on the flooding events in the last year, the legislature has given us funding to address some of our flood issues. We are taking a look at some of the drainage coming off the mountains where we have a potential of harm to private property and life. Mr. Kelley has worked for many flood projects and is based in Albuquerque now working on their flood control issues. Commissioner Moore stated that we have invited Representative Vaughn, Representative Cote, and City Manager, Pat McCourt. As we address this issue, it's not something that we can do alone. It will

be a partnership with the City and our legislators.

Mr. Kelley presented a slide show of the projects that he has completed in Albuquerque and other areas around New Mexico.

Commissioner Moore stated that our first step today, is to make the public aware that we have some funds to address the flooding issue. We will take one project to see if we can develop a relationship with all the players and hopefully we can do some good for the public.

Commissioner Moore thanked Mr. Kelley for his presentation.

c. Presentation: Ed Roberson from BLM on a proposed plan amendment and environmental impact statement.

Mr. Roberson, the District Manager for Bureau of Land Management in Las Cruces, gave a presentation on the Otero County portion of the Tri County Management Plan, with some proposed potential changes in land status. Mr. Roberson displayed a map that shows the Forest Service, White Sands, Holloman AFB, Tribe land and land that BLM is considering disposing. Mr. Roberson stated that their draft alternative has been completed after many public hearings. Otero County, Sierra County and Dona Ana County are 3 of the 6 cooperating agencies working with us. We anticipate that we will have a preliminary review opportunity for our cooperating agencies of our draft document by October of this year. This will be followed by publishing this document, and getting it out to the public for a 90 day public comment period. We will have open hearings in February or March of next year. Based on the feedback from the public comments, we will work on the proposed Rand P final Environmental Impact Statement. We will get the document for review, back to Otero County and the other cooperative agencies before we publish this document. We intend to try and complete this document by January 2008.

2. Consent Agenda:

- a. Bills Lists #55, #56. #57
- b. Approval of Minutes
- c. Health Care Services, for all providers through June 2007.

3. Purchasing:

- a. Consider approving RFP 07-28 Engineer/Architect Services contract for Otero County to ASA, Las Cruces; Bohannon Huston, Las Cruces, Engineers Inc., Las Cruces.

4. Resolutions, Contracts & Agreements:

- a. Consider approval of Resolution No. 06-21-07/95-70, budget adjustment of \$7,371 for H.I.D.T.A. grant monies.
- b. Consider approval of Resolution No. 06-21-07/95-71, budget adjustment of \$149,760 to reflect the award of a Homeland Security/Border Security Operations.
- c. Consider approval of Resolution No. 06-24-07/95-72, budget adjustment of \$5,000 to reflect the award of a Selected Traffic Enforcement Program grant.
- d. Consider approval of Resolution No. 06-21-07/95-73, budget adjustment of \$120,000 to reflect the award of a General Fund legislative appropriation for the construction of the new La Luz Fire Station.
- e. Consider approval of Resolution No. 06-21-07/95-76 which requests the U.S. Forest Service to grant Otero County a 50 ft. easement on Fresnal Canyon Rd.
- f. Consider approval of Resolution No. 06-13-07/95-74 requesting a burn ban in Otero County effective June 13, 2007

Commissioner McGinn made a motion to consider for approval Resolution No. 06-13-07/95-74 requesting a burn ban in Otero County to be effective June 13, 2007 for discussion. The motion was seconded by Commissioner Nivison.

Paul Quairoli stated that we are at normal now, but still have a significant growth of light flashy fuels. The State Forester has gone up from level one to level 3 for their staffing with the dry conditions.

Commissioner McGinn stated that we need to continue to consider this ban as we move into the summer. She doesn't feel that it is warranted at this time to pass the ban.

Commissioner Moore asked if there was any more discussion. Being none, a vote was taken and the motion failed 2-1 with Commissioner Moore and Commissioner McGinn voting against.

g. Consider approval of Resolution No. 06-13-07/95-75 requesting a fireworks ban in Otero County effective June 13, 2007.

Commissioner McGinn made a motion to consider approval of Resolution No. 06-13-07/95-75 for discussion. The motion was seconded by Commissioner Nivison.

Paul Quairoli stated that by state statute this is the final day we can take any action to ban any kind of aerial fireworks.

