

## REGULAR SESSION-BOARD OF QUAY COUNTY COMMISSIONERS

June 27, 2011

9:00 a.m.

BE IT REMEMBERED THE HONORABLE BOARD OF QUAY COUNTY COMMISSIONERS met in regular session the 27<sup>th</sup> day of June, 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:

Cheryl Simpson, Quay County Manager's Office  
Larry Moore, Quay County Road Superintendent  
Russell Anglin, Quay County Sun

Chairman Bill Curry called the meeting to order. Ellen White led the Pledge of Allegiance.

A MOTION was made by Robert Lopez SECONDED by Brad Bryant to approve the minutes from the June 13, 2001 regular commission meetings. MOTION carried with all members voting "aye".

A MOTION was made by Brad Bryant SECONDED by Robert Lopez to remove Item number one from the agenda and approve. MOTION carried with all members voting "aye".

Old Business: None

T.J. Rich, Quay County Detention Center Administrator and Chris Birch, Assistant Administrator joined the meeting. Time noted 9:10 a.m.

T.J. Rich, Quay County Detention Center Administrator requested approval of the Contract with Lea County Detention Center for housing of female juvenile prisoners. A MOTION was made by Robert Lopez, SECONDED by Brad Bryant to approve the Contract. MOTION carried with all members voting "aye". A copy of said agreement is attached and made part of these minutes.

Chairman Curry asked Rich about the affects of House Bill 469 on Quay County. This Bill refers to Rules of Criminal Procedures, specifically probationers who receive a technical

violation while on probation. Rich stated that a meeting is being set up by Tenth Judicial District Judge Albert Mitchell for sometime in July and Commissioners and other entities are invited to attend and the process will be determined at the time.

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

1. A fire occurred last Thursday at Bard/Endee. It was reported that officials were re-routing traffic to Old Route 66 including semis. This caused damage to the already deteriorating bridges along that route. Moore said the entities involved need to be warned the bridges will not withstand that kind of traffic and that should not be considered an alternate route for semi traffic. Crews are hauling caliche and trying to make repairs this week.
2. Rising costs and lack of funding by the State has left most counties in a budget deficit for the remainder of this fiscal year and leading into next year. Projects are being postponed or cancelled statewide. Blading projects have been halted due to the drought. State Highway Departments are only mowing one pass to knock down weeds in the R-O-W.
3. Attended the NMAC Summer Conference. NMAC Public Works hosted the Equipment Rodeo and had 26 participants. The Affiliate is drawing up a Resolution and asking Commissions to adopt it requesting the State continue funding of major road projects throughout the state.
4. There is a scheduled RPO meeting June 29 in Mosquero.
5. Quay Road AG has been completed and paper work will be submitted to the State. Crews will be moving to Quay Road 60. Meanwhile crews are hauling trash and debris and trimming trees.

County Manager Richard Primrose presented the following Manager's Report and items for approval:

1. Requested approval of Well License Agreement with Ralph Mack Bell for use of the tank and well owned by Bell on Quay Road 72. Chairman Curry voiced his concern over the wording "License". A MOTION was made by Robert Lopez, SECONDED by Brad Bryant to table action on this item until Attorney Don Schutte is present later in the meeting for clarification. MOTION carried with all members voting "aye".
2. Presented Resolution No. 41 Transfer of Funds from Road General Fund (402) to Road Equipment Fund (650) for approval. A MOTION was made by Brad Bryant, SECONDED by Robert Lopez to approve said Resolution. MOTION carried with all members voting "aye". A copy is attached and made a part of these minutes.
3. Presented Resolution No. 42 Transfer of Funds from General Operations Fund (401) to County Improvements (649) for approval. A MOTION was made by Brad Bryant, SECONDED by Robert Lopez to approve said Resolution. MOTION carried with all members voting "aye". A copy is attached and made a part of these minutes.
4. Presented Resolution No. 43 Budget Increase to DWI Grant Fund (622) for approval. A MOTION was made by Brad Bryant, SECONDED by Robert Lopez to approve said

Resolution. MOTION carried with all members voting "aye". A copy is attached and made a part of these minutes.

5. Presented a quote from Great Plains Electric of repairs and improvements to the Quay County Fair Barn. The price of \$9,996.66 was presented. A MOTION was made by Brad Bryant, SECONDED by Robert Lopez to approve the quotes with the condition that no repairs are made over the approved amount without approval of the Board of Commissioners. MOTION carried with all members voting "aye". A copy of the quote is attached and made a part of these minutes.
6. Presented a piece of draft legislation regarding political subdivision qualification status for continued imposition of certain local option taxes. Clarification is being requested due to the fact many counties have held elections and imposed a gross receipts tax to aid their respective counties with revenue. The original specifications for imposing this type of tax were based on county population. Most of the New Mexico counties population changed in the last census which could affect the renewal of that tax. Quay County currently has a tax in place that will be presented to the voters again in 2013 and if it is determined that we are not eligible to proceed with the renewal of the tax, we would support proposal of this legislation.
7. Presented a letter of invitation for the Board of Commissioner to attend the New Mexico Legislative Economic and Rural Development Committee meetings at Mesalands Community College on July 6-7, 2011.
8. Presented the final Gross Receipts Tax report for this fiscal year. The overall average for this year is 93% of last year's reported totals and 92% of the average of the last four years.

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 10:00 a.m.

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

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

CHECKS WERE REVIEWED AND APPROVED:

Don Schutte, Quay County Attorney and Donald Adams, Quay County Fire Marshall joined the meeting. Time noted 10:15 a.m.

A MOTION was made by Robert Lopez, SECONDED by Brad Bryant to bring forth the tabled action under the County Manager's report regarding the Well License Agreement between Quay County and Ralph Mack Bell. MOTION carried with all members voting "aye". Schutte offered a brief explanation of why this document is referred to as a License and Adams explained exactly where the pump and water line would be constructed. A MOTION was made by Brad Bryant, SECONDED by Robert Lopez to approve Agreement as presented. MOTION carried with all members voting "aye". A copy is attached and made a part of these minutes.

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) 1 NMSA to discuss the purchase, acquisition or disposal of real property or water rights. MOTION carried with Lopez voting "aye"; Curry voting "aye" and Bryant voting "aye". Time noted 10:20 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".

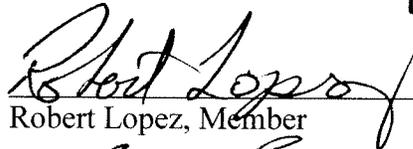
Chairman Curry announced the Commissioners would be having lunch following the adjournment of this meeting at the Cornerstone Deli. The public is welcome to attend.

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 Monday, July 11, 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

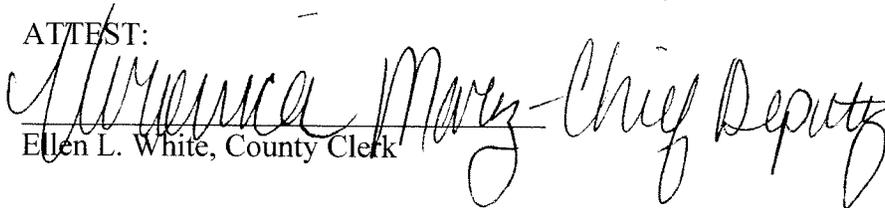


Robert Lopez, Member



Brad Bryant, Member

ATTEST:



Ellen L. White, County Clerk