

## REGULAR SESSION-BOARD OF QUAY COUNTY COMMISSIONERS

March 28, 2011

9:00 a.m.

BE IT REMEMBERED THE HONORABLE BOARD OF QUAY COUNTY COMMISSIONERS met in regular session the 28<sup>th</sup> day of March, 2011 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:

Bill Curry, Chairman  
Robert Lopez, Member  
Brad Bryant, 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  
Franklin McCasland, Quay County Rep. for the Quay County Gaming Authority  
Lonny Phelps and Leslie Lee, Phelps Engineering, Inc.  
Darla Munsell, Quay County CDBG Administrator  
Yvette Fazekas and C.J. Wiegel, Diamondback Booster Club

Chairman Bill Curry called the meeting to order. C.J. Wiegel led the Pledge of Allegiance.

A MOTION was made by Brad Bryant SECONDED by Robert Lopez to approve the minutes from the March 14, 2011 regular commission meeting. MOTION carried with all members voting "aye".

A MOTION was made by Robert Lopez, SECONDED by Brad Bryant to approve the Agenda as presented. MOTION carried with all members voting "aye".

Public Comments: Franklin McCasland, who is Quay County's representative on the Quay County Gaming authority reported on the New Mexico Racing Commission meeting held in Albuquerque on March 24. McCasland stated the Governor has appointed a new Racing Commission that includes four new members and one old member. McCasland along with Quay County Gaming Authority Director Warren Frost attended the meeting. Frost spoke during the meeting stating the Quay County Gaming Authority and all the players involved are anxious and ready to submit a proposal once again to secure horseracing in Quay County. The next meeting of the New Mexico Racing Commission is scheduled for April 14, 2011.

Members of the New Mexico Racing Commission include the following:

Jerald Glenn Coper, Veterinarian, Los Lunas, NM.  
Gayla McCulloch, Running Horse Ranch & McCulloch Ranch, Farmington, NM.  
Rob Doughty III, Attorney, Albuquerque, NM.  
Beverly Bourguet, racehorse owner, Albuquerque, NM.  
Ray Willis, racehorse owner and member of Racing Commission since 2006.

Old Business: None

C.J. Wiegel and Yvette Fazekas requested permission to host the annual Rattler Athletic Banquet for Tukumcari High School at the Quay County Exhibit Center and to have the fees waived as a courtesy to the non-profit club who supports and provides financial assistance to the athletic programs in the Tukumcari Public Schools. The event will be held the evening of Monday, May 23, 2011. The group will need to be in the facility the Sunday prior to decorate and set up for the banquet. A MOTION was made by Brad Bryant, SECONDED by Robert Lopez to approve the request. MOTION carried with all members voting "aye".

Patrick Vanderpool, Greater Tukumcari Economic Development Director joined the meeting. Time noted 9:15 a.m.

Chairman Curry called the Public Hearing portion of the meeting to order. Time noted 9:20 a.m.

Lonny Phelps and Leslie Lee of Phelps Engineering, Inc. presented the final draft of the Quay County Regional Comprehensive Plan and the implementation steps for completion and adoption thereof. With no additional input from the audience, final approval is scheduled for the April 15, 2011 meeting.

The Public Hearing was closed by Chairman Curry. Time noted 9:35 a.m.

Ellen White, Quay County Clerk presented the list of businesses located in the County of Quay whose status is delinquent for failure to obtain a license. White requested approval to send the final letter of demand from the Commissioners to those on the list in violation. A MOTION was made by Brad Bryant, SECONDED by Robert Lopez to approve the demand notice. MOTION carried with all members voting "aye". Copies of letters are on file with the County Clerk.

Larry Moore, Quay County Road Superintendent presented the following report:

1. Crews are on working on Quay Road 57 and Quay Road AG which are School Bus Route projects.
2. An RPO meeting was held on March 23 and Moore along with County Manager, Richard Primrose attended.
3. Cattle guard repairs have been completed in the San Jon area.
4. The culvert, potholes and dangerous dip on Ute Lake Ranch Road have been repaired.
5. Crews are servicing equipment when time allows.

6. Moore, along with CDBG Coordinator Darla Munsell will attend the CDBG project hearing in March 30 to present Quay Road 64 as the project for Quay County.
7. Art Palmer has completed paperwork and paid the fee required to cut through a public right-of-way.
8. A meeting is scheduled for April 28 for rules regarding Roadway Signage. The meeting is mandatory.
9. The bridges in Quay County received the number one ranking for RPO projects; however there is no funding for bridges.
10. New hires for the Road Department include Victor Ellis, Gary Szaloy and Daniel Salas.
11. The County must have an ADA Transition Plan in place by August, 2011.
12. The crews will not blade any roads until some moisture has been received. It is a waste of time, fuel and money.
13. The tank from the Dodge water truck is going to be removed and placed on the International truck. The Dodge is old and needs to be salvaged.

Commissioner Bryant requested a ten minute break granted by the Chairman. Time noted 10:10 A.M. Return to regular session; time noted 10:20 A.M.

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

1. Requested the Commission rescind the former action of approval of the 12 Shores re-subdivision. The developers have decided not to proceed. A MOTION was made by Robert Lopez, SECONDED by Brad Bryant to rescind the action of approving the re-subdivision of Twelve Shores. MOTION carried with all members voting "aye".
2. Provided a letter received from the New Mexico Congressional Delegation Projects Office advising their receipt of our request for assistance in identifying potential funding sources to renovate the Dan C. Trigg Memorial Hospital.
3. Supplied the monthly gross receipts tax report for informational purposes.
4. Reminded the Commissioners the April 11<sup>th</sup> regularly scheduled meeting of the Board of Commissioners has been moved to Friday, April 15.
5. Thanked those who attended the DFA workshop.
6. Finalization of the Ute Regional Water Group should be forthcoming. The area of work will focus around the intake structure at Ute Lake.
7. A draft Animal Control Ordinance has been sent to Thomas Blakeney in the District Attorney's Office for his review.

A MOTION was made by Robert Lopez, SECONDED by Brad Bryant to go into session as the Indigent Claim Board. MOTION carried with all members voting "aye". Time noted 10:30 a.m.

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

Return to regular session. Time noted 10:40 a.m.

CHECKS WERE REVIEWED AND APPROVED:

OTHER BUSINESS THAT MIGHT ARISE: NONE

A MOTION was made by Robert Lopez, SECONDED by Brad Bryant, to go into Executive Session pursuant to the Open Meetings Act 10-15-1(H) 7 NMSA to discuss pending litigation. MOTION carried with Lopez voting "aye"; Curry voting "aye" and Bryant voting "aye". Time noted 10:45 a.m.

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

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

A MOTION was made by Brad Bryant, 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 Bryant voting "aye".

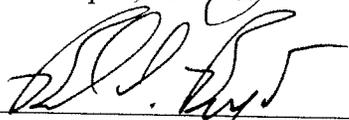
Chairman Curry announced the Commissioners would be having lunch following the adjournment of this meeting at the Pow Wow Restaurant. The public is welcome to attend.

There being no further business, a MOTION was made by Brad Bryant, SECONDED by Robert Lopez to adjourn the regular meeting of the Board of Quay County Commissioners until the next regular meeting set for Friday, April 15, 2011 unless sooner called. MOTION carried with all members voting "aye". Time noted 11:30 a.m.

BOARD OF QUAY COUNTY COMMISSIONERS

  
\_\_\_\_\_  
Bill Curry, Chairman

  
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Robert Lopez, Member

  
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Brad Bryant, Member

ATTEST:

  
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Ellen L. White, County Clerk