

REGULAR SESSION-BOARD OF QUAY COUNTY COMMISSIONERS

May 22, 2009

9:00 a.m.

BE IT REMEMBERED THE HONORABLE BOARD OF QUAY COUNTY COMMISSIONERS met in regular session the 22nd day of May, 2009 at 9:00 a.m. in the Commissioners' Room of the Quay County Courthouse, Tucumcari, New Mexico for the purpose of taking care of any business that may come before them.

PRESENT & PRESIDING:

Franklin D. McCasland, Chairman
Bill Curry, Member
Robert Lopez, Member
Ellen L. White, County Clerk
Richard Primrose, County Manager

OTHERS PRESENT:

Larry Moore, Road Superintendent
Colette Vanderpool, Quay County Manager's Office
Janie Murray, Quay County Assessor
Chelle Delaney, Quay County Sun
Susan Lease, Quay County ASAP Administrator
Misty Vick, CDBG Administrator

Chairman Franklin D. McCasland called the meeting to order. Janie Murray led the Pledge of Allegiance.

A MOTION was made by Robert Lopez, SECONDED by Bill Curry to approve the minutes of the May 11, 2009 regular commission meeting. MOTION carried with all members voting "aye".

Richard Primrose requested Item No. 2 on the Agenda; Joint Powers Agreement between Quay County and Guadalupe County be removed from the Agenda due to an error in the Agreement. A MOTION was made by Bill Curry, SECONDED by Robert Lopez to approve the Agenda with the removal of Item No. 2. MOTION carried with all members voting "aye".

Public Comment: None

Susan Lease, Quay County ASAP Administrator presented a Memorandum of Understanding between the New Mexico Department of Health and Quay County for the administration of the TUPAC Grant for approval. A MOTION was made by Bill Curry, SECONDED by Robert

Lopez to approve said MOU as presented. MOTION carried with all members voting "aye". A copy of said MOU is attached and made a part of these minutes.

Larry Moore, Road Superintendent, gave the following Road Department report:

1. Requested approval to purchase a new 950H Caterpillar Loader from Wagner Equipment Co. An older John Deere Blade and Loader will be traded in on the new purchase. The original purchase price of the new Loader is \$198,675.00 with the trade of the older equipment in the amount of \$44,000.00. Final purchase price will be \$154,675.00. The new Loader will assist the department in the removal of debris being illegally dumped along County Roads. A MOTION was made by Bill Curry, SECONDED by Robert Lopez to approve the purchase. Chairman McCasland asked if the County was piggy-backing off of another County's RFP. Primrose stated the purchase was being made off the State Contract. MOTION carried with all members voting "aye".
2. Two more sections of Quay Road AI are cracking. New core samples will be taken as all samples in the beginning of the project passed certification requirements. A traffic count will be conducted and results from the count will be provided to the County along with recommendations from the State for load limits and speed limits.
3. Quay Road K is nearing completion with 8/10ths of the project remaining to be completed.
4. The turbo in the Dozer went out and Wagner Equipment Co. sent a technician to service it. A dump truck also lost the turbo, however the County mechanics will work on it at a later time.
5. The mechanic's have been getting items ready for auction when they are not busy with repairs to equipment.
6. Crews are patching pot holes when time allows.
7. A skid loader was tested by the Road Department last week.
8. The Department of Transportation has approved the transfer of culverts to the County.
9. Tommy Darnell requested approved for a utility cut in the Hills Village area. The fee was collected and the permit approved.

Richard Primrose asked Moore to let him and the Commissioners know when the Reclaimer will be working so they can view it. Moore said it will probably be the second week of June.

Robert Lopez stated a bridge near Nola Hendrickson's is very rough and in need of some attention. Lopez also suggested spraying the chip sealed roads for weeds.

Chairman McCasland stated the truck traffic continues to damage Quay Road AD which will need attention really soon.

Misty Vick, CDBG Administrator presented Change Order No. 2 for the current Hospital Roof Reconstruction Project. Vick reported this Change Order is only being authorized to extend the time of completion to May 27, 2009. A MOTION was made by Bill Curry, SECONDED by Robert Lopez to approve the Change Order as presented. MOTION carried with all members voting "aye". A copy of Change Order No. 2 is attached and made a part of these minutes.

County Manager Richard Primrose presented the following Manager's Report:

1. The following Resolutions were presented for approval:
 - a. Resolution No. 47; Budgetary Increase for Forrest Fire District (411-12)
 - b. Resolution No. 48; Budgetary Increase for Jordan Fire District (412-12)
 - c. Resolution No. 49; Budgetary Transfer to Drug Enforcement Fund (603-99) from Confiscated Seizure Fund (602-99)
 - d. Resolution No. 50; Budgetary Increase to Sole Community Federal Match (501-12)
 - e. Resolution No. 51; Budgetary Increase to GRT-Investment Income (501-00)
 - f. Resolution No. 52; Budgetary Increase to Gross Receipts (623-00)
 - g. Resolution No. 53; Budgetary Increase to GRT (401-00)
 - h. Resolution No. 54; Budgetary Increase to GRT-County Indigent (406-00)
 - i. Resolution No. 55; Budgetary Increase to GRT-County Corrections (421-00)
 - j. Resolution No. 56; Budgetary Increase to State Formula DFA (622-00)

A MOTION was made by Robert Lopez, SECONDED by Bill Curry to approve the above mentioned Resolutions as presented. MOTION carried with all members voting "aye". Copies of said Resolutions are attached and made a part of these minutes.

