

REGULAR SESSION-BOARD OF QUAY COUNTY COMMISSIONERS

May 24, 2012

9:00 a.m.

BE IT REMEMBERED THE HONORABLE BOARD OF QUAY COUNTY COMMISSIONERS met in regular session the 24th day of May, 2012 at 9:00 a.m. at the Quay County Commission Room in 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
Janie Hoffman, Quay County Assessor
Donald Adams, Quay County Fire Marshal
Mr. & Mrs. Bennie Kirksey, residents
Susan Lease, Quay County DWI Prevention Specialist
Becky Wallace, Presbyterian Health Services Director
Dave Kern, Realtor
Steven and Susan Spande, Owner/Operators of Western States Air Medical

Chairman Bill Curry called the meeting to order. Larry Moore led the Pledge of Allegiance.

A MOTION was made by Brad Bryant, SECONDED by Robert Lopez to approve the minutes from the April 23, 2012 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".

T.J. Rich, Quay County Detention Center Administrator joined the meeting. Time noted 9:05 a.m.

PUBLIC COMMENTS:

Steven and Susan Spande introduced themselves and their Western States Air Medical business to the Commissioners. Steven Spande explained they own and operate an Air Medical business and are currently based out of Las Vegas, New Mexico. The business has been serving the Tucumcari hospital with transports to other facilities for quite some time now. They have been leaving personnel and an aircraft in Tucumcari on busy holiday weekends and various other days throughout the year. Spande stated all transports are time critical and they can provide the needed skilled professional services in a timely manner the patients and families in Quay County need and deserve. They intend to become a permanent business in Quay County very soon and look forward to providing these services daily for the citizens and traveling public.

Chairman Curry called the “Public Hearing” portion of the meeting to order for the purpose of vacating Quay Road AI from the 3600 block to 3700 block. Time noted 9:15 a.m.

Curry opened the Hearing for comments. There were no comments from the audience. County Manager Richard Primrose informed the Commission all requirements regarding the closure have been met including a report from the Quay County Road Viewers and letters were sent to the necessary land owners. No objections were received.

With no further comments, Chairman Curry closed this portion of the meeting. Time noted 9:20 a.m.

Under Old Business:

County Manager Richard Primrose stated he had been approached by a few residents along Quay Road AI North of Hwy 54 regarding posting speed limits signs changing the limit from 45 mph to 35 mph. Larry Moore spoke to Adam Romero at the New Mexico Department of Transportation regarding the requirements to lower a speed limit. Primrose presented the email from Romero indicating the factors that must be taken into consideration to change a speed limit. Some of those factors included speed studies, daily traffic counts, number of pedestrians, crash histories, roadway hazards, driveway density, and the type of traffic and if the traffic is temporary or permanent. Romero state the best solution he believed is to have law enforcement agencies patrol that area and slow the traffic down. If law enforcement is not present, Romero said it won't matter what the limit signs say. Commissioner Lopez stated he believed the complaints are due to the construction vehicles using that road and the project they are working on is moving so quickly the trucks and traffic will be gone before they can even get the required testing done to lower the limit. Larry Moore, Quay County Road Superintendent stated he has spoken to the supervisors on that job and several drivers and they know if the drivers are not obeying safety signs they will be removed from the job. He said he has personally been out on the roadway and the road is holding up well and he does not see a need to conducting the study. No further action on this item was taken.

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

1. Presented Resolution No. 28; Authorization Vacation of Quay Road AI from the 3600 block to the 3700 block. A MOTION was made by Robert Lopez, SECONDED by Brad Bryant to approve said Resolution. MOTION carried with all members present voting “aye”. A copy is attached and made a part of these minutes.
2. Albert Lopez paid for and received permission for a utility cut for the purpose of installing a new sprinkler system.
3. The Road Department will be issuing an RFP for the lease of two new blades.
4. Fisher, Inc. has the chips ready the Department has purchased. The crews will begin hauling on Tuesday and spreading them the first week of June.
5. Moore stated oil prices have skyrocketed. The crews will use the fog-seal where they can.
6. The blades have been operating due to recent moisture. Crews are repairing potholes and various other projects throughout the County.

Commissioner Lopez asked Moore to place “Loose Gravel” signage on Quay Road 64. Moore said he would have the blade move the loose gravel.

