

REGULAR SESSION-BOARD OF QUAY COUNTY COMMISSIONERS

November 22, 2010

8:00 a.m.

BE IT REMEMBERED THE HONORABLE BOARD OF QUAY COUNTY COMMISSIONERS met in regular session the 22nd day of November, 2010 at 8:00 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, Quay County Road Superintendent
Cheryl Simpson, Quay County Manager's Office

Chairman Franklin D. McCasland called the meeting to order. Richard Primrose led the Pledge of Allegiance.

A MOTION was made by Robert Lopez, SECONDED by Bill Curry to approve the minutes from the November 11, 2010 regular commission meeting. MOTION carried with all members voting "aye".

A MOTION was made by Bill Curry, SECONDED by Robert Lopez to amend the Agenda to include Executive Session pursuant to Section 10-15-1(H) 7 to discuss pending or threatened litigation. MOTION carried with all members voting "aye".

Public Comments: There were none.

Larry Moore presented the Quay County Road Department Report:

1. The Environmental Inspection has been conducted following the removal of the tank at the road department and it was a successful inspection.
2. Gas cards are being used to purchase fuel and seem to be working well. A cost comparison will be conducted at the end of the year.
3. Completion of Quay Road BH is nearing with the crews milling at the present time. Two culverts may be needed. \$87,586.00 remains unexpended.
4. A garage door broke a few weeks ago at the Road Barn and has been replaced.
5. A Franchise Fee meeting will be held tomorrow in Santa Fe and Moore will be attending.
6. Primrose attended the RPO meeting held at 12 Shores.
7. Potholes are being repaired as time allows.

8. The road closure requested by Harold Daniels is not moving forward due to lack of easements being obtained.

Chairman McCasland stated he is being contacted frequently by the Holman's and Johnson's near San Jon regarding the construction of a fence along a county road. McCasland stated he and Moore went to the location and is working with the families involved to gain solution to the issues and problems of constructing the fence in a right-of-way.

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

1. Presented Resolution No 14; Objecting to the Proposed Low Altitude Tactical Navigation (LATN) Flights over Quay County. Chairman McCasland stated his concern for future wind energy development and the impact on the citizens leads him to support this Resolution until Cannon Air Force Base addresses the concerns of the residents of Quay County. A MOTION was made by Robert Lopez, SECONDED by Bill Curry to approve said Resolution as presented. MOTION carried with all members voting "aye". A copy of said Resolution is attached and made a part of these minutes.
2. Presented Resolution No. 15; Budgetary Increase to Fire District 1 EMS (414-12). A MOTION was made by Robert Lopez, SECONDED by Bill Curry to approve said Resolution as presented. MOTION carried with all members voting "aye". A copy of said Resolution is attached and made a part of these minutes.
3. Provided information regarding a Discharge Permit Application.
4. Provided the October monthly RPHCA Report for the Quay County Family Health Center. It was reported there has been some issues regarding security of the controlled prescription drugs at the facility and safety measures are being developed. As well, Bill Humphries is retiring December 31, 2010, and a come and go Open House is scheduled for December 13, 2010 from 2:00 p.m. to 4:00 p.m.

Tom Dominguez, Quay County Extension Agent joined the meeting. Time noted 9:00 a.m.

5. Received a Thank You letter from Altrusa International of Tucumcari for use of the Quay County Exhibit Center and commending Danny Estrada for his services to the group during their recent Cash Party.
6. Provided the monthly Gross Receipts Tax Report.
7. The annual Quay County Employee Recognition event will be held on December 10, 2010 at 7:00 p.m. at the Elks Lodge.
8. Tucumcari High School will be having an Open House on December 7, 2010 to show their new building.
9. The Courthouse will be closed on November 25-26 for Thanksgiving.
10. There will be a dinner meeting at the Extension Office on November 30, 2010 at 5:30 p.m. to provide an overview of this past year's projects and a planning meeting for the upcoming year.

Commissioner Bill Curry provided update regarding the recent Ute Reservoir Water Commission meeting held November 18, 2010 in Texico. Curry stated the main action item was the Contract with the Interstate Stream Commission was approved and signed by all entities. The Commission plans to pursue some funding through grants for future projects. The invoice to EPCOG was approved and paid. A committee is being formed to make and review policies of the Ute Reservoir Water Commission and Curry volunteered to serve on the committee.

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 9:30 a.m.

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

Return to regular session. Time noted 9:40 a.m.

CHECKS WERE REVIEWED AND APPROVED:

UNDER OTHER BUSINESS: Commissioner Curry asked if anyone had heard anything definite about the State Police dispatch center being closed as a result of State cutbacks. The Commissioners instructed Primrose to issue letters to both Senator Harden and Representative Roch expressing the concerns of the County with regard to the closure.

Chairman McCasland requested a recess. Time noted 9:55 a.m.

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

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) 7 NMSA to discuss Pending or Threatened Litigation. MOTION carried with Lopez voting "aye"; Curry voting "aye" and McCasland voting "aye". Time noted 10:15 a.m.

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

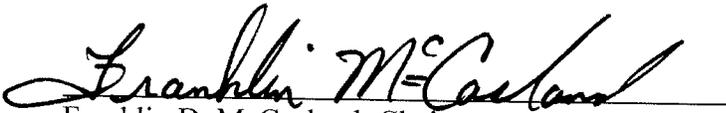
A MOTION was made by Bill Curry, SECONDED by Robert Lopez that only the items listed above were discussed during Executive Session and no action was taken. MOTION carried with Lopez voting "aye"; Curry voting "aye" and McCasland voting "aye".

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

A MOTION was made by Bill Curry, SECONDED by Robert Lopez to instruct Tim Rose, legal counsel for County to file a petition in District Court to have Judge Albert Mitchell recused from the Bench regarding future litigation involving Ute Lake Ranch. MOTION carried with all members voting "aye".

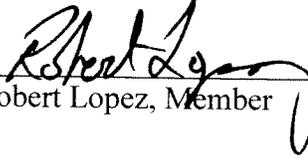
There being no further business, a MOTION was made by Bill Curry, SECONDED by Robert Lopez to adjourn the regular meeting of the Board of Quay County Commissioners until the next regular meeting set for Monday, December 13, 2010 unless sooner called. MOTION carried with all members voting "aye". Time noted 11:45 a.m.

BOARD OF QUAY COUNTY COMMISSIONERS


Franklin D. McCasland, Chairman

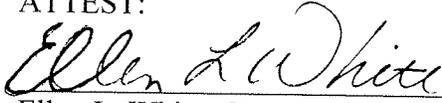


Bill Curry, Member



Robert Lopez, Member

ATTEST:



Ellen L. White, County Clerk