

REGULAR SESSION-BOARD OF QUAY COUNTY COMMISSIONERS

June 22, 2009

9:00 a.m.

BE IT REMEMBERED THE HONORABLE BOARD OF QUAY COUNTY COMMISSIONERS met in regular session the 22nd day of June, 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
Warren Frost, Ute Lake Ranch
Jamie Burton, Trigg Memorial Hospital
Misty Vick, CDBG Administrator
Tony Elebario, Quay County Detention Center Administrator

Chairman Franklin D. McCasland called the meeting to order. Tony Elebario led the Pledge of Allegiance.

Chelle Delaney, Quay County Sun and Catherine Bugg, KTNM/KQAY Radio joined the meeting. Time noted 9:05 a.m.

Chairman McCasland opened the Public Hearing for Close Out of the Community Development Block Grant. McCasland stated the County was awarded CDBG funds enabling Trigg Memorial Hospital to receive a new roof. Misty Vick, CDBG Administrator informed those in attendance of the project overview stating that all work was completed in May, 2009. Jamie Burton, Maintenance Director for the Hospital stated the project was a huge success and they are very pleased and grateful for the new roof.

Public Hearing was closed. Time noted 9:10 a.m.

A MOTION was made by Robert Lopez, SECONDED by Bill Curry to approve the minutes from the June 10, 2009 regular commission meeting. MOTION carried with all members voting "aye".

A MOTION was made by Bill Curry, SECONDED by Robert Lopez to approve the Agenda as presented. MOTION carried with all members voting "aye".

Public Comment: None

Warren Frost informed the Commissioners of the vacancies that have occurred on the Board of Directors for Ute Lake Ranch Public Improvement District No. 1. Frost stated two terms have expired and one person has resigned leaving only two Directors. The vacancies have crippled the Board in making decisions so business can continue as both Directors are not always in agreement. Frost stated the Board of County Commissioners are the Governing Body required to appoint an individual to fulfill the unexpired term of the Board Member, being Sid Strebeck, who has resigned. Frost expressed his concern and importance of the County's responsibility to the project. Frost requested the Commission have representation on the Board by appointing a member from the Quay County Board of Commissioners to that vacated spot on the Board. Chairman McCasland agreed the County has a huge investment and responsibility to the project especially concerning the water being leased from the County for the subdivision. County Manager Primrose echoed McCasland's statement and stated he believed a member of the Commission should serve in that capacity. Commissioner Lopez asked if the other two positions that are vacant will require additional new appointments and if the other two serving will continue indefinitely. Frost stated, New Mexico Statute requires an Election be held for all positions in 2010. However, without a third member, it is nearly impossible for the Board of Directors of the District to call for the Election. A MOTION was made by Bill Curry, SECONDED by Robert Lopez to appoint Quay County Chairman, Franklin McCasland, to fulfill the unexpired term of Sid Strebeck on the Ute Lake Ranch Public Improvement District No. 1. MOTION carried with Lopez and Curry both voting "aye" respectively. Chairman McCasland abstained from the vote.

Janie Murray, Quay County Assessor introduced David Ortiz, NM Property Tax Chief of Appraisal who joined Murray to review the Property Tax Division 2009 Assessor Evaluation. Chairman McCasland asked Murray to begin explaining the Evaluation and how the process is conducted. As Murray went over the Evaluation, the Commissioners questioned Murray with regard to the findings. Murray along with Ortiz explained how the findings occurred and how issues were being resolved. Also discussed was what portion of the Assessors' records are public information and what is not. The Commissioners requested Murray to continue bringing these types of Evaluations to the meetings for review by the Board to enable them to stay abreast of this information to better assist them as Commissioners. The Commissioners and Murray agreed to work together in a joint effort to keep the Board educated on the resolutions to the audit findings and allow them to provide any services and support to the Assessor when possible.

Murray also reported on the June 15, 2009 NMAC Board Phone Conference. It was reported that Paul Gutierrez, NMAC Executive Director had given notice at Summer Conference of his intent to resign and seek employment elsewhere. However, Gutierrez has reconsidered and will remain employed as Executive Director for the New Mexico Association of Counties.

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

1. Crews are using the blades in the San Jon, Wheatland and Forrest areas.

2. An accident occurred on Route 66 recently. Moore inspected the road and found no significant signs the condition the road was responsible. The party involved was traveling in excess of the speed limit and lost control.
3. Crews are hauling on Quay Road F. This will be a nine mile project.
4. Two gates have been installed on Quay Road 70 and three on Quay Road U to address concerns regarding access adjacent to cattle guards.
5. Final payment from the State to complete the financial paperwork for the GRIP 2 project should be received this week.

Chairman McCasland asked if the core samples on Quay Road AI had been complete. Moore said he has not heard any time frame yet for the sampling.

