

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 9:00 a.m., August 23, 2006; 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:

Doug Moore	Chairman
Clarissa McGinn	Vice-Chair person
Michael Nivison	Member
Dr. Martin Moore	County Manager
Dan Bryant	County Attorney
Pamela Heltner	Department Secretary
Bill Lee Parker	Road Superintendent
Lynn Estrada	Deputy Clerk

**DRAFT**

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

**1. Citizen Communications:**

a. Tom Schuster gave a power point presentation on a proposed Regional Transit District to potentially include Otero County and surrounding municipalities. This Transit District is enabled by State Legislation. It is a Joint Powers Agreement that is responsible for planning, financing and

operating public transportation. We are considering this program to help serve senior citizens, low-income and youth going to the university in Las Cruces. Commissioner Nivison asked Mr. Schuster who they are funded by now. Mr. Schuster stated that he works for the Las Cruces Metropolitan Planning Organization. The RTD, once formed will be a separate government body joined by a Joint Powers Agreement. The \$250,000.00 start up money is envisioned to cover the administration over the first 2 years, because we don't know what costs will be incurred. The concern Commissioner Nivison has is that Otero County couldn't be a member until a certain time and then we would have to be voted in once the body was functioning. Mr. Schuster stated that the procedure is that two resolutions have to be passed. The first is expressing interest in the concept. Commissioner Nivison asked how long it would take to become a member. Mr. Schuster stated that we could be fully participating by December. Commissioner Moore had some concerns that other government agencies are signing a contract into a non-existing entity. Mr. Schuster stated that once we are certified by the State the entities are saying yes we want it. Commissioner Moore stated that yes we are interested, but until we know the dynamics of it, he couldn't sign a contract. He would sign the resolution supporting region transport into the rural areas of Southern New Mexico, but how do you plan on spending \$250,000.00 other than a consultant and an administrator. Mr. Schuster stated that some of the money will go towards the study. Dan Bryant, County Attorney, stated that this item on the agenda is not set forth as an action item. The agenda does not have to be final until 24 hours before the meeting on Tuesday night, we can change the language and turn it into an action item to consider adoption of the resolution and that way if the Board gets enough information before now and Tuesday night we could turn it into an action item to consider adopting the resolution. This way it would put us ahead of the planning stream part of this. Commissioner Moore directed staff to place Mr. Schuster on the agenda for an action item on Tuesday

night's meeting.

**2. Consent Agenda:**

- a. Approval of Minutes
- b. Bills Lists #5, #6
- c. Health Care Service Sole Provider report as of August 16, 2006
- d. Personnel- New hires, promotions and transfers

John Blansett, Sheriff, stated that John Dalton has been with the Sheriff's Department for about three years and he has chosen to move from Narcotics to the mountains where he lives. John is asking if there is a possibility to waive his probation time. We know how he works and is an excellent employee. Dan Bryant stated that we would have to change the agenda to include that action item as part of D7. Dan didn't think this was necessary because the Supervisor has the ability to submit a letter and request early end of probation at any point after hiring. John could submit a letter at any time and have it go through a Commission Meeting for approval.

**3. Purchasing:**

- a. Approval of appraisal services contract with Denton Colvin Associates.
- b. Approval of the agreement for professional services with Integrity Steel Works.
- c. Approval for the yearly contract renewal with Matrx Medical.
- d. Approval for the yearly contract renewal with Tri-Anim.

**4. Resolutions, Contracts & Agreements:**

- a. Request approval of the agreement between Otero County and Mescalero Senior Center.
- b. Request approval of agreement between Otero County and South Central Mountain Resource Conservation & Development Council.

c. Request approval of agreement between Otero County and Natural Resource and Conservation Services and Otero County Soil and Water Conservation District.

d. Request approval of agreement between Otero County and the Regents of New Mexico State University, New Mexico Cooperative Extension Service.

e. Request approval of the agreement between Otero County and the Michael Nivison Public Library

f. Request approval of the agreement between Otero County and the Tularosa Multipurpose Senior Center.

g. Request approval of the agreement between Otero County and Zia Therapy Center.

h. Request approval of agreement between Otero County and the City of Alamogordo Home Bound Meals.

i. Request approval of agreement between Otero County and Alamogordo Search and Rescue.

j. Request approval of agreement between Otero County and the La Luz Improvement Association.

k. Request approval of agreement between Otero County and the Opportunity Center.

l. Request approval of agreement between Otero County and Big Brothers/Big Sisters.

m. Request approval of agreement between Otero County and the Timberon Water & Sanitation District.

n. Request approval of agreement between Otero County and the Sacramento Mountain Historical Society.

o. Request approval of Resolution #08-29-06/95-06 regarding New Mexico Department of Transportation Contracts and Cooperative Agreements for CO-OP, CAP and School Bus projects.

