

Special Meeting

July 29, 2002

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 4:05 PM, July 29, 2002; and he announced that reasonable notice for this meeting was given to the Alamogordo Daily News, Holloman Sunburst, Mountain Monthly, and to Radio Stations KPSA, KINN, and KYEE.

Those being present:

Richard Zierlein	Chairman
Tim McGinn	Vice-Chairman
Michael Nivison	Member
Ruth Hooser	County Manager
Ray Backstrom	Administrative Office Manager
Bill Parker	Road Superintendent
Dan Bryant	County Attorney
LaDonna Adams	Department Assistant
Robyn Silva	Deputy Clerk

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

1. Discussion was held on Items 1 and 2 of the Consent Agenda which are Resolution No. 07-19-02/90-74 regarding the banning of burning and fireworks in Otero County, NM and the Damage Survey Report (DSR) from USDA-Natural Resources Conservation Service/Emergency Watershed Protection.

Commissioner Nivison made a motion to rescind Resolution No. 07-19-02/90-74 regarding the banning of burning and fireworks in Otero County, NM and also to approve the Damaged Survey Report (DSR) from USDA-Natural Resources Conservation Service/Emergency Watershed Protection. Commissioner Zierlein seconded the motion. Commissioner Nivison thanked Mr. Dan Ambercrombie and his staff for all of their hard work up on the mountain. A vote was taken and the motion passed 2-0 with Commissioner McGinn being absent.

2. Discussion was held on Item No 3. on the Consent Agenda which is to consider approval of an Encroachment and Hold Harmless Agreement with Otero County and Mr. Howard and Mrs. Linda Shiplett. Commissioner Zierlein stated that, because he wasn't present at the Meeting when this Item was discussed, he would table it until Commissioner McGinn is present.

3. Commissioner Nivison made a motion to go into Executive Session to discuss personal items and the Budget. Commissioner Zierlein seconded the motion. Roll call was taken as follows:

Commissioner Zierlein - Aye

Commissioner Nivison - Aye

Commissioner McGinn - Absent

Commissioner Nivison made a motion to return to Regular Session and stated that the only things discussed during Executive Session were Personal Items and the Budget and no decisions were made. Commissioner McGinn seconded the motion. Roll call was taken as follows:

Commissioner Zierlein - Aye

Commissioner Nivison - Aye

Commissioner McGinn - Yes

4. Commissioner McGinn made a motion to approve the Encroachment and Hold Harmless Agreement with Otero County and Mr. Howard and Mrs. Linda Shiplett. Commissioner Nivison seconded the motion. A vote was taken and the motion passed 2-0 with Commissioner Zierlein abstaining from voting. SEE BOOK

5. Discussion was held on the Budget. Commissioner Zierlein stated that he would like to discuss the Capital Outlay before the Budget is approved. He stated that they have a recommendation for part of it, then we will look at the Final Budget and see what happens to us on the pay scales with the Collective Bargaining. Then we will know if we will be able to do anything else on Capital Outlay. This Capital Outlay that we are going to discuss will be the minimum that we have to do.

Commissioner Nivison recommended on Capital Outlay for the Detention Center that they be budgeted for two new vehicles (\$45,000), 1 re-furbished vehicle (\$10,000), and \$50,000 for the re-furbishing of the showers at the jail for a total of \$105,000. The Sheriff's Department will receive for Capital Outlay seven new vehicles (\$175,000) and 3 re-furbished vehicles (\$30,000) for a total of \$205,000. Commissioner Nivison stated that Mr. Parker, Road Superintendent, has done a lot of research on purchasing a new road grader and he has talked about the necessity of it because of the 1600 miles of road that they are responsible for.

Commissioner Zierlein suggested that we wait for the additional Capital Outlay until we get the pay package for the employees done before we decide on the Road Department. He stated that there is a lot of Capital Outlay that has been requested from all of the Offices and we can do it all at once. Commissioner Zierlein stated that the Capital Outlay that we have already discussed, for the Sheriff and Detention, has to be done because of safety issues. The rest

of the requests are operational and not safety issues.

Commissioner Nivison stated that he feels that the issues with the Road Department does follow under a health and safety issue, and because there was no Capital Outlay approved last year, we need to get the departments back up to speed. He stated that he would like to include the Road Department in this package.

