

REGULAR SESSION-BOARD OF QUAY COUNTY COMMISSIONERS

March 22, 2010

9:00 a.m.

BE IT REMEMBERED THE HONORABLE BOARD OF QUAY COUNTY COMMISSIONERS met in regular session the 22nd day of March, 2010 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
Dennis Roch, State Representative
Susan Lease, Quay County ASAP
Claude Peterson, Quay County ASAP
Donald Adams, Quay County Fire Marshal
Joe Schallert, Quay County Sheriff
Cheryl Simpson, Quay County Manager's Office
Janie Murray, Quay County Assessor
Becky Wallace and Cheri Nipp, Presbyterian Medical Services
Catherine Bugg, KTNM/KQAY Radio Station

Chairman Franklin D. McCasland called the meeting to order. State Representative, Dennis Roch led the Pledge of Allegiance.

A MOTION was made by Robert Lopez, SECONDED by Bill Curry to approve the minutes from the March 8, 2010 regular commission meeting. MOTION carried with all members voting "aye".

A MOTION was made by Robert Lopez, SECONDED by Bill Curry to move item number 11 to item number 2 on the Agenda. MOTION carried with all members voting "aye".

Public Comments: There were none.

Chairman Franklin McCasland welcomed State Representative Dennis Roch to the meeting. Roch provided the Commissioners and those in attendance with information as a result of the recent conclusion of the Thirty-Day Legislative Session and the Special Session Roch stated the intention of

the Thirty-Day Session was to balance the budget; however a variety of other items were addressed as well. Roch stated the beginning point of the Session involved a Budget that indicated 5.1 billion dollars in revenue with expenditures totaling 5.4 billion. A budget was finally approved with 5.35 billion dollars worth of expenditures based on a projected revenue increase. Roch stated he believed during the year, another legislative special session would be required to trim the budget again when the increased projected revenue is not met. Roch stated he argued a variety of what he believed to be frivolous items on the budget including but not limited to the Space Port and Rail Runner.

Chairman McCasland voiced his concern regarding the County's responsibility to house State Prisoners with no funding from the State. Roch said he would continue to make that a priority on his agenda. McCasland also asked what the exact amount of the Gross Receipts Tax increase would be. Roch stated it increased 1/8th of a percent and will become effective July 1, 2010.

Commissioner Curry echoed Roch's displeasure with budgeting items such as the Space Port at a time when the bare minimum items that need to be provided to the Citizens of New Mexico are being jeopardized.

Chairman McCasland thanked Representative Roch for his continued open door policy and his responsiveness to the constituents of Quay County.

Becky Wallace and Cheri Nipp, Presbyterian Medical Services presented the following items for approval:

1. Professional Services Contract between Quay County and Presbyterian Medical Services for a period of ten years. A MOTION was made by Robert Lopez, SECONDED by Bill Curry to approve the Contract as presented. MOTION carried with all members voting "aye". A copy of said Contract is attached and made a part of these minutes.
2. 2010-2011 RPHCA Application and Action Plan. A MOTION was made by Robert Lopez, SECONDED by Bill Curry to approve the Application and Action Plan as presented. MOTION carried with all members voting "aye". A copy of said documents are attached and made a part of these minutes.

Susan Lease, Quay County ASAP Coordinator presented the 2010-2011 OSAP/OHNM Grant Application Statement of Assurances for approval. A MOTION was made by Bill Curry, SECONDED by Robert Lopez to approve the presented items. MOTION carried with all members voting "aye".

Nolan Donley, Development Manager of Carma Colorado, Inc., joined the meeting. Time noted 10:00 a.m.

Lease, along with her assistant Claude Peterson provided a power point presentation as part of the TUPAC Grant regarding information of the new Tobacco FDA Laws and Regulations.

Chairman McCasland requested a recess. Time noted 10:05 a.m.

Return to regular session. Time noted 10:15 a.m.

Donald Adams, Quay County Fire Marshall requested approval of the PERA Applications for Fire Districts I and II, and the Quay Fire District. A MOTION was made by Robert Lopez, SECONDED by Bill Curry to approve said Applications. MOTION carried with all members voting "aye". Copies of said Applications are attached and made a part of these minutes.

Adams informed the Commissioners that Ray Rush and his wife are flying to Atlanta this week to pick up the new fire truck for Forrest. Adams stated the new Fire Danger signs are being installed at the County lines by the NM Transportation Department. Adams requested the Commissioners take time to go to the nearest sign and have a photo taken to submit with the final grant paperwork.

Joe Schallert, Quay County Sheriff presented the February 2010 Statistics/Activity report for the Sheriff's Office. A copy of said report is attached and made a part of these minutes.

Nolan Donley, Development Manager of Carma Colorado, Inc., presented the drawings of the proposed entrance into 12 Shores, a division of the Ute Lake Ranch property. Donley stated the erosion control work should begin this week and work will continue on the new entrance for the next three months with the anticipated completion date being July 1, 2010. The Commissioners thanked Donley for continuing to keep them informed of the improvements and developments of Ute Lake Ranch.

