

Regular Meeting

Tuesday, December 12, 2006

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., 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
Dr. Martin Moore	County Manager
Ray Backstrom	Assistant County Manager
Dan Bryant	County Attorney
Bill Lee Parker	Public Works Director
LaDonna Perry	Department Secretary
Denise Reliford	Elections Coordinator

DRAFT

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

Consent Agenda:

A motion was made by Commissioner McGinn to approve consent agenda items A1 – D16, D19 and D20, excluding items D17 and D18 for discussion. The motion was seconded by Commissioner Moore. A vote was taken and the motion passed unanimously. See pages

D17 – Nena Garcia (County Safety Officer)

Ms. Garcia approached the board and discussed and requested support from the board for a Risk Awareness Program (RAP) implemented by New Mexico Association of Counties. Ms. Garcia pointed out the benefits that this program would bring to the county employees and each office will have there own trainings. She explained in the long run that it would prevent injuries and save the county money. Commissioner Moore said that he was familiar with this program from presentations from NMAC. The Association of Counties has seen dramatic decreases in accidents. Commissioner Moore would like it

implemented in Otero County. Commissioner McGinn made a motion to support the RAP implemented by NMAC for Otero County employees. The motion was seconded by Commissioner Moore. A vote was taken and the motion passed unanimously. See pages *D18 – Paul Quairolì (Emergency Services Coordinator)*

Mr. Quairolì approached the board and discussed transferring the County Firenet from the Otero County Fire fighter’s Association to the office of Emergency Services. He explained how a contract would be written up and renewed on an annual basis. Commissioner Moore said this is a verbal contract that we have had with radio communications for many years. Mr. Moore said he would have no problem with that as long as we had an annual renewal with an escape clause on the contract. Mr. Bryant said there would be a contract drafted between the County and Radio Communications in a couple of weeks.

Citizen Communications

Ed Carr (Director, Economic Development Council)

Mr. Carr approached the board to discuss and request support for the Spaceport GRT election. Mr. Carr discussed the building of a spaceport in Southern New Mexico and to let the voters decide the approval of a spacesport gross receipt increment. He explained how Dona Ana and Sierra County Commissioners have already put it on a ballot because of the impact it would have on the counties. Commissioner Moore said that from the last work session he had requested and had concerns, if the county can serve the municipal act if it were to be passed county wide. The interpretation he received was no, so therefore he requested more information. Dan Bryant explained that the governing body shall adopt an ordinance calling for an election within seventy-five days of the date the resolution is adopted on the question of imposing the tax. It takes about 60 days after that ordinance has been passed because of proclamation time lines and the book closing time line and other things that have to be met. He also explained the positive referendum process. He explained that a simultaneous election can be held county wide, if the governing bodies of the incorporated municipalities pursuant to the municipal act, will authorize the resolution calling for the election. We would all have to schedule this at the same time. There would be four separate resolutions for Cloudcroft, Tularosa, Alamogordo and the County, they would all have to schedule the election for the same

day and conduct it all at once. Commissioner Moore asked if we the county would have to hold a special election if there was not a scheduled regular election? Mr. Bryant responded that he was correct and the next scheduled election would not be until 2008. The Commission and Mr. Bryant discussed different time frames that would need to be met. Mr. Moore talked about the cost in past elections, a polling place election vs. a mail ballot election and he felt that a mail ballot election would be more economic. Further discussion was made on resolutions, ordinances and the act. Commissioner Moore said he would get with the three municipalities to see if they have an interest in promoting it as well and getting it on a referendum. Commissioner Moore stated his support for the spaceport towards the future for this project. Commissioner Moore asked for more discussion from the public. Fred Wilcoxson, from the audience stated his concern. He asked if the county was sure they wanted to get on board? Commissioner Moore responded that he was familiar with the project and thinks it would be an endeavor we would undertake not only for ourselves but our children once its passed and its up and running. Jerry Johnson, also from the audience stated his concern. He stated that if Dona Ana did not pass the question, we should not waste money on an election. The Commission explained that Dona Ana and Sierra County would be the hub counties. The commission closed this discussion with the agreement to wait to get more information and to consider a possible time on getting the question to the voters. Mr. Carr requested the letter of support from the commission and Mr. Bryant said one had been drafted to Mr. Homans, Cabinet Secretary of NMEDD.

Commission Discussions/Correspondence

District 1 – Commissioner Moore discussed notification of a public workshop and open-house meeting for BLM on December 13, 2006.

District 2 – Commissioner McGinn discussed that Engineer Mr. Zink is coming back to discuss the preliminary analysis on the flood projects discussed, which includes Nogal and Boles Acres at 2:30 on the 13th.

Unscheduled Citizen Communications

Donald Holman from Chaparral, New Mexico representing united neighbors approached the commission to discuss a couple of items; code enforcement and considering a five member board. He began by giving examples of junk cars in the area, and having a code

enforcement ordinance would take a lot of burden off the sheriff's office. He would like to see both Dona Ana and Otero Counties to cooperate in this effort. He also talked about Otero County having a 5 board commission.

Several residents that reside on Dingo Road and associates approached the board to discuss a problem with a property owner that is located on the corner of US Highway 54/70 North and Dingo Road. Those present were: Mr. Dale Petts, Mr. Manny Petts, Margaret Catlin and Larry Hudkins (Southwest Disposal). Each person approached the board individually with their concerns about John Greening, a property owner that lives on the said property. The complaint was that Mr. Greening has installed two concrete pillars on the corner of his property which makes it a safety hazard to vehicles that egress and ingress onto Dingo Road. They discussed how there should be a 30' easement from the highway. Mrs. Catlin also discussed the brush that is growing along the sides that make it a hazard. Mr. Hudkins discussed that he drives a peter built truck and hauls medal. He has to go around the post with a sharp turn and it is going to cause an accident one day with traffic behind him. The discussion went on about the dangers of the road. Mr. Bryant explained that he had searched the deeds and easements on the property owners, he directed the property owners to hire an attorney. Commissioner Moore told them that it was a civil matter and that Dingo Road was not a county maintained road it is a private road, therefore the county could not assist them.

Executive Session:

Commissioner McGinn made a motion to go into Executive Session to discuss B. Pending/Threatening Litigation, C. Limited Personnel Issues, D. Land and G. Contracts. The motion was seconded by Commissioner Moore. Roll call was taken as follows:

Commissioner McGinn	Yes
Commissioner Moore	Yes

Commissioner McGinn made a motion to come out of Executive Session having discussed the items above with no decisions made. The motion was seconded by Commissioner Moore. Roll call was taken as follows:

Commissioner McGinn	Yes
Commissioner Moore	Yes

There being no further business before the Board the Chairman adjourned the meeting at 8:17 p.m.

APPROVED:

Doug Moore, Chairman

ATTEST:

Robyn Silva, County Clerk

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