

REGULAR SESSION-BOARD OF QUAY COUNTY COMMISSIONERS

August 9, 2010

9:00 a.m.

BE IT REMEMBERED THE HONORABLE BOARD OF QUAY COUNTY COMMISSIONERS met in regular session the 9th day of August 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:

Cheryl Simpson, Quay County Manager's Office
Janie Murray, Quay County Assessor
Merlinda Turner and Bunni Morris, Altrusa International of Tucumcari
Becky Wallace, Presbyterian Medical Services
Russell Anglin, Quay County Sun

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 from the July 26, 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: There were none.

Merlinda Turner requested use of the Quay County Exhibit Center on behalf of Altrusa International of Tucumcari to host their annual Cash Party Fundraiser. Turner explained that the Elks Lodge, where the event has been held for years, is no longer willing to allow the event to be held there. This has caused the cost of hosting the event to increase significantly causing a decrease in the funds raised. Chairman McCasland stated that he would love to see the event at the Exhibit Center and suggested all fees in conjunction with the event be waived as all proceeds from the event are distributed back to various community projects throughout the County. A

MOTION was made by Bill Curry, SECONDED by Robert Lopez to approve the usage of the facility with all fees waived for the event. MOTION carried with all members voting "aye".

Tom Dominguez, Quay County Extension Agent joined the meeting. Time noted 9:10 a.m.

Becky Wallace, Quay County Family Health Center Administrator presented the RPHCA Annual Report and the July RPHCA Report. A MOTION was made by Robert Lopez, SECONDED by Bill Curry to approve the reports. MOTION carried with all members voting "aye". A copy of the reports are attached and made a part of these minutes.

Wallace also provided information regarding the recent construction upgrades at the facility. It was reported that a temporary certificate of occupancy should be issued next week. Wallace stated that as soon as the new part of the building is occupied she would contact Richard Primrose and schedule a tour for the Commissioners.

Bruce Hamon and Muriel Agnielli joined the meeting. Time noted 9:20 a.m.

Richard Primrose presented the Quay County Road Department Report in the absence of Larry Moore.

1. Crews have been mowing throughout the County, however the mower went down and parts have been ordered to make repairs.
2. Crews have been removing a lot of illegally dumped items from the right-of-ways prior to mowing.
3. Co-op project is nearing completion.
4. The bridge on Quay Road AR is in need of some serious repairs. Chairman McCasland stated the Board of Commissioners would tour that bridge following the meeting.

Commissioner Lopez said his district looks really good following all the recent mowing. Commissioner Curry stated Quay Road 49 was bladed but not all the way to the home of Rick Thompson and it is a bus route. Primrose state he would speak to Moore and make sure the remainder of the road is bladed. Chairman McCasland stated the potholes have gotten considerably worse on 11 mile road (Quay Road AE) due to the recent rains.

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

1. Presented a New Mexico Finance Authority Loan to Fire District 1 along with supporting documents including the Loan Agreement; Intercept Agreement; and Resolution No.2. Loan application is in the amount of \$60,900.00 to be used to purchase a new Pumper Truck. A MOTION was made by Bill Curry, SECONDED by Robert Lopez to approve the documents as presented. MOTION carried with all members voting "aye". Copies of all documents are attached and made a part of these minutes.
2. Presented a copy of a Franchise Agreement from Southwestern Public Service Company for discussion purposes. Primrose stated that SPS is exploring the possibility of this agreement with the County and wanted to make the Commissioners aware of the possibility for a future Agreement to be presented at a later date. Chairman McCasland

stated he had mixed emotions about Franchise Agreements as the cost is passed on to the consumers, being the residents of Quay County. No action was taken.

3. The Interstate Stream Commission and Ute Reservoir Water Commission Working Group will have a conference call meeting today at 2:00 p.m. Commissioner Curry and Primrose will attend via telephone.

Tim Rose, Quay County Assistant District Attorney joined the meeting. Time noted 9:40 am.

4. Senator Bingaman will have a Town Meeting on August 11, 2010 at the Convention Center. A luncheon will be hosted by the Democratic Party following the meeting at the Pow Wow Restaurant.
5. Provided a copy of a letter sent to Ranch Enterprises requesting documentation that all requirements pursuant to the Quay County Subdivision Ordinance are being followed with regards to Pinon Point.
6. Provided a copy of a power point presentation and overview from Hoyt Skabelund, Administrator of Presbyterian Hospital, of the Quay County Tax Funding with regards to the Sole Community Provider for Presbyterian Health Services (Trigg Memorial Hospital).
7. Xcel Energy will host an Executive Energy Council meeting on Thursday, August 26, 2010 at the Roswell Museum and Art Center.
8. Received notice a grant has been awarded to construct a 40,000-gallon water tank at the Jordan Fire Department. An RFP will be forthcoming.
9. The New Air/Heat Units for the Courthouse have been approved for purchase by the Department of Energy. An RFP will be issued in the near future.