Commissioner McGinn stated that he would like to do this Capital Outlay but he doesn't like refurbished cars at all. Commissioner Zierlein stated that we need to try them and see if they work. He stated that we can keep good maintenance records and see where we are at. Commissioner McGinn stated that those three cars will always be in the back of our head and we will worry who will be injured in one of those refurbished cars.

Commissioner McGinn stated that he will go with the package right now if there are no refurbished cars.

Commissioner Nivison pointed out that Sheriff Lee stated that he would go for five refurbished and five new cars and he felt comfortable with that.

Commissioner Nivison stated that they could just put the dollar amount in that they are willing to approve for Capital Outlay and the Sheriff and Mrs. Blansett can decide how they want to spend it.

Commissioner Zierlein disagreed. He stated if we go out and have one car refurbished, we may get a lemon and we won't know the end result. We need at least three refurbished so that we get use on all three and we can compare them to the cost and upkeep to a new car. Maybe in the future, the County can do this on other vehicles.

Commissioner McGinn stated that he wouldn't mind if we did this on other cars for the County that were going 55 miles per hour, but not on Sheriff cars that are involved in high

speed pursuits. Commissioner Nivison stated that we could just put a dollar amount in the motion and state that the Sheriff can buy a minimum of 7 new cars with that amount and use the additional amount for 3 refurbished or 1 additional new car. Commissioner Nivison then stated that he would like to have a brief report from Mr. Bill Parker to see what he has found out about purchasing a new grader.

Mr. Bill Parker stated that he talked to Rust and right now we can go piggy back with Chaves County on their contract. The fee will be \$1,525 per month and for two graders would be \$36,600 per year. He stated that these would be used in the Districts and they put about 1200 plus hours on a year and they use them everyday. Commissioner Zierlein asked if there is a purchase price at the end of the lease? Mr. Parker said that there was but that it wasn't mandatory. Commissioner Zierlein asked if the maintenance would be included in the lease and if we would come out ahead through the lease? Mr. Parker stated that he thought we would.

Commissioner Nivison made a motion to approve for Detention, Capital Outlay for one refurbished vehicle, two new vehicles, and \$50,000 to refurbish the showers. The Sheriff's Office Budget for Capital Outlay will be \$205,000 to include at least 7 new vehicles and their choice on balance. The Road Shop will have for Capital Outlay one new pickup and lease two graders on the piggy back under the State Contract for a term of one year.

Commissioner McGinn seconded the motion. Discussion was held. Commissioner McGinn questioned what the refurbished vehicle in Detention will be used for and how fast it will be driven? Mrs. Blansett stated that it will be used to transport prisoners and it will be driven the speed limit. She stated that they will use that vehicle the least. Commissioner Zierlein asked that they use that vehicle the same as they do a new one and watch the maintenance so that we can do a side by side comparison. If we don't, we won't be able to tell if it is a benefit or not.

Commissioner Nivison amended his motion to state that if there is any money left over from the showers, then Mrs. Blansett can use the additional funds to buy another new vehicle instead of a refurbished one. Commissioner McGinn seconded the amendment. A vote was taken and the motion passed 2-1 with Commissioner Zierlein voting against.

6. Commissioner McGinn made a motion to state that the pay package for the County employees will be in place by September 1, 2002 and in affect for the first pay period in September other than the Union employees. Commissioner Nivison seconded the motion. Mrs. Blansett asked if that pay package will include a cost of living raise? Commissioner Nivison stated that they have been advised not to talk about it because of the Collective Bargaining that is currently going on. County Clerk Mary Santana stated that she has a comment for the record. She stated that the elected officials and department heads come to these meetings because the Commission asks them to come because they are going to make a decision, and yet, there is still no decision made. A vote was taken and the motion passed 2-1 with Commissioner Zierlein voting against.

7. Commissioner Nivison made a motion to approve the Final Budget for the 2002/2003 budget year and that the pay package and the Capital Outlay will be included as indicated in the previous motion. Commissioner McGinn seconded the motion. A vote was taken and the motion passed 2-1 with Commissioner Zierlein voting against.

**DRAFT**

The time being 6:30 PM, the Chairman adjourned the meeting.

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Chairman

ATTEST:

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Otero County Clerk

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Special Meeting of July 29, 2002.