

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 18, 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:

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| Doug Moore | Chairman |
| Clarissa McGinn | Vice-Chair person |
| Michael Nivison | Member |
| Dr. Martin Moore | County Manager |
| Dan Bryant | County Attorney |
| LaDonna Perry | Department Secretary |
| Christina Nuno | Deputy Clerk |

DRAFT

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

1 .Consent Agenda:

Commissioner McGinn made a motion to approve items A1 thru F23 on the consent agenda.

The motion was seconded by Commissioner Moore. See pages

2. Citizen Communication:

a. Lorena Saenz (Director-Centro Fuerza y Unidad CFU) to discuss governmental support from Otero County regarding home rehabilitation in target areas around the County.

Lorena Saenz approached the Board to seek their support for a program that is provided and funded by the New Mexico Mortgage Finance Authority. Fuerza y Unidad CFU is looking for support from Otero County so we can provide home rehabilitation to lower income families that would qualify under strict income guidelines. These families will receive funding up to forty thousand and fifty thousand on tribal or colonius land which is part of Otero County.

Commissioner Moore would like to know what kind of support are they asking from Otero County?

Ms. Saenz stated that the Mortgage Authority seeks a letter from the local government stating that we do support the organization.

Commissioner Nivison made a motion to send a letter of support to Fuerza y Unidad CFU to forward to the Finance Authority supporting the low income assistance home upgrade program. The motion was seconded by Commissioner McGinn. A vote was taken and the motion passed unanimously. See pages

b. Evelyn Trammel presentation on the progress of the Red Brick School Building.

Evelyn Trammel, Ethel Chavez, Karen Lerner and Marybeth Crawley approached the Board with a short presentation and slideshow of the Red Brick School.

Commissioner Moore thanked the Red Brick Board members for their update.

3. Public Hearings:

The Chairman opened the Public Hearing for approval of a preliminary plat regarding Shadow Glen Park Subdivision and recessed it. The Chairman opened the Public Hearing for approval of a preliminary plat regarding Sundance Subdivision and recessed it. The Chairman opened the Public Hearing to remove .7/10 of a mile from Elk Canyon Road off the Otero County road maintenance list and then recessed the Public Hearing.

The Chairman reconvened the Public Hearing for the approval of a preliminary plat regarding Shadow Glen Park Subdivision.

Dale Palkki, Steve Sandoval and Prentice Blansett approached the Board for the approval of Shadow Glen Park Subdivision. Dale stated that this subdivision has been reviewed by the Planning Commission and is recommending approval. All of the State agencies have submitted their reviews and the only one with issues is the State Engineer's Office.

Commissioner McGinn made a motion to approve the preliminary plat of Shadow Glen Park Subdivision. The motion was seconded by Commissioner Nivison. Hans Steinhoff, Chairman of the Planning Commission, stated that one of his concerns in this subdivision is the roads. The three roads involved are currently maintained by the County, but they probably go back to the 1950's, so they don't meet County standards. The developer should widen the surface of the road so the traffic can go in both directions without having to pull over. Mr. Steinhoff had spoken to the developer and he will work with the County to bring them up to County standard. A vote was taken and the motion passed unanimously.

See pages

Commissioner Moore closed the Public Hearing on Shadow Glen Park Subdivision and opened the Public Hearing on approval of the preliminary plat of Sundance Subdivision.

Dale Palkki stated that the Planning Commission has recommended approval of the plat of Sundance Subdivision.

Commissioner Nivison made a motion to approve the preliminary plat of Sundance Subdivision. The motion was seconded by Commissioner McGinn. A vote was taken and the motion passed unanimously. See pages

Commissioner Moore closed the Public Hearing on the preliminary plat of Sundance Subdivision and

reconvened the Public Hearing on the request to remove .7/10 of a mile from Elk Canyon Road off the Otero County road maintenance list.

Commissioner Nivison made a motion to approve the request to remove .7/10 of a mile from Elk Canyon Road off the Otero County road maintenance list. The motion was seconded by Commissioner McGinn. Commissioner Nivison stated that this was recommended by Bill Parker to remove this road. Commissioner McGinn has spoken with Mr. Simms, and all the neighbors are in agreement to remove this section of the road. A vote was taken and the motion passed unanimously. See pages
Commissioner Moore closed the Public Hearing on removing Elk Canyon Road from the County road maintenance list and returned to Regular Session.

4. Unscheduled Citizen Communications:

a. Paul Quairoli gave a report on the FEMA closure. Last week Paul met with FEMA for the Public Works projects which were County infrastructure roads, emergency response by the Sheriff's Office, Road Shop and Fire Departments. The total for damage and repairs was \$336,967.00. This includes fifteen small projects and one large project. Dr. Moore stated that FEMA was very thorough. The design for the two roads in Boles Acres is being worked on with an engineering firm. We are waiting for their recommendations.

b. Donald Homan, a Chaparral resident stated that he had several items to bring to the Board. He discussed the Litter and Weed Ordinance and the enforcement of the ordinance in Chaparral. Mr. Homan stated that the Sheriff and deputy's are busy doing other law enforcement things, so the residents would like to appoint a code enforcement officer to take care of the problems in Chaparral. Mr. Homan is asking for sub stations for licensing vehicles, a Magistrate Court and a Road Department be moved down to Chaparral.

Commissioner Moore stated that the next step for Chaparral is to incorporate itself and become a town. This way you will have the funding as well as the governmental status to control yourselves. Commissioner McGinn stated that the Deputy's do carry the affidavits with them in Chaparral to sight an offender of litter and weeds.

Dan Bryant, County Attorney, stated that there are a host of requirements that the Municipal Boundary's Commission looks at before they will let the incorporation process go thru. Part of that is what the property tax base of the area that is to be incorporated, what are the gross receipt tax revenues that can be generated within the area to be incorporated. The inquiry has been preformed in Chaparral a couple of times over the years. We have not found enough property tax or gross receipts tax base to sustain an incorporation there. The community has changed in the last couple of years and certainly an incorporation on both sides of the county line, Mr. Bryant believes there are sufficient property taxes and gross receipt tax revenues present now.

5. Commission Discussion:

a. Commissioner Nivison stated that there was a cable put in at Russia Canyon and it tore up the road some. The contractor went out there and did a repair and the Road Department went and did a little repair on top of that. There were some safety issues brought up by the Fire Department and the residents. Bill Parker went out there and has come to an agreement with the residents and this agreement will take place after Mr. Parker is over the flu.

6. Executive Session:

Commissioner McGinn made a motion to go into Executive Session to discuss personnel issues and land issues. The motion was seconded by Commissioner Moore. 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 personnel issues and land issues. No decisions were made. 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 8:13 p.m.

APPROVED:

Doug Moore, Chairman

ATTEST:

Robyn Silva, County Clerk

Regular Meeting Nov. 21, 2006