

REGULAR SESSION-BOARD OF QUAY COUNTY COMMISSIONERS

July 12, 2010

9:00 a.m.

BE IT REMEMBERED THE HONORABLE BOARD OF QUAY COUNTY COMMISSIONERS met in regular session the 12th day of July, 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 McCasland, Chairman
Bill Curry, Member
Robert Lopez, Member
Ellen L. White, County Clerk

OTHERS PRESENT:

Larry Moore, Road Superintendent
Cheryl Simpson, Quay County Manager's Office
Janie Murray, Quay County Assessor
Anthony Elebario, Quay County Detention Center Administrator
Scott Verhines, Eastern New Mexico Rural Water Systems Director
Kent Terry, NM Interstate Stream Commission

Chairman Franklin McCasland called the meeting to order. Kent Terry led the Pledge of Allegiance.

A MOTION was made by Robert Lopez, SECONDED by Bill Curry to approve the minutes from the June 28, 2010 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 Comments: NONE

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

1. In reference to the requested closure of 5.96 miles (3700-4100) on Quay Road 53, Moore stated that there is not 100% agreement for closure by the land owners so he requested the commissioners not approve the request for closure. A MOTION was made by Bill Curry, SECONDED by Robert Lopez to deny closure of 5.96 miles on Quay Road 53. MOTION carried with all members voting "aye".
2. Albert Lopez has submitted proper paperwork and fees for permission to make a utility cut in the 6800-6900 block of Quay Road 69.

Commissioner Curry requested Moore follow up with County Manager, Richard Primrose and develop an updated procedural process for making utility cuts in and along county roads. Curry said the Commissioners had previously suggested strengthening the fees and penalties and would like to see this in the form of a new Resolution at a future meeting.

3. Signs for Ute Lake Ranch Road have been ordered and are in stock now. Placement of those signs will be forthcoming.
4. Crews have been repairing and working on a variety of cattle guards throughout the County as time allows.
5. Repairs were made to Quay Road BE three years ago, but the materials were not laid properly so the crews will use the reclaimer and re-do the road in the near future.

Chairman McCasland asked Moore to address the concerns of the residents along Leonard Drive as soon as the materials and equipment are available.

Anthony Elebario, Quay County Detention Center Administrator presented the Quarterly Report for the fourth quarter. A copy of his report is attached and made a part of these minutes.

Scott Verhines, Eastern New Mexico Rural Water Systems Director addressed the Commissioners with an update and status report of ongoing projects. Verhines stated the Eastern New Mexico Rural Water System received Federal authorization on March 20, 2009. During the last legislative session a new entity was developed and launched on July 1, 2010 being the Eastern New Mexico Water Utility Authority. This public entity was developed to own, operate and manage the infrastructure when it is operable. The first meeting of the new Authority will be held on July 15, 2010 at 10:00 a.m. in Texico, New Mexico. It was reported that 30% of the design phase of the entire project and 50% of the intake structure and diversion facility are complete. An RFP was issued to hire a design consultant for the remainder of the project and should be awarded at the July 15th meeting. The intake structure and diversion facility are the primary focal points of the project to be bid on next. The intake structure and diversion facility is an 11 million dollar project and the Water Trust Board approved an additional 2.9 million dollars for the project this past June bringing the project total investment by the State to nearly 20 million. The goal is to begin the first phase next August. As a result of recent legislation and the new entity being developed, a finance plan has been developed to guide the plan in a positive direction. The plan has been in place for a couple of years and should be adopted at the meeting on July 15. Many miles of infrastructure will be developed in Quay County. During the design phase the group is meeting with property owners to secure entry for environmental surveys, coring and boring tests, as well as surveying. Many Quay County constituents have asked if there will be an opportunity to tap into the pipeline for livestock taps or other purposes. At this time, there is no Quay County owned water being channeled through the pipeline. Verhines stated that the first order of business for them will be to secure easements from landowners to develop this pipeline. He stated the question from residents about the opportunity to tap into the line will certainly come up again as the ground crews make contact with these landowners. Verhines stated that all locations along the pipeline will not be feasible for tapping due to pressures within the pipeline. Verhines suggested the County revisit the opportunity to sell water through the system if they should desire and the need arises from the residents. Chairman McCasland asked if there would be taps and water meters the County would read and invoice the residents for. Verhines stated the new Water Utility Authority would have to establish policies for this type of service. There will be 7 huge meters outside each entity for selling bulk water to communities. The vision would

