

**Regular Meeting**

**December 20, 2005**

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., December 20, 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:**

- |                  |                          |
|------------------|--------------------------|
| Clarissa McGinn  | Chair person             |
| Doug Moore       | Vice-Chairman            |
| Michael Nivison  | Member                   |
| Dr. Martin Moore | County Manager           |
| Ray Backstrom    | Assistant County Manager |
| Bobbie Reyes     | Department Assistant     |
| Lynn Estrada     | Deputy Clerk             |

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

**1.Consent Agenda:**

Commissioner Moore made a motion to approve items A. Minutes, B. Bills List #23, #24, #25, C. Health Care Services monthly report for December, D. Personnel, and E. Purchasing. The motion was seconded by Commissioner Nivison. Commissioner Moore amended his motion to approve the consent agenda items A thru F. The amended motion was seconded by Commissioner Nivison.

Commissioner Moore had a question on item 4, staffing issue for the County Clerk's Office. Are we going to consider this item at mid-year budget? Martin Moore, County Manager, stated that this was correct. Robyn Silva, County Clerk, stated that she will not be requesting additional funds at mid-year for this position. A vote was taken and the motion passed unanimously. See pages

**2. Elected Officials/Department Heads/Committee Reports:**

a. Request notification of State Mandated improvements to Otero County Polling sites to make them compliant with Americans with Disabilities Act and request approval to seek bids to prepare and conduct required upgrades.

Commissioner Moore made a motion to discuss this item. The motion was seconded by Commissioner Nivison. Robyn Silva stated that this request is to go out to bid for all County owned buildings that are polling sites. The money is coming from the Federal Government to the State. We will purchase any upgrades and the State will reimburse us. Commissioner McGinn stated that the State is funding the upgrades for the ADA compliance. Robyn stated that this is correct. The schools and church buildings are somewhat of a problem because of the anti-donation clause. At this point we can't use the money from the State on these buildings, but we are waiting for an opinion from the Attorney General on what we are going to be able to do with these buildings. Commissioner Moore asked how many polling sites are we looking at? Martin Moore stated that we have an inventory of each polling site. The list is in Administration for the Commissioners review. Commissioner McGinn stated that for clarification, this is a request to go out to bid and once these bids come back they will come back to the Commission Meeting for approval. A vote was taken and the motion passed unanimously. See pages

b. Request permission to advertise for a Public Hearing for amending the Subdivision Ordinance.

Commissioner Moore made a motion to approve to advertise for a Public Hearing for amending the Subdivision Ordinance. The motion was seconded by Commissioner Nivison.

Commissioner McGinn stated that our Planning Commission has come to the County Commission with a draft to make changes in our current Subdivision Ordinance. This item will be to request permission to advertise and set a date for the first Public Hearing where the draft amendments can be discussed.

Commissioner McGinn would like to have the Public Hearing on the agenda for the January 31, 2006 meeting.

Commissioner Moore amended his motion to give permission to advertise for a Public Hearing to amend the Subdivision Ordinance, publishing the Public Hearing for the January 31<sup>st</sup> Commission Meeting. The amended motion was seconded by Commissioner Nivison. A vote was taken and the motion passed unanimously. See pages

c. Request approval of the 2006 Holiday Schedule for Otero County.

Commissioner Nivison made a motion to approve the 2006 Holiday Schedule for Otero County. The motion was seconded by Commissioner Moore. A vote was taken and the motion passed unanimously.

See pages

d. Request approval of the 2006 Commission Meeting schedule.

Commissioner Nivison made a motion to approve the 2006 Commission Meeting schedule. The motion was seconded by Commissioner Moore. Commissioner Moore stated that we usually have a scheduled close-out meeting at the end of December. After some discussion the Board decided to have a close-out meeting on December 28, 2006.

Commissioner Nivison amended his motion to include December 28<sup>th</sup> as a tentative close-out meeting. The amended motion was seconded by Commissioner Moore. A vote was taken and the motion passed

unanimously. See pages

- e. Update report regarding the Twin Forks water emergency.

Commissioner Nivison stated that him and Martin Moore have a meeting tomorrow with Twin Forks so at this point there isn't anything to report until after the meeting.

- f. Establish Commission Board Chairman and Vice-Chairman for 2006.

Commissioner Nivison made a motion to have Commissioner Moore serve as the Chairman, Commissioner McGinn serve as the Vice-Chair and Commissioner Nivison as member. The motion was seconded by Commissioner Moore. A vote was taken and the motion passed unanimously.

### **3. Public Hearing:**

Preliminary Plat for Broken Arrow Estates Subdivision. A 16 lot residential subdivision.

Commissioner McGinn recessed the Regular Meeting and called the Public Hearing to order at 6:30 p.m.

Dale Palkki, Planning Coordinator and Donald Burton, Developer, approached the Board. Dale stated that this subdivision has been reviewed by all the State Agencies that are required. All reviews were positive.

Commissioner Nivison made a motion to approve the preliminary plat for Broken Arrow Estates Subdivision subject to public comment. The motion was seconded by Commissioner Moore. A vote was taken and the motion passed unanimously. See pages

Commissioner McGinn closed the Public Hearing and returned to Regular Session.

### **4. Executive Session:**

Commissioner Moore made a motion to go into Executive Session to discuss Collective Bargaining, pending and threatening litigation, personnel issues, land, roads and the Detention Center. The motion

was seconded by Commissioner Nivison. Roll call was taken as follows:

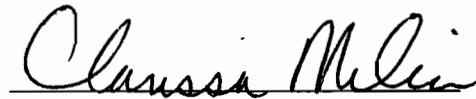
Commissioner Moore	yes
Commissioner McGinn	yes
Commissioner Nivison	yes

Commissioner Moore made a motion to come out of Executive Session having discussed pending and threatening litigation, collective bargaining, personnel issues, land, roads, the Detention Center and no decisions were made. The motion was seconded by Commissioner Nivison. Roll call was taken as follows:

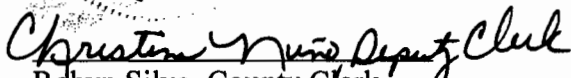
Commissioner Moore	yes
Commissioner McGinn	yes
Commissioner Nivison	yes

There being no further before the Board the Chair person adjourned the meeting at 6:55 p.m.

APPROVED:

  
Clarissa McGinn, Chair person



  
Robyn Silva, County Clerk

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