Bennie Kirksey, resident of Quay County requested closure of portions of Quay Road AL and Quay Road 62, where the two roads intersect. Chairman Curry informed Kirksey of the necessary steps for a closure to occur and Mr. Kirksey will meet with the County Manager to get the procedures in place.

Chairman Curry called for a ten minute recess. Time noted 9:50 a.m.

T.J. Rich, Quay County Detention Center Administrator presented the following items for approval:

1. Agreement between the Administrative Office of the Courts and Quay County to facilitate video arraignments. A MOTION was made by Brad Bryant, SECONDED by Robert Lopez to approve. MOTION carried with all members voting "aye". A copy is attached and made a part of these minutes.
2. Agreement between Lea County and Quay County for housing Quay County female juveniles in the Lea County Detention Center. A MOTION was made by Robert Lopez, SECONDED by Brad Bryant to approve. MOTION carried with all members voting "aye". A copy is attached and made a part of these minutes.
3. Rich informed the Commission that Dr. Raburn at the Trigg Memorial Hospital has agreed to perform the evaluations required by the courts for the prisoners who are in need of competency exams. This will allow the courts to speed up trials and get the offenders seen in a timely manner.

Janie Hoffman, Quay County Assessor presented her report from the New Mexico Association of Counties Board Meeting:

1. Final 2012 Legislative Report.
2. Wildfire Risk Reduction Grant Applications.
3. 2012-13 Workers' Compensation Contributions.
4. Augustin Plains Ranch private sector water project.

Hoffman informed the Board that Vic Baum, Chief Deputy Assessor has recently attended a workshop for Sale Ratios. She also stated the Property Tax Representatives have been present in Quay County and have tagged several locations. They set the Property Tax Sale for July 26. Lastly, Hoffman informed the Board she has 26 protests thus far.

Susan Lease, Quay County DWI Prevention Specialist presented the Grant Agreement with the Department of Transportation for approval. A MOTION was made by Robert Lopez, SECONDED by Brad Bryant to approve the Agreement. MOTION carried with all members voting "aye". A copy is attached and made a part of these minutes.

Quay County Manager, Richard Primrose presented the following report:

1. Presented Resolution No. 27; Vacation of Pinon Point Subdivision. Primrose state the Public Hearing has been held, proper notification rendered and a Stipulated Order setting aside Judgment entered on October 24, 2008 in District Court. A MOTION was made by Brad Bryant, SECONDED by Robert Lopez to approve said Resolution. MOTION carried with all members voting "aye". A copy of the Resolution will be filed in the real estate records of the Quay County Clerk's Office and attached to these minutes.
2. Presented the Agreement between Quay County and the US Department of Agriculture Animal and Plant Health Inspection Service Wildlife Services for the period July 1, 2012 to June 30, 2013. A MOTION was made by Robert Lopez, SECONDED by Brad Bryant to approve said Agreement. MOTION carried with all members voting "aye". A copy is attached and made a part of these minutes.
3. Requested approval of Resolution No. 25; Appointing Replacement Directors to Vacancies on the Board of the Ute Lake Ranch Public Improvement District No. 2. Mr. Miles Stephens has resigned and they have requested the appointment of Ms. Ashley Snedden. A MOTION was made by Brad Bryant, SECONDED by Robert Lopez. MOTION carried with all members voting "aye". A copy of said Resolution is attached and made a part of these minutes.
4. Along with Becky Wallace, Quay County Family Health Services Director, Primrose requested approval of the MOU between the NM Department of Health and Quay County for continued RPHCA funding. A MOTION was made by Robert Lopez, SECONDED by Brad Bryant to approve said MOU. MOTION carried with all members voting "aye". A copy is attached and made a part of these minutes.

5. Presented Resolution No. 26; Authorization of Budgetary Increase to the Juvenile Detention Fund (610). 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.
6. Requested approval of the Agreement between Quay County and Dekker/Perich/Sabatini for Courthouse roof repairs. A MOTION was made by Robert Lopez, SECONDED by Brad Bryant. MOTION carried with all members voting "aye". Said Agreement is attached and made a part of these minutes.
7. Requested approval of the 2012/2013 Quay County Budget. A MOTION was made by Brad Bryant, SECONDED by Robert Lopez to approve said Budget. MOTION carried with all members voting "aye". The budget will be submitted to the NM Department of Finance and will be made public upon their written approval.

