

Regular Meeting

December 27, 1999

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 Commission Room 253, Alamogordo, County and State aforesaid. Meeting called to order by the Chairman at 8:30 a.m., December 27, 1999; and he announced that reasonable public notice was given to the Alamogordo Daily News, Mountain Monthly, El Paso Times, and to Radio Stations, KPSA, KINN, and KYEE.

Present were:

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| Ronny Rardin | Chairman |
| Richard Zierlein | Vice-Chairman |
| Tim McGinn | Member |
| Ruth Hooser | County Manager |
| Susan Pinson | Administrative Secretary |
| Dan Bryant | County Attorney |
| Robyn Silva | Deputy Clerk |

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The meeting was called to order by the Chairman and Commissioner Zierlein gave the invocation. Commissioner Rardin led those assembled in the Pledge of Allegiance and Commissioner McGinn led the salute to the flag of New Mexico.

1. Commissioner Zierlein made a motion to go in to Executive Session. Commissioner Rardin seconded the motion. Roll call was taken as follows:

Commissioner Rardin - Yes

Commissioner McGinn - Yes

Commissioner Zierlein - Yes

2. Commissioner Zierlein made a motion to return to Regular Session and stated that

the only thing discussed was pending litigation and personnel matters. Commissioner Zierlein seconded the motion. Roll call was taken as follows:

Commissioner Rardin - Yes

Commissioner McGinn - Yes

Commissioner Zierlein - Yes

3. Commissioner Zierlein made a motion to approve consent agenda items A - D.

Commissioner McGinn seconded the motion. No discussion was held. A vote was taken and the motion passed 2-1 with Commissioner McGinn voting against. See pages _____.

4. Discussion was held concerning the holiday schedule for the year 2000. The Commission received two different considerations. The Sheriff submitted a proposal and the other elected officials submitted a separate proposal. The Commission compared the two proposals to the schedule that the state has adopted. Commissioner Zierlein suggested that the county follow the State's schedule because he feels that the holidays should be celebrated on the day that they represent and that schedule is the closest. Commissioner Rardin stated that the only difference in the Sheriff's proposal and the other elected official's is on the July 4th weekend. July 4, 2000 falls on a Tuesday and the Sheriff is proposing that July 3 be taken off instead of December 26, the day after Christmas. This will give the employees a 4 day holiday for July 4 th and will not force the employees to come in on Monday, July 3, and break up the holiday. Commissioner Rardin stated that with the Sheriff's proposal the only holiday that he is changing is Columbus Day. Commissioner McGinn stated that in order to keep peace among the county elected officials maybe the State schedule should be adopted. Commissioner Rardin reiterated that usually we try and give the holiday on a Friday or a Monday.

Commissioner McGinn made a motion to approve the holiday schedule put forth by

the Sheriff and Deputies Association. Commissioner Rardin seconded the motion. Discussion was held and Commissioner Rardin pointed out that it follows the same schedule as the State other than the July 4th weekend. A vote was taken and the motion passed 2-1 with Commissioner Zierlein voting against. See pages _____.

5. Commissioner Zierlein made a motion to approve items 1, 3, and 4 on the administrative report. Commissioner McGinn seconded the motion. A vote was taken and the motion passed unanimously. See pages _____.

6. Commissioner Zierlein made a motion to approve items A - C on the inter-departmental items. Commissioner McGinn seconded the motion. Discussion was held on whether to vote on these items separately because of opposition on one item would reflect on all three items. Commissioner Rardin stated that there is already a motion and a second on the floor. A vote was taken and the motion passed 2 -1 with Commissioner McGinn opposing item C. See pages _____.

7. A representative approached the board from WW Construction with some information concerning the widening of Highway 54 to a four lane from Dog Canyon Road 8 miles north to where it is currently four lane.

8. Chief Deputy Clerk Dianna Duran approached the board to request the approval of Resolution No. 12-27-99/88-22 for the purchase of the Sequoia Pacific OPSCAN 5/Teamwork electronic voting system. Ms Duran stated that the State Board of Finance requires that a resolution first be approved by the county commission even if the money has been approved in the budget, prior to requesting approval by their committee. The Commission stated that they do not have a problem approving this Resolution because they previously approved this purchase in the budget.

Commissioner Zierlein made a motion to approve Resolution No. 12-27-99/88-22 to

purchase the Sequoia Pacific OPSCAN 5/Teamwork electronic voting system. Commissioner McGinn seconded the motion. A vote was taken and the motion passed unanimously. See pages _____.

9. Commissioner Zierlein stated that he sent a letter to the Lincoln National Forest Service requesting a 90 day extension on the Roadless Initiative since we were given such short notice. Commissioner Rardin stated that he felt the County should send a stronger letter requesting that instead of the roads being closed that the Forest Service relinquish their rights to the forest to the Otero County Commission so that we can take over the service of it.

Commissioner Zierlein made a motion to direct staff to draft a letter to the Forest Service to the effect that the Commission as a whole objects to the Roadless Initiative. Commissioner Rardin seconded the motion. A vote was taken and the motion passed unanimously. See pages _____.

10. Sheriff John Lee and Chief Deputy Sheriff Dave Plotner approached the board to discuss the current county burn Ordinance No. 99-03. Commissioner Rardin stated that under the burn ordinance it states that burning shall only be commenced between sunrise and sunset. He further stated that he thought that within the ordinance it stated that the fire had to be out by sunset. The Sheriff's Office cannot enforce that it has to be out by sunset unless the ordinance is amended to that effect. Commissioner Rardin stated that he has received several letters from people complaining about people burning at night and the burning of trash. There is a state statute that prohibits the burning of household trash. The EID should be notified and they will enforce the law. Sheriff Lee stated that he does not feel that he should be enforcing the EID regulations. No action was taken.

11. The Commission presented the service awards to the county employees that were

eligible and in attendance. The employees that have completed 1 year, 5 years, 10 years, 15 years, or 20 years of employment with the County are awarded a Certificate. Commissioner Rardin complimented Mr. Frank Portillo for a job well done as he received his 25 year certificate. He stated that he has done a wonderful job as Road Superintendent and since he took this position the calls of complaints have completely stopped. Commissioner Rardin expressed his gratitude to Dianna J. Duran for her 20 years of service with Otero County in addition to serving as a State Senator and other volunteered positions. Commissioner Rardin presented Ms Ginger Herndon, Purchasing Agent, with her 5 year certificate. He further stated that since she has taken over the Purchasing Department he has not received any complaints and he wanted to commend her for that. Commissioner Rardin read over the remainder of the awards and stated that they will be placed in their departments box and handed out on Thursday. See pages _____.

12. The time being 10:30 a.m. the Chairman stated that a Public Hearing is being held to consider the approval of the vacation and abandonment of a road easement which is located on Summers Avenue. Linda Collins stated that there were no responses or objections received. Dale Palkai questioned whether there would be any deeds recorded to convey the property located in the easement to the proper owners. Mr. Bryant stated that the property owners will record the proper deeds.

Commissioner Zierlein made a motion to approve the vacation and abandonment of the road easement on Summers Avenue stating that there were no letters submitted and no opposition from the audience. Commissioner Mc Ginn seconded the motion. A vote was taken and the motion passed unanimously. See pages _____.

13. Commissioner Zierlein made a motion to approve the new GIS road names as presented by Dale Palkai from the Assessor's Office. Commissioner Rardin seconded the motion

and stated that there was no oppositions received from the audience or by mail. A vote was taken and the motion passed unanimously. See pages _____.

The time being 10:45 am Chairman Rardin adjourned the meeting.

DRAFT CHAIRMAN

OTERO COUNTY CLERK

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