

## REGULAR SESSION-BOARD OF QUAY COUNTY COMMISSIONERS

August 27, 2012

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 August, 2012 at 9:00 a.m. at the House Community Center in House, 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  
Darla Munsell, Quay County CDBG Coordinator.  
Mark Lake, Main Street Project Director  
Sherman Martin, Village of House Mayor  
Anita Allen, Village of House Clerk  
Michele Morrow, House Fire Chief

Chairman Bill Curry called the meeting to order. Mark Lake led the Pledge of Allegiance.

A MOTION was made by Robert Lopez, SECONDED by Brad Bryant to approve the minutes from the August 15, 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: Mayor Sherman Martin commended the Commissioners of their efforts to have meetings in the rural areas of the County and welcomed them to House.

### Under Old Business:

1. Richard Primrose informed the Commissioners of Mike Martin's intent to proceed with the road closure on a portion of Quay Road K and leave Quay Road L open. A new request for closure will be submitted and the process restarted. Chairman Curry asked about the new road Martin

built being accepted by the County. Primrose stated the Environmental Study will have to be performed prior to acceptance.

2. Chairman Curry asked where the County is on the FCC license for the repeater at Ragland. Primrose stated it is still pending.
3. Robert Lopez asked what happened to the road closure request presented by Mr