Commissioner Moore asked if there was any more discussion. Being none, a vote was taken and the motion failed 2-1 with Commissioner Moore and Commissioner McGinn voting against.

h. Consider approval of Resolution No. 06-21-07/95-77 for fiscal year end budget adjustments for the General Fund.

i. Consider approval of Resoltuion No. 06-21-07/95-78 for fiscal year end budget adjustments for the Corrections Fund.

j. Consider approval of Resolution No. 06-21-07/95-79 for fiscal year end budget adjustments

for the H.I.D.T.A. Fund.

k. Consider approval of Resolution No. 06-21-07/95-80 for the fiscal year end budget increases totaling \$232,000 for the Indigent Fund.

l. Consider approval of Resolution No. 06-21-07/95-81 for fiscal year end budget adjustments to the Environmental Fund.

m. Consider approval of Resolution No. 06-21-07/95-82 for a fiscal year end budget increase of \$20,000 to the Dog Canyon Landfill Closure.

n. Consider approval of Resolution No. 06-21-07/95-83 for a fiscal year end budget increase to make an additional cash transfer of \$100,000 from General Fund to Legislative Grant Funds.

o. Consider approval to charge \$1,532.40 in expenses related to the insect infestation in the Lincoln National Forest.

p. Consider approval of a Memorandum of Agreement between the Dona Ana County Board of Commissioners and the Otero County Board of Commissioners for ambulance service for the citizens of the community of Chaparral NM.

q. Consider approving an agreement between Otero County and Bernalillo County Juvenile Detention and Youth Services Center to house Otero County juvenile offenders.

r. Consider approving an agreement between Otero County and Dona Ana County for the housing of Otero County Juveniles.

s. Consider approving Grant Agreement No. 08-D-J-G-20 between Otero County and the Department of Finance and Administration in the amount of \$45,000 for the DWI program.

t. Consider an agreement between Otero County and Diane Romo to fill the vacant position of Planning Coordinator. The contract will be effective July 1, 2007 in the amount of \$20,000 a year.

u. Consider approval of a Memorandum of Understanding between the Twelfth Judicial District Attorney's Office and the Otero County Sheriff's Office.

v. Consider approval of an employment agreement between Otero County and Ray Backstrom, Assistant County Manager.

5. Elected Officials, Department Heads, Committee Reports:

a. Consider re-appointing Jerry Johnson and Bill Lee Parker as representatives to the Southeast Regional Planning Organization for both the Policy and Technical Committees.

b. Consider the appointment of two planning commission members to the Otero County Planning Commission Board.

e. Consider approving the acceptance of a Special Warranty Deed for 0.258 acres donated by the Sacramento Mountain Methodist Assembly Camp to be used as a site for a rural volunteer fire station.

f. Consider final plat approval for Creekside Estates, Unit 1 Subdivision.

6. Public Hearing:

a. Martin Moore-Hear public comments on the creation of a Wildlife Management Criteria Ordinance, focusing on introduced wildlife species.

7. Commission Discussions/Correspondence:

a. Commissioner McGinn stated that she had a letter from a gentleman from our last Commission Meeting that he didn't get to enter into the record and he had asked Commissioner McGinn to present some of the information that he wanted to talk about. The information is about the defoliation of the trees around Cloudcroft, our emergency declaration and his and several of the other residents desire that the County act to produce aerial spraying to eradicate the problem, his name is John Cronin. Commissioner McGinn requested Dr. Moore to provide us with an update on everything

that has gone forward to this point regarding our emergency declaration and proposed action plan. Dr. Moore stated that we working to make sure that we are updated with our assessments and our recommendations. We have taken our assessments from a County perspective as opposed to an individual municipality perspective. What we have found is seven different insect species. We are confident that 25,000 acres have been infected. An insecticide has been tested and the one that was used had significant merit.

Commissioner McGinn stated that she has received many phone calls from the residents in Cloudcroft wanting to know when the County is going to start spraying by air. Commissioner Nivison stated that he would like all calls referred to him.

8. Executive Session:

Commissioner McGinn made a motion to go into executive session to discuss items A., B., C., D., E., F., and G. The motion was seconded by Commissioner Nivison. 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 items A., B., C., D., E., F., and G. 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 1:42 p.m.

APPROVED:

Doug Moore, Chairman

ATTEST:

Robyn Holmes, County Clerk

Work Session
June 13, 2007