be that the system will have its own operation and maintenance staff that could read the meters and there would be some cost for services. McCasland asked if the landowners would be responsible for installing the tap and then pay the County for the water and then the County pay the Water Authority. Verhines stated he believed the administration for services would come through the Water Authority and then the counties would be reimbursed for the water by the Authority. McCasland said he did not see a problem with the idea if the residents needed the water. Curry said he was not opposed to the concept but did have a problem with being able to provide water to some residents and not all residents. McCasland said the reason he did not see that as a problem, was the pipeline would be going through the land owned by the resident who would be receiving the water. It would be up to the residents to work with neighbors when allowing additional landowners to share their water tap. Curry said, yes, but the question would be how far, and who has the authority to decide how and who gets to spider off the original pipeline. Curry asked what the ramifications of HB 15 Eminent Domain will have on the project. Verhines stated this Bill allows for very limited power by the Authority to keep the project moving forward. The sole purpose will be to secure easements, not to obtain property by ownership or landowners water rights. Chairman McCasland thanked Verhines for the presentation and requested he continue to provide the Board with future updates.

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

Return to regular session. Time noted 10:05 a.m.

In the absence of County Manager, Richard Primrose, Chairman McCasland addressed the following items on the Agenda:

1. A MOTION was made by Bill Curry, SECONDED by Robert Lopez to table discussion concerning Ute Reservoir Water Use Alternatives until the next meeting. MOTION carried with all members voting "aye".
2. Presented the agenda for the Summer Celebration Tour with Channel 10 News from Amarillo. Ellen White, Quay County Clerk stated the County decided to host a booth at the event at the Department Head meeting last week. White stated her office would be distributing balloons and encouraged support from the other offices. Commissioner Lopez suggested the County host a watermelon feed. The Commissioners agreed and White volunteered to steer the project in the absence of Richard Primrose, County Manager.
3. Presented the Quay County Family Health Center monthly RPHCA report for June, 2010.
4. Distributed an email from Patrick Gomez, Department of Finance to Darla Munsell, Quay County CDBG coordinator acknowledging the grant being awarded to Quay County in the amount of \$35,000.00 for a comprehensive plan.

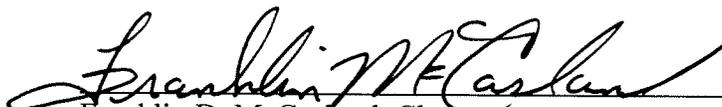
CHECKS WERE REVIEWED AND APPROVED:

UNDER OTHER BUSINESS: None

A MOTION was made by Robert Lopez, SECONDED by Bill Curry to table Executive Session in the absence of County Manager, Richard Primrose until a future meeting. MOTION carried with all members voting "aye".

There being no further business, a MOTION was made by Robert Lopez, SECONDED by Bill Curry to adjourn the regular meeting of the Board of Quay County Commissioners until the next regular meeting set for Monday, July 26, 2010 at 9:00 a.m. unless sooner called. MOTION carried with all members voting "aye". Time noted 10:35 a.m.

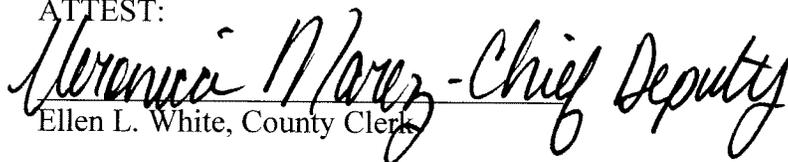
BOARD OF QUAY COUNTY COMMISSIONERS


Franklin D. McCasland, Chairman


Bill Curry, Member


Robert Lopez, Member

ATTEST:


Veronica Narez - Chief Deputy
Ellen L. White, County Clerk