

REGULAR SESSION-BOARD OF QUAY COUNTY COMMISSIONERS

July 13 2009

9:00 a.m.

BE IT REMEMBERED THE HONORABLE BOARD OF QUAY COUNTY COMMISSIONERS met in regular session the 13th day of July, 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:

Colette Vanderpool, Quay County Manager's Office
Janie Murray, Quay County Assessor
Tony Elebario, Quay County Detention Center Administrator
Bill Humphries, PMS Safety and Project Management Director
Becky Wallace, PMS Administrator
Donald Adams, Quay County Fire Marshall
Deborah Rodgers, Quay County ASAP
Chris Sandoval, BPO Elks Lodge Exalted Ruler
Drake Swenson, Quay County Resident
Thomas Garcia, Quay County Sun

Chairman Franklin D. McCasland called the meeting to order. Bill Humphries led the Pledge of Allegiance.

Catherine Bugg, KTNM/KQAY Radio joined the meeting. Time noted 9:05 a.m.

A MOTION was made by Robert Lopez, SECONDED by Bill Curry to approve the minutes from the June 22, 2009 regular commission meeting. MOTION carried with all members voting "aye".

Chairman McCasland requested approval of the BPO Elks Lodge Proclamation under the County Manager report be moved to the first item on the Agenda. County Manager, Richard Primrose informed the Board of Larry Moore's absence and stated he would be giving the Road Department report. A MOTION was made by Bill Curry, SECONDED by Robert Lopez to approve the Agenda as amended. MOTION carried with all members voting "aye".

Public Comment: None

Chairman McCasland asked Ellen White, Quay County Clerk to read the Proclamation being presented to the Tucumcari Elks Lodge No. 1172, establishing August 11, 2009 as Tucumcari Elks Lodge No. 1172 Centennial Day in Quay County. A MOTION was made by Robert Lopez, SECONDED by Bill Curry to approve said Proclamation as presented. MOTION carried with all members voting "aye". Chris Sandoval, BPO Elks Lodge Exalted Ruler accepted the Proclamation.

Bill Humphries, PMS Safety and Project Management Director and Becky Wallace, PMS Administrator requested approval of the Presbyterian Medical Services Statement of Agreement and the Notice of Federal Interest. These documents are in reference to the remodeling of the Quay County Family Health Center. A MOTION was made by Robert Lopez, SECONDED by Bill Curry, to approve said requests. MOTION carried with all members voting "aye". Copies of documents are attached and made a part of these minutes.

Donald Adams, Quay County Fire Marshall requested the followings:

1. Commissioners make a decision as to the continuance of the Fire Ban. All Commissioners were in agreement to leave the Fire Ban in place at this time.
2. Adams presented Resolution No. 69; Authorizing Approval of the 2009-2010 Wildfire Risk Reduction Grant Fund for our Educational/Outreach Project Titled: Fire Danger Signs Grant in the Amount of \$9,100.00. A MOTION was made by Bill Curry, SECONDED by Robert Lopez to approve said Resolution. MOTION carried with all members voting "aye". A copy of said Resolution is attached and made a part of these minutes.
3. Requested approval of the Grant Acknowledgement Form for the Wildfire Risk Reduction Program. (Signage) A MOTION was made by Robert Lopez, SECONDED by Bill Curry to approve Form. MOTION carried with all members voting "aye". A copy of the Form is attached and made a part of these minutes.
4. Requested approval of the Bid submitted by Artesia Fire Equipment, Inc. for the Bard-Endee Fire District to purchase a Bauer UNIII/13H-E1 Unicus SCBA Cylinder Recharging Station in the amount of \$55,992.00. A MOTION was made by Bill Curry, SECONDED by Robert Lopez to approve said Bid. MOTION carried with all members voting "aye".
5. Adams reported the all Mutual Aid Agreements with adjoining Counties and Municipalities have been signed and returned except for Union County. Union County requested the Agreement be Automatic Aid. Adams stated the Fire Districts in Quay County will not participate in Automatic Aid.

Tony Elebario, Quay County Detention Center Administrator presented the Policy and Procedures changes as a result of the recent CYFD inspection. Elebario stated Manny Romero, New Mexico Association of Counties Representative will review the changes as well. A MOTION was made by Bill Curry, SECONDED by Robert Lopez to approve changes. MOTION carried with all members voting "aye". A copy is attached and made a part of these minutes.

Janie Murray, Quay County Assessor and NMAC Board Member presented proposed Legislative Resolutions for input from the Commissioners for the upcoming thirty day legislative session. Murray requested the Commissioners and Department Heads voice their concerns both positive and negative with regards to proposed legislation so she can represent Quay County's voice at

the next meeting to be held August 13, 2009. The Commissioners stated they will review the possible Resolutions and report back to Murray at the next regularly scheduled Commission meeting.

Deborah Rodgers, representing Quay County ASAP, requested approval of the following:

1. OptumHealth New Mexico Grant for fiscal year 2009-2010. A MOTION was made by Bill Curry, SECONDED by Robert Lopez to approve said Grant. MOTION carried with all members voting "aye". A copy of said Grant is attached and made a part of these minutes.
2. Professional Services Contract between Quay County and Concha Montano, Contractor in the amount of \$15,000.00. 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.