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

1. Requested approval of Resolution No. 52; Annual Certification of the 2010 Quay County Road Mileage. The certified mileage is 1161.61 miles of maintained roadways in Quay County. A MOTION was made by Robert Lopez, SECONDED by Bill Curry to approve Resolution No. 52. MOTION carried with all members voting "aye". A copy of said Resolution is attached and made a part of these minutes. As well, the 2010 Road Certification map is filed in the Quay County Clerk's Office.
2. Requested approval of a letter to Jimmy Valentine, Quay County resident regarding the County's procedures regarding the installation of cattle guards. A MOTION was made by Bill Curry, SECONDED by Robert Lopez to approve the letter. MOTION carried with all members voting "aye". A copy of said letter is attached and made a part of these minutes. Commissioner Curry said he would like to continue this type of documentation on all issues with roads and cattle guards.
3. The crews are prepared for the forecasted snow storm.
4. The crews are hauling and preparing for the next road project.
5. There is an RPO meeting in Logan, NM on Friday, March 26. Moore will attend.

Quay County Clerk, Ellen White presented a list of delinquent Occupation Licenses for 2010. Following the review of the list by the Commissioners, a letter will be sent to those businesses informing them of the procedures should they fail to comply and purchase a license. A MOTION was made by Bill Curry, SECONDED by Robert Lopez to approve the list of delinquencies. MOTION carried with all members voting "aye".

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

1. Requested approval of Resolution No. 50; Authorization of Budgetary Increase to the DWI Grant (624). 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.
2. Requested approval of Resolution No. 51; Authorization of an Intra-Budgetary Transfer from Detention Center Fund (421). 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. Presented a letter from Linda Monk, Region 4 Director for the NM Department of Health regarding the Quay County Health Office's function in the community and the latest demographics from the Office.
4. Provided a Pre-Conference Agenda for the 2010 NMAC Annual Conference to be held in San Juan County the week of June 15-18, 2010.
5. Informed the Commission of the City of Tucumcari Ground Breaking of the Second Street AARA Project today at 11:00 A.M.
6. Provided the monthly Cash Investment Reports, Revenue Reports and GRT Report. Commissioner Curry stated he has worked with the County Treasurer regarding the Investment Accounts and suggested to the Commission they support her decision in trying to move the investments to various financial institutions around Tucumcari in an effort to provide the best possible results.
7. Reported the drainage problem around the Travis Nelson building is being corrected.
8. Informed the Commission that \$155,000.00 of the \$164,000.00 Grant Agreement for the fairgrounds project has been approved for reimbursement. The RFP for dropping the ceiling and installation of new heating and air conditioning was previously approved and Primrose will contact the contractors and get them started on the project.

CHECKS WERE REVIEWED AND APPROVED:

A MOTION was made by Bill Curry, SECONDED by Robert Lopez to go into session as the Indigent Claim Board. MOTION carried with all members voting "aye". Time noted 11:20 a.m.

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

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

UNDER OTHER BUSINESS:

Commissioner Curry requested Primrose follow up on the Barnes Avenue flooding problem before the rainy season begins and the problem increases.

Chairman McCasland expressed his concern regarding the NMAC Board of Directors meeting to be held in Quay County the first week of May. McCasland said Janie Murray, Quay County Assessor and NMAC Board Member, wanted to host the meeting at the Quay County Fairgrounds. However, the facility is being utilized by the New Mexico Bluegrass Association. McCasland stated Murray has reserved the City of Tucumcari Convention Center and suggested the County pay the rental fee if there is one due to the fact the Exhibit Center at the Fairgrounds is not available. Primrose stated he would

confirm the Fairgrounds would be occupied and if it is he will check with the City to see if there will be a fee associated with the rental of the Convention Center.

Commissioner Curry suggested a Work Session/Retreat for the Commissioners and Manger to address the upcoming budget preparation due to the lack of State Funding in various Departments. Primrose stated the Department Heads and Elected Officials are being asked to submit preliminary budgets by mid April and will schedule the Work Session after receiving the budget requests.

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) 7 NMSA to discuss pending litigation. Dusty Stone vs. Board of County Commissioners. MOTION carried with Lopez voting "aye", Curry voting "aye" and McCasland voting "aye". Time noted 11:45 a.m.

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

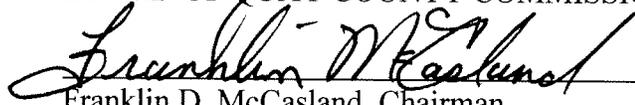
Return to regular session. Time noted 12:45 p.m.

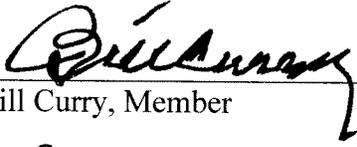
A MOTION was made by Bill Curry, SECONDED by Robert Lopez that only pending litigation was discussed during Executive Session and no action was taken. MOTION carried with Lopez voting "aye", Curry voting "aye" and McCasland voting "aye".

Chairman McCasland announced the Commissioners would be having lunch following the adjournment of this meeting at Flying J's 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, April 12, at 9:00 a.m. unless sooner called. MOTION carried with all members voting "aye". Time noted 12:50 p.m.

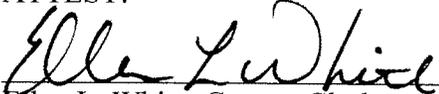
BOARD OF QUAY COUNTY COMMISSIONERS


Franklin D. McCasland, Chairman


Bill Curry, Member


Robert Lopez, Member

ATTEST:


Ellen L. White, County Clerk