

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., July 20,2004; 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:**

- |                 |                          |
|-----------------|--------------------------|
| Michael Nivison | Chairman                 |
| Clarissa McGinn | Vice-Chairperson         |
| Doug Moore      | Member                   |
| Ruth Hooser     | County Manager           |
| Ray Backstrom   | Assistant County Manager |
| Dan Bryant      | County Attorney          |
| Bill Lee Parker | Road Superintendent      |
| Lynn Estrada    | Deputy Clerk             |

**DRAFT**

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

**1. OLD BUSINESS:**

- a. Consider approving Dr. William Boehm Medical Agreement with Otero County VFD's/EMS.

Commissioner McGinn stated that Dr. Boehm, as requested that we bring this item back for the August 10<sup>th</sup> meeting. He is still waiting information from his insurance as to whether or not they will cover him as Medical Director under his insurance. There is also another possibility out there through risk management

the Medical Directors would be covered at much less cost on the insurance.

Commissioner McGinn made a motion to table this item. The motion was seconded by Commissioner Moore. A vote was taken and the motion passed unanimously.

b. Consider approving Resolution No.06-29-04/92-62 regarding adopting an Infrastructure Capital Improvement Plan (ICIP) and Resolution No.06-08-04/92-51 regarding New Mexico DWI Grant Council to support restoration of DWI Funding to local County DWI Programs. Commissioner McGinn made a motion to approve Resolution No.06-08-04/92-51 for the DWI Grant Council to support restoration and also Resolution No.06-29-04/92-62 adopting an Infrastructure Capital Improvement Plan. The motion was seconded by Commissioner Moore. A vote was taken and the motion passed unanimously. See pages

## **2. NEW BUSINESS:**

a. Consent Agenda, Minutes of 6/23/04, 06/29/04 and Bill Lists #52, #1 and #2. Commissioner McGinn made a motion to approve consent agenda items A, the Minutes and B the Bill List. The motion was seconded by Commissioner Moore. A vote was taken and the motion passed unanimously. See pages

b. Consider approval of a settlement agreement with the Labor and Industrial Division of the New Mexico Department of Labor concerning the Otero County Prison construction in Chaparral, NM. Commissioner Moore made a motion to approve the Settlement Agreement. The motion was seconded by Commissioner McGinn. A vote was taken and the motion passed unanimously. See pages

## **2. ADMINISTRATION:**

- a. Consider approving Resolution No.07-20-04/93-02 and Agreement regarding 2004/2005 budget for the Southwestern New Mexico Economic Development District/Cog.
- b. Consider renewal of a Traffic Signal Service Agreement between Otero County and the City of Alamogordo.

Commissioner McGinn made a motion to approve Resolution No.07-20-04/93-02 for the agreement for the Southwestern New Mexico Development District as well as the Traffic Signal Service Agreement between Otero County and the City of Alamogordo. The motion was seconded by Commissioner Moore. A vote was taken and the motion passed unanimously. See pages

**3. INDIGENT, PERSONNEL, PURCHASING:**

Commissioner McGinn made a motion to approve items under Indigent, Personnel and Purchasing. The motion was seconded by Commissioner Moore. A vote was taken and the motion passed unanimously. See pages

**3. ASSESSOR:**

Consider a Final Plat approval for Alamo Canyon Estates and Horseman's Park Subdivisions. Dale Palkki and Klad Zimmerle, approached the Board with the final Plats. Dale stated that the Alamo Canyon Estates is complete and ready for final approval. Klad Zimmerle stated that the issue about the drainage concerns of Mr. Kimmpel, whose land is right next to Horsemen's Park has been addressed by Mr. Bishop. Letters have been sent to Mr. Kimmpel by Mr. Bishop addressing his concerns on the drainage of water on to his property. Commissioner Moore made a motion to accept the final review for Alamo Canyon Estates. The motion was seconded by Commissioner McGinn. Commissioner Moore stated that upon review the different agencies that have control have reviewed this and found a favorable decision on Alamo Canyon Estates. There were no conditions from the preliminary findings. A vote was taken and the motion passed unanimously.

Commissioner McGinn made a motion to approve Horseman's Park Subdivision for final approval. The motion was seconded by Commissioner Moore. A vote was taken and the motion passed unanimously. See pages

## **5. ROAD DEPARTMENT:**

Consider approving a Forest Development Road Cooperative Agreement between Otero County Road Department and the Forest Service. Road Department will furnish labor and equipment. Bill Park, Road Superintendent, stated that the money has to be spent by August 1<sup>st</sup>. Commissioner Moore made a motion to approve the Forest Development Road Cooperative Agreement as well as the Emergency Purchase request for a Wide Format Copier to reproduce maps for the Assessor's Office. The motion was seconded by Commissioner McGinn. A vote was taken and the motion passed unanimously. See pages

## **6. CITIZEN COMMUNICATION:**

Dan Abercrombi and Norval Bookout approached the Board to discuss water regulations in Otero County and consider revision the County ordinance to 1 ½ foot of decline in water table. Mr. Abercrombi presented several graphs of the water table in the Tularosa Creek and from the basin. The development in Otero County is affecting the water tables. Mr. Abercrombi is asking for more control on our water and if the County can have tougher guidelines for our water than the State Engineers Office. Dan Bryant, County Attorney, stated that we are planning on revisiting our Subdivision Regulations, which hasn't been looked at for about 8 years. There are several options that the County can pursue, all of which will need some research. Mr. Abercrombi requested the Board look into placing stricter guidelines on Sub dividers and new wells being drilled in the County. The Board took no action at this time but assured Mr. Abercrombi that they are looking into the water situation in Otero County.

## **7. COMMISSION DISCUSSION:**

a. Consider approving a Memorandum of Understanding between the Board of County Commissioners and the U.S. Department of Interior and U.S. Fish and Wildlife Service regarding the Sacramento Checker Spot Butterfly. Commissioner Moor made a motion to approve the Memorandum of

Understanding between Otero County, U.S. Department of Interior and U.S. Fish and Wildlife regarding the Sacramento Checker Spot Butterfly. The motion was seconded by Commissioner McGinn. A vote was taken and the motion passed unanimously. See page

b. Consider approving a Proclamation for the Deputy of Agriculture regarding an Appreciation Partnership with Otero County. Commissioner Moore made a motion to approve the Proclamation for the Deputy of Agriculture regarding an Appreciation Partnership with Otero County. The motion was seconded by Commissioner McGinn. A vote was taken and the motion passed unanimously. See pages

c. Commissioner McGinn stated on the Red Brick School in Tularosa, the Department of Finance is requiring an appraisal of the property. We believe that this isn't necessary. Commissioner McGinn asked who we need to set up a meeting with at the Department of Finance and arrange a meeting for us to go to Santa Fe to settle the issue. Dan Bryant stated that he is waiting for a call back so he can find out who is the person between the Department of Education and Department of Finance to deal with on this subject.

There being no further business before the Board the Chairman adjourned the meeting at 7:00 p.m.

APPROVED:

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Michael Nivison, Chairman

ATTEST:

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Mary D. Quintana, County Clerk

Regular Meeting July 20, 2004