

REGULAR SESSION-BOARD OF QUAY COUNTY COMMISSIONERS

June 18, 2012

9:00 a.m.

BE IT REMEMBERED THE HONORABLE BOARD OF QUAY COUNTY COMMISSIONERS met in regular session the 18th day of June, 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
Donald Adams, Quay County Fire Marshall
Becky Wallace, Presbyterian Health Services Director
Ronnie Greer, Quay County Resident

Chairman Bill Curry called the meeting to order. Ronnie Greer led the Pledge of Allegiance.

A MOTION was made by Robert Lopez, SECONDED by Brad Bryant to approve the minutes from the June 8, 2012 regular commission meeting. MOTION carried with all members voting "aye".

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

PUBLIC COMMENTS: None

Chairman Curry called the Public Hearing to order for the purposes of vacating the 4300-4500 block of Quay Road AS. County Manager, Richard Primrose, reported the letters have been sent to the landowners in the area, the Quay County Road Viewers have approved the closure and all advertising requirements have been met. To date, no objections were received. With no further comments, Chairman Curry closed this portion of the meeting.

OLD BUSINESS: Primrose reported the Nara Visa Fire Department has submitted all National Fire Incident Reports and are now in compliance with regulations.

NEW BUSINESS:

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

1. Presented Resolution No. 31; Vacation of the 4300-4500 Block of Quay Road AS. 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.

*Nathan Wallace, Porter Fire Chief joined the meeting. Time noted 9:10 a.m.

2. Crews had 6 miles of Quay Road AD ready to lay prior to the recent storm which washed out 2 miles from I-40 north. After repairing the damage, they were able to lay 4.2 miles one day and the rest the following the NMAC Conference.
3. Some drainage problems will have to be addressed near Cody Young's residence. Ditches need to be deeper with a steeper grade.
4. With recent rainfall around San Jon, crews have been blading as many roads as possible in that area.

Donald Adams, Quay County Fire Marshall reported the following:

1. State Forester has announced state-wide fire restrictions. This does not include incorporated areas of the State.
2. Requested approval to allow the Bard/Endee and Quay Fire Departments to submit an application for the FEMA Grant and acknowledging use of matching funds. A MOTION was made by Brad Bryant, SECONDED by Robert Lopez to approve request. MOTION carried with all members voting "aye".
3. Presented the Agreement between Quay County and Byrd's I Engineering, LLC regarding construction of the garage for the Endee Fire Station. Chairman Curry stated several concerns regarding responsibility of the Engineering Firm. Curry stated the Agreement was not detailed enough and could leave the County with some liability. A MOTION was made by Robert Lopez, SECONDED by Brad Bryant to table any action on this item as this time. Adams was instructed to secure a detailed Agreement. MOTION carried with all members voting "aye".
4. Fire Chief Nathan Wallace joined Adams in explaining Porter Fire Departments intentions to pursue State funding for a new building to be located on donated land approximately .45 miles North of Quay Road 69 on the East side of Quay Road T.

Quay County Manager, Richard Primrose presented the following report:

1. Presented Resolution No. 32; Authorization of Budgetary Increases to Rural III and Porter Fire Funds. A MOTION was made by Robert Lopez, SECONDED by Brad Bryant to approve said Resolution. MOTION carried with all members voting "aye".

Under the Manager's Correspondence the following items were presented:

1. The New Mexico Energy Expo will be held in Clovis on July 18-19, 2012.
2. A meeting of the New Mexico Interstate Stream Commission will be held on June 20, 2012 at 9:45 A.M. in Los Lunas.
3. The New Mexico Water Resources Research Institute will host their annual conference in Las Cruces on August 28, 2012.
4. Received a letter form Michael Romero, Guadalupe County Manager for Larry Moore's assistance and support interviewing candidates for the Guadalupe County Public Works Director.
5. Presented an article from the Ruidoso News Journal regarding the Easements between the Counties of New Mexico and the State Land Office.
6. Reported the Gross Receipts Tax Revenues are at 90% of the last 4 years. Quay County is \$96,000.00 under budget for GRT.
7. A person from NMAC Risk Management will be in Quay County on June 19-20 conducting appraisal of the county owned buildings.
8. Peter Holloway, Engineer for the roofing project at the Courthouse has informed Primrose the drainage from the roof is not sufficient and will not meet current regulations.
9. Plateau has installed wireless internet throughout the courthouse and the phone systems will be switched next week.
10. Magistrate Judge Garnett has phoned Primrose and asked him to urge support from the Commissioners regarding continuance of the Video Arraignments throughout the State.
11. A picnic for County Employees is scheduled for 6:00 p.m. on July 3 on the north lawn of the courthouse.

Commissioner Lopez asked what the status of securing easements for the tower at Ragland is. Donald Adams and Primrose stated they are still working on agreements and easements.

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 9:50 a.m.

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

Return to regular session. Time noted 10:05 a.m.

PAYMENTS WERE REVIEWED AND APPROVED.

Chairman Curry requested a five minute break. 10:10 a.m.

Return to regular session. 10:15 a.m.

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 10:20 a.m.

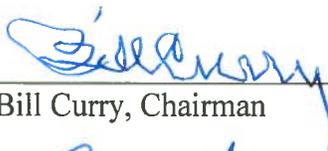
-----EXECUTIVE SESSION-----

Return to regular session. Time noted 11:15 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 Monday, July 9, 2012 unless sooner called. The Commissioners announced they would be having lunch at K-Bobs and all those in attendance were invited. MOTION carried with all members voting "aye". Time noted 11:20 A.M.

BOARD OF QUAY COUNTY COMMISSIONERS



Bill Curry, Chairman



Robert Lopez, Member

Brad Bryant, Member

ATTEST:



Ellen L. White, County Clerk