

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 Chair person at 1:00 p.m., November 15, 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 | Absent |
| Dan Bryant | County Attorney |
| Lynn Estrada | Deputy Clerk |

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Commissioner McGinn announced the purpose of the meeting is to meet with the Otero County Planning Commission to discuss a draft for change in the Subdivision Ordinance. Present from the Planning Commission are Tom Fosseen, Tom McKeen, Hans Steinhoff, Jack Glahn and Monroe Curtis.

Commissioner McGinn stated that we left off in July at a Work Session where we met over the draft proposal to determine which draft we were going to approach and at that time we were going to wait for all the State reviewing agencies comments on the proposed draft, to make sure it coincided with the State Act on subdivisions.

Monroe Curtis stated that we have received comments from all the State reviewing agencies. All reviews were favorable. Cultural Affairs responded that they have never been carried as a separate entity like all the other offices. We can correct this in appendix A, by adding it in as far as the procedure there

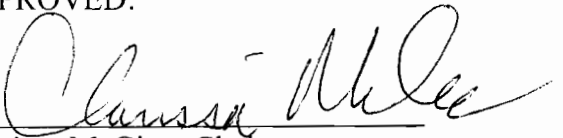
and the checklist. Appendix A hasn't been finalized yet. Cultural Affairs was mostly recommendations and no conflicts.

Dale Palkki, Subdivision Coordinator, had a question for option 1, 7-4, verification of Claim of Exemptions. The changes that are listed are to have the Claim of Exemptions approved by the Planning Commission at their next scheduled meeting and final approval will be by the County Commission. Dale's understanding of the Claim of Exemption was basically these are common means for people to subdivide lands to their kids or other family members. If they have 10 acres and want to sell a couple of parcels they can do a Claim of Exemption without having to go through the whole subdivision process. This was designed to be a simple process. Dan Bryant stated that his judgment that the realtors and title company folks will go berserk over the Claim of Exemption changes. Gonzalo Estrada, Chief Deputy, asked what the purpose was in changing the language? Hans Steinhoff stated that in his personal opinion we have seen many subdivisions where it ended up being 8 separate lots but 3 were done under the exemption, this reduced it to a summary subdivision. The Planning Commission believes in these situations they should have to go through the full preliminary and final subdivision process. In their opinion, property owners are taking the less costly route in creating a subdivision. Dan Bryant stated that recently we had one done that resulted in 5 lots, but it fit within the Legislative definition of all family members and a one time deal. Gonzalo stated, why would we force a property owner to go through a 45 day process when they will qualify for the exemption anyway, regardless of whether the Planning Commission looks at it and then forces the Commission to also look at it. Commissioner McGinn asked if we had so many instances where that exemption is not a true exemption. Mr. Curtis stated that that's what the Planning Commission felt. Dan stated that between now and November 23rd at the Work Session, think about amending section 7.1 succeeding subdivisions to include the ability to combine succeeding Claims of Exemptions that we believe

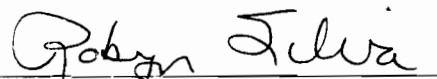
demonstrate a common promotional scheme or plan. We solve it there and we won't have to tie up every single Claim of Exemption with a Planning Meeting and Commission Meeting.

There being no further business before the Board the Chair person adjourned the meeting at 2:17 p.m.

APPROVED:


Clarissa McGinn, Chair person

ATTEST:


Robyn Silva, County Clerk

Work Session November 15, 2005