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

1. Presented the Audit Services Contract between Quay County and Chester W. Mattocks, CPA for the fiscal year ending June 30, 2009. A MOTION was made by Bill Curry, SECONDED by Robert Lopez to approve said Contract. MOTION carried with all members voting "aye". A copy of said Contract is attached and made a part of these minutes.
2. Presented the 2008 Audit findings and Resolutions.
3. Requested Approval of the following Resolutions:
 - a. Fiscal Year 2008-2009 Resolution #57 Budgetary Increase to Fire District III
 - b. Fiscal Year 2008-2009 Resolution #58 Budgetary Increase to Quay Fire Marshall
 - c. Fiscal Year 2008-2009 Resolution #59 Budgetary Increase to Confiscated/Seizure Fund
 - d. Fiscal Year 2008-2009 Resolution #60 Budgetary Increase to Environmental Gross Receipts
 - e. Fiscal Year 2008-2009 Resolution #61 Budgetary Increase/Decrease to Misdemeanor Court Compliance
 - f. Fiscal Year 2008-2009 Resolution #62 Budgetary Increase to DWI Probation Fees
 - g. Fiscal Year 2008-2009 Resolution #63 Budgetary Increase to DWI Screening Fees
 - h. Fiscal Year 2008-2009 Resolution #64 Budgetary Transfer to Nara Visa Senior Citizen Grant
 - i. Fiscal Year 2008-2009 Resolution #65 Budgetary Increase to Fire Districts of Quay County from Fire Protection Grant Awards
 - j. Fiscal Year 2008-2009 Resolution #66 Authorizing the Submission of an Energy Efficiency and Conservation Block Grant
 - k. Fiscal Year 2008-2009 Resolution #67 Budgetary Increase/Transfer from the General Fund to County Improvement
 - l. Fiscal Year 2008-2009 Resolution #68 Budgetary Increase to the Law Enforcement Fund

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

4. Presented an invitation to attend the Grand Opening of the Ben R. Lujan District Office on July 3, 2009.

5. Presented the Tucumcari Health Office Organizational Chart and Demographic Profile for Tucumcari.
6. Received a letter from NM Department of Finance approving the draft of the 2009-2010 operating budget for Quay County.
7. Presented the Ute Water Commission Agenda for the June 25, 2009 meeting scheduled to be held in Portales, New Mexico.
8. A meeting of the Interstate Stream Commission will be held in Albuquerque on June 24, 2009.
9. Presented the current Gross Receipts Tax Revenue chart.

Chairman McCasland requested a ten minute recess. Time noted 10:35 a.m. return to regular session. Time noted 10:45 a.m.

Tony Elebario, Quay County Detention Center presented the following items for approval:

1. Quarterly Report for April 1, 2009 through June 16, 2009. A MOTION was made by Bill Curry, SECONDED by Robert Lopez to approve the Report as presented. MOTION carried with all members voting "aye". A copy of said Report is attached and made a part of these minutes.
2. Sierra Detention Centers update. Equipment is installed and being tested.
3. Juvenile Detention Center Contract between Quay County and McKinley County for housing juvenile offenders. A MOTION was made by Robert Lopez, SECONDED by Bill Curry to approve said Contract. MOTION carried with all members voting "aye". A copy of said Contract is attached and made a part of these minutes.
4. Presented the New Mexico Children, Youth and Families Department Juvenile Justice Division Inspection of the Quay County Detention Center. Elebario stated some language in the Policy and Procedures manuals will need to be edited and corrected to be in compliance with the NM CYFD guidelines. Those revisions will be presented to the Board at a later date.
5. Presented the Commissioners and those in attendance with a tour of the Detention Facility.

UNDER OTHER BUSINESS:

Commissioner Curry expressed an interest in trying to initiate a joint effort of the City, State and County to alleviate a drainage problem at the East end of Barnes Street. The residents in that area experience property damage after any amount of rainfall. The issue has gone on now for several years and needs to be corrected. The other Commissioners agreed and instructed Primrose to draft a letter to Paul Gray with the New Mexico Highway Department and send a copy to Bobbye Rose, City of Tucumcari Manager and try to schedule a meeting of the various entities.

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 11:20 a.m.

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

Return to regular session. Time noted 11:35 a.m.

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

A MOTION was made by Robert Lopez, SECONDED by Bill Curry to go into session as the Indigent Claim Board. MOTION carried with all members voting "aye". Time noted 11:37 a.m.

-----INDIGENT CLAIMS BOARD-----

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

CHECKS WERE REVIEWED AND APPROVED:

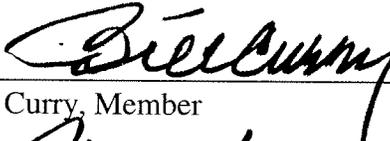
Chairman McCasland announced the Commissioners would be having lunch following the adjournment of this meeting at the Kbobs Restaurant. The public is welcome to attend.

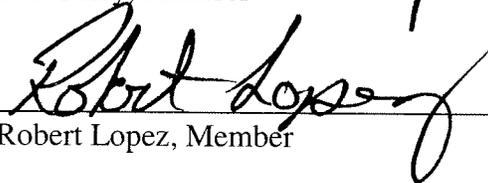
There being no further business, a MOTION was made by Bill Curry, SECONDED by Robert Lopez to adjourn the regular meeting of the Board of Quay County Commissioners until the next regular meeting set for Monday, July 13, 2009, at 9:00 a.m. unless sooner called. MOTION carried with all members voting "aye". Time noted 12:05 p.m.

BOARD OF QUAY COUNTY COMMISSIONERS

A circular seal of the Board of Quay County Commissioners is located on the left side of the page. The seal features the text "BOARD OF QUAY COUNTY COMMISSIONERS" around the perimeter and "JULY 12 1905" in the center. The seal is partially obscured by the signatures of the commissioners.

Franklin D. McCasland, Chairman


Bill Curry, Member


Robert Lopez, Member

ATTEST:


Ellen L. White, County Clerk