Under the Managers Correspondence the following items were presented:

1. Thank you note from Elmer and Anna Lee Schuster to Larry Moore and the Road Department for the excellent work on Quay Road AF.
2. Thank you note from the THS Prom Committee to Daniel Estrada and Richard Primrose for the use of dividers.
3. Email correspondence regarding the application of the Quay Valley 501C(3) application so they can be eligible to receive a Deed from the County for the Quay Community Center.
4. Letter from the NM Historic Preservation Division regarding the State's Centennial celebration.
5. An email from Lynn Ditto, Field Representative for US Senator Jeff Bingaman stating the Tucumcari Mail Processing Center will remain open.
6. A letter from Judy Smith, County Executive Director on behalf of the Quay County Farm Service Agency requesting support of the waiver to exclude all continuous CRP acreage from the total acres enrolled in the Conservation Reserve Program. Donald Adams gave a brief explanation of the program and urged the Commissioners to support the waiver. A MOTION was made by Robert Lopez, SECONDED by Brad Bryant to execute the paperwork supporting the waiver. MOTION carried with all members voting "aye".
7. A letter from the NM EXPO (State Fair) requesting all counties participation in a fair booth with the 2012 theme being "100 years of Agriculture and Family in the County". Primrose said he would ask for volunteers to set up a booth for Quay County.
8. Email from Ron Wilmot, Field Representative for Congressman Lujan regarding Governor Martinez's Drought Declaration.
9. Flyer for the 2012 El Llano Estacado RC&D Annual Meeting to be held on Wednesday, June 13, 2012 at the Blue Hole Dive & Conference Center in Santa Rosa, NM.
10. The April monthly RPHCA Report for the Quay County Family Health Center.
11. Monthly GRT Report for April.
12. Informed the Board the comments and concerns regarding the Drought Management Plan have been sent to the proper authorities.
13. Chairman Curry provided the welcome and opening comments at the Open House for the Primary Health Clinic at the hospital.
14. Primrose has received several calls inquiring what constitutes a feed lot in the State of New Mexico. Primrose said after investigating, he has been informed by proper authorities a feed lot requires a count of over 1000 head of cattle.
15. The Plateau Fiber-optic internet is operational in the Courthouse.
16. An Appraiser from the New Mexico Association of Counties will be conducting an appraisal of the County owned buildings in June for insurance purposes.
17. The Courthouse will be closed on Monday, May 28, 2012 for Memorial Day.
18. Primrose is continuing dialog with the District Attorney's Office regarding an Animal Control Ordinance for Quay County.

A MOTION was made by Brad Bryant, SECONDED by Robert Lopez to go into session as the Indigent Claim Board. MOTION carried with all members voting "aye". Time noted 10:50 a.m.

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

Return to regular session. Time noted 11:00 a.m.

Accounts Payable was presented for review. Commissioner Lopez inquired as to what exactly the expenditure for \$7,296.00 for repair of water lines covered. Primrose stated those were repairs/additions for the District Court. Primrose said originally Albert Mitchell, District Judge said if the County would allow for the repairs and additions, the District Court would share the cost. However, Mitchell informed Primrose after the repairs were complete they did not have the funds to share the cost so the County will absorb the total amount.

PAYMENTS WERE REVIEWD AND APPROVED.

Under Other Business: NONE

A MOTION was made by Brad Bryant, SECONDED by Robert Lopez, to go into Executive Session pursuant to the Open Meetings Act 10-15-1(H)7 NMSA to discuss pending litigation, Board of County Commissioners vs. Ute Lake Ranch, Inc. and DVR, LLC. A MOTION was made by Robert Lopez, SECONDED by Brad Bryant. MOTION carried with Lopez voting "aye", Curry voting "aye" and Bryant voting "aye". Time noted 11:15 a.m.

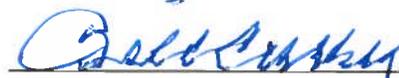
-----EXECUTIVE SESSION-----

Return to regular session. Time noted 11:45 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".

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, June 8, 2012 unless sooner called. The Commissioners announced they would be having lunch at Rockin Y Restaurant and all those in attendance were invited. MOTION carried with all members voting "aye". Time noted 11:50 A.M.

BOARD OF QUAY COUNTY COMMISSIONERS



Bill Curry, Chairman



Robert Lopez, Member



Brad Bryant, Member

ATTEST:



Ellen L. White, County Clerk