In the absence of Larry Moore, Road Superintendent, Richard Primrose gave the following Road Department report:

1. Due to heavy rains in the Nara Visa area, projects there were suspended until the area dried up some. Crews should resume work there today.
2. Heavy rains along Quay Road 55 forced water over a culvert requiring road repairs in that area and the entire Quay Valley
3. Crews are doing maintenance work around the road barn, mowing and working in and around culverts.
4. Applications are being received for two positions in the Road Department.

Commissioner Curry requested the Commissioners, County Manager and Road Superintendent develop of priority list of roads in Quay County that need repairs.

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

1. Requested approval of the following Resolutions:
 - a. Resolution #70 Budgetary Transfer to the Juvenile Detention Center
 - b. Resolution#71 Budgetary Increase to the DWI Distribution
 - c. Resolution #72 Budgetary Increase to the DWI Treatment Fees
 - d. Resolution #73 Budgetary Increase to the CDBG-Quay Hospital Roof
 - e. Resolution #74 Budgetary Transfer to the CDBG – Quay Hospital Roof

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

2. Requested approval of the Department of Finance and Administration Local Government Division Fund Projects Grant Agreement. A MOTION was made by Bill Curry, SECONDED by Robert Lopez to approve said Grant Agreement. MOTION carried with all members voting "aye". A copy of said Grant Agreement is attached and made a part of these minutes.
3. Requested approval of the Joint Powers Agreement between the City of Tucumcari and Quay County, Establishing the Tucumcari/Quay Regional Emergency Communication

Center. A MOTION was made by Robert Lopez, SECONDED by Bill Curry to approve said Agreement. MOTION carried with all members voting "aye". A copy of said Joint Powers Agreement is attached and made a part of these minutes.

4. Informed the Commissioners of the State of New Mexico increasing mileage reimbursements to 50.5 cents per mile. Quay County's current rate is 32 cents per mile. A MOTION was made by Robert Lopez, SECONDED by Bill Curry to approve the mileage rate for Quay County to the State recommended rate of 50.5 cents per mile. MOTION carried with all members voting "aye".
5. Presented the Quay County Family Health Center June 2009 Monthly RPHCA Report. A copy is attached and made a part of these minutes.
6. Received the JAG funding for the Sheriff's Department in the amount of \$53,25200 which is split between the County of Quay and City of Tucumcari Police Department.
7. The new Audit Contract with Chester Mattocks has been issued and the Audit process should begin soon for the past fiscal year.
8. A representative from the New Mexico Association of Counties will be in Quay County this week to inspect the County owned buildings.
9. Requested permission to issue an RFP to purchase a fork lift for the fairgrounds. Commissioners gave their approval.

Chairman McCasland requested a ten minute recess. Time noted 10:20 a.m.

Return to regular session. Time noted 10:30 a.m.

UNDER OTHER BUSINESS:

Commissioner Curry asked Primrose if he had made contact with Paul Gray with the State of New Mexico Highway Department regarding the drainage problem at the end of Barnes Street. Primrose stated he had sent a letter but has received no response.

Chairman McCasland informed all he is continuing conversation with all parties involved with the concerns regarding the Ladd S. Wildlife area. No information is available to report on at this time.

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 10:40 a.m.

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

Return to regular session. Time noted 12:15 p.m.

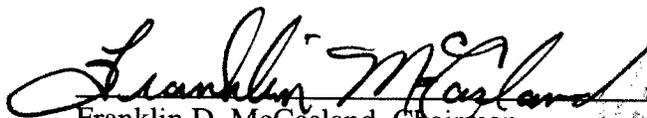
A MOTION was made by Bill Curry, SECONDED by Robert Lopez that only pending litigation was discussed during Executive Session and no action was taken. MOTION carried with Lopez voting "aye", Curry voting "aye" and McCasland voting "aye".

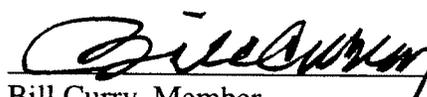
CHECKS WERE REVIEWED AND APPROVED:

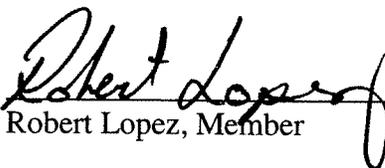
Chairman McCasland announced the Commissioners would be having lunch following the adjournment of this meeting at the Pow Wow Restaurant. The public is welcome to attend.

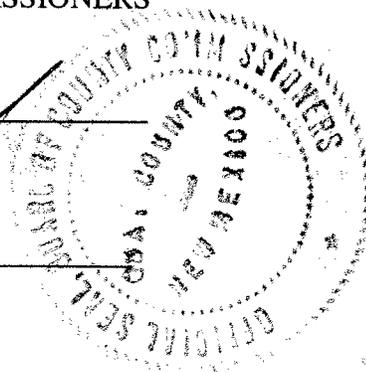
There being no further business, a MOTION was made by Bill Curry, SECONDED by Robert Lopez to adjourn the regular meeting of the Board of Quay County Commissioners until the next regular meeting set for Monday, July 27, 2009, at 9:00 a.m. unless sooner called. MOTION carried with all members voting "aye". Time noted 12:20 p.m.

BOARD OF QUAY COUNTY COMMISSIONERS

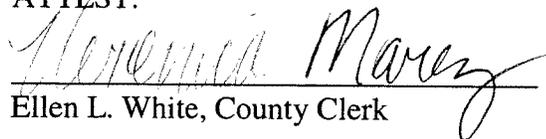

Franklin D. McCasland, Chairman


Bill Curry, Member


Robert Lopez, Member



ATTEST:


Ellen L. White, County Clerk