Bill Parker stated that this resolution is all the projects that were approved back in April.

Commissioner Moore stated that the residents in Sixteen Springs, 2 to 3 days before school they were notified by the Cloudcroft School systems that the Sixteen Springs bus route would be abandoned or amended. Commissioner Moore directed staff to advance a letter to the Cloudcroft School Board requesting they reconsider and attempt to get on the agenda, because we have partnership agreement with funding and we have expanded school tax dollars to improve that route. Dr. Moore stated that our staff has contacted the Cloudcroft School District and let them know of our concerns in addition a letter with our concerns will be sent today.

p. Request approval of Resolution #8-29-06/95-07 to establish the Otero County Office of Emergency Services by resolution.

Paul Quairoli, Emergency Service Coordinator, stated that this resolution is to receive funding from the State of New Mexico Fire Marshall's Office. If we approve this resolution this will give us an operating budget of approximately \$55,000.00 to the office of Emergency Services and we will be able to return the \$18,000.00 to the General Fund.

**5. Elected Officials, Department Heads, Committee Reports:**

a. Robyn Silva-present information on the County HAVA compliance for the November 2006 election.

b. Bill Lee Parker-request approval to add the road Calle De Suenos to the County Road Maintenance inventory.

Bill Parker stated that the road does meet all standards for the County to maintain. The property owners will have to maintain the road for one year after acceptance for County maintenance.

c. Bill Lee Parker-request approval of Co-op agreement between the residents of Winter Haven

Road and the Otero County Road Dept.

Bill Parker stated that the residents on Winter Haven are requesting a standard Co-op where they pay for the materials and the County provides the maintenance.

d. Paul Quairoli- request approval of the merger of the Boles Acres and Dog Canyon Fire Districts.

Paul Quairoli stated that both fire districts have agreed to merge to become one big district. This will give them a higher ISO rating so they will receive more money from the State Fire Marshall's Office.

e. Paul Quairoli- request approval of the Memorandum of Understanding between Otero County and EMS Region III to house and maintain a Multiple Casualty Incident Trailer at various County volunteer fire stations.

Paul stated that the Department of Health along with the office of Emergency Management in New Mexico has been funding trailers to each County. This is an effort to enhance the disaster response. The trailers are provided to us free of cost, the only thing we have to do is properly maintain it and store it here in the County.

#### **6. Public Hearings:**

a. Dale Palkki – Preliminary plat approval for Mesa Estates Subdivision.

b. Gloria Sainz – Consider amending the health Care Services/Indigent Ordinance.

Gloria Sainz stated that the proposed changes to the ordinance will effect changes on how we perceive providers as well as changing some of our caps.

Dan Bryant stated that we are looking at an additional language amendment that would allow for an application by a patient who is having a recurring medical circumstance in one fiscal year to keep that application current and approved for up to one year. This would facilitate the payments of claims on

those items. Commissioner Moore stated that he has asked repeatedly that La Clinica be recognized as a other provider. We recognize other medical providers as other providers and would like the language change to include La Clinica. Dan stated that we are going to have to address administratively how we address the clinic claims that don't meet the threshold. We will have to develop an appropriate process to handle the kind of claims that the clinics have and the kind of services that they provide. This will take some additional work that hasn't even been discussed yet.

c. Martin Moore-Consider amending the Otero County Subdivision Ordinance 97-03.

**7. Commission Discussion:**

a. Commissioner Moore stated that the County has been working with the USDA in conjunction with the City representing the threatened and endangered threats to property and life along Abbott Way and the watershed in Marble Canyon. We have succeeded in securing new funding approaching \$100,000.00. We have a ten day period to put the work on the ground.

**8. Unscheduled Citizen Communications:**

a. Vito Varr stated that he lives off of Arroyo Ridge Road. Every time it rains heavy the arroyo floods. A culvert was installed, but they are too small and not in line with the arroyo. The culverts are damned up so when it rains they are over flowing and flooding Mr. Varr's property. Mr. Varr is requesting that Bill Parker remove the culverts and install a low water crossing. Bill Parker stated that he had spoke to Mr. Varr last Friday and told him that we would remove the culvert and put in a low water crossing because it was still flooding Mr. Varr's property.

b. Harold Johnson stated that on his property, that he has owned since 1980, the property owner around him has closed the road to his property. He wants to know if these are County roads or private roads. Commissioner Moore stated that if Mr. Johnson would put his request in writing and give it to Dr.