2. Three proposals were submitted for repairs to the roof at the Fair Barn. Following receiving bid reviews from Engineers, Inc. of the proposals, Primrose requested approval of the bid proposal submitted by Daniel Construction. Total amount of the project is \$107,889.55. A MOTION was made by Robert Lopez, SECONDED by Bill Curry to approve the bid proposal submitted by Daniel Construction. MOTION carried with all members voting "aye". Commissioner Curry requested a time line be established in order to have this work complete prior to the county fair and the deadline be included in the contract with Daniel Construction.
3. Requested approval of the Quay County preliminary budget for fiscal year 2009-2010. A MOTION was made by Bill Curry, SECONDED by Robert Lopez to approve the budget. MOTION carried with all members voting "aye".
4. Received a letter from New Mexico Department of Transportation notifying counties and municipalities they could request a waiver of their required funding match from the Department of Finance for future projects. Primrose stated Quay County would not be interested in requesting this waiver as this request reduces the amount allowed for the project.
5. Due to the high cost of the motels in Hobbs, New Mexico for the upcoming New Mexico Association of Counties Summer Conference, Primrose requested per diem for employees attending be increased from \$85 per night to the "specialty" rate of \$135. A MOTION was made Robert Lopez, SECONDED by Bill Curry to approve the increased rate. MOTION carried with all members voting "aye".
6. Presented the monthly gross receipts report. Construction continues to be the majority of this revenue at 41% of the receipts.
7. Received a notification from the Forestry Division of the New Mexico Energy, Mineral and Natural Resources Department regarding an Open Burning and Open Fire Restriction

Ban for Eastern, Southwest, and South Central, New Mexico, which includes Quay County.

8. There will be a Quay County Cooperative Weed Management Meeting on June 17, 2009 at 1:00 p.m. in the Terry Turner Building. A Memorandum of Understanding should be forthcoming from the Extension Office for participation in the Cooperative.
9. Primrose, along with Daniel Estrada met with Mesalands Community College members to conduct the annual walk through of the Rodeo Arena following the use of the facility by the Mesalands Rodeo team. Primrose reported everything was in order and the new water line and meter are being installed.
10. Reports of someone leaving the lights on in the Exhibit Center have been documented indicating someone other than the staff has a key to the building. Locks on the building have once again been changed with the only keys being in the possession of Estrada and the County Manager's office. Commissioner Curry suggested checking into a keyless entry system to avoid keys ending up distributed and not returned.
11. An application is being submitted to New Mexico Energy, Mineral and Natural Resources Department regarding funding through the Stimulus Project for Courthouse upgrades.
12. Sierra Detention Systems is working nights to avoid the traffic at the Detention Center to get the installation of new equipment complete. Chairman McCasland requested a walk through of the Detention Center during the June 22, 2009 meeting if the work is complete.

Chairman McCasland asked if any correspondence has been received from the Department of Finance regarding the reauthorized \$80,000,000. Primrose stated the last he heard was documentation had been sent to the City of Tucumcari for signatures. Primrose said the County should also be receiving the funds due to the Road Department this week as well.

Chairman McCasland requested a ten minute recess. Time noted 10:00 a.m.

A MOTION was made by Robert Lopez, SECONDED by Bill Curry, to go into Executive Session pursuant to the Open Meetings Act 10-15-1(H) 8 NMSA to discuss pending litigation. Lee Stone vs. Board of County Commissioners. MOTION carried with Lopez voting "aye", Curry voting "aye" and McCasland voting "aye". Time noted 10:10 a.m.

-----EXECUTIVE SESSION-----

Return to regular session. Time noted 11:30 a.m.

A MOTION was made by Bill Curry, SECONDED by Robert Lopez that only threatened litigation was discussed during Executive Session and no action was taken. MOTION carried with Lopez voting "aye", Curry voting "aye" and McCasland voting "aye".

INDIGENT....11:35 – 11:50

Return to regular session. Time noted 11:50 a.m.

Chairman McCasland requested recess for lunch. Those in attendance were invited to attend.
Time noted 12:05 p.m.

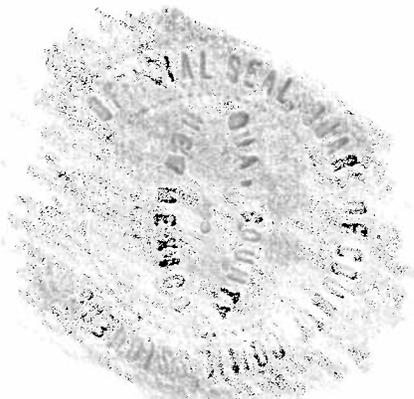
-----LUNCH-----

Return to regular session. Time noted 1:15 p.m.

CHECKS WERE REVIEWED AND APPROVED:

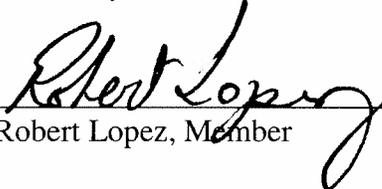
There being no further business, a MOTION was made by Bill Curry, SECONDED by Robert Lopez to adjourn the regular meeting of the Board of Quay County Commissioners until the next regular meeting set for Monday, June 10, 2009, at 9:00 a.m. unless sooner called. MOTION carried with all members voting "aye". Time noted 1: 50 p.m.

BOARD OF QUAY COUNTY COMMISSIONERS




Franklin D. McCasland, Chairman


Bill Curry, Member


Robert Lopez, Member

ATTEST:


Ellen L. White, County Clerk