UNDER OTHER BUSINESS:

Chairman McCasland requested the Commissioners review the template for the Wind Energy Ordinance provided to them at an earlier meeting and make the necessary changes so that Quay County can adopt its own Ordinance in the near future.

Chairman McCasland informed the Board of the recent vandalism and theft in the Commission Chambers by witnesses who occupied the room while awaiting a trial in District Court. McCasland stated he did not want the room to be utilized by witnesses unless a deputy is supervising them at all times.

Chairman McCasland requested a recess. Time noted 9:50 a.m.

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

Chris Bremner, Carma Colorado, Inc. Sr. Development Manager joined the meeting. Time noted 10:10 a.m.

Chris Bremner presented the following items for approval:

1. Amended and Restated Declarations of Covenants, Conditions and Restrictions for "Twelve Shores" Planned Community.
2. Amended Disclosure Statement for Ute Lake Ranch Filing No. 2
3. Amended Plat
4. Requested approval of Name Change from Eighteen62 to Twelve Shores

Bremner stated the sole purpose for requesting these items be approved was to allow for Multi-family dwellings in the Subdivision and to change the name of the Subdivision to Twelve Shores. Commissioner Curry expressed his concern of the procedural process involved to allow for this action and stated he wanted Tim Rose, Assistant District Attorney to review the process and instruct the Board as to what steps are necessary in order to protect the landowners who have already made purchases in that Subdivision and those with future plans to make purchases. Commissioners Lopez and McCasland echoed the concerns. Tim Rose stated he anticipates that Carma will have to follow the process as set forth in the Subdivision Regulations to Re-subdivide the area in question. Chairman McCasland expressed that the Commissioners have always supported that development 100% and are anxious to see the Subdivision take off and grow. That being said, A MOTION was made by Bill Curry, SECONDED by Robert Lopez to table any action on the items presented by Bremner until clarification and direction from Tim Rose, Attorney. MOTION carried with all members voting "aye".

CHECKS WERE REVIEWED AND APPROVED:

A MOTION was made by Bill Curry, SECONDED by Robert Lopez, to go into Executive Session pursuant to the Open Meetings Act 10-15-1(H) 78 NMSA to discuss pending litigation; Dusty Stone vs. County of Quay, etal. MOTION carried with Lopez voting "aye"; Curry voting "aye" and McCasland voting "aye". Time noted 11:40 a.m.

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

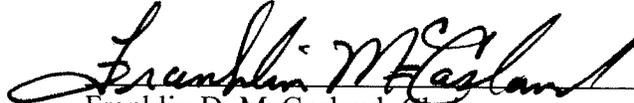
Return to regular session. Time noted 11:20 a.m.

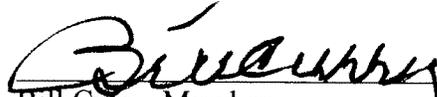
A MOTION was made by Bill Curry, SECONDED by Robert Lopez that only the items listed above were discussed during Executive Session and no action was taken. MOTION carried with Lopez voting "aye"; Curry voting "aye" and McCasland voting "aye".

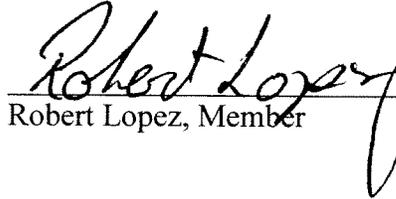
Chairman McCasland announced the Commissioners would be leaving the Chambers to tour the recently remodeled Quay County Exhibit Center and the bridge on Quay Road AR. Following the tours, the Board will be having lunch at the Rockin Y's restaurant. The public is welcome to attend.

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, August 23, 2010 unless sooner called. MOTION carried with all members voting "aye". Time noted 11:30 a.m.

BOARD OF QUAY COUNTY COMMISSIONERS


Franklin D. McCasland, Chairman


Bill Curry, Member


Robert Lopez, Member

ATTEST:


Ellen L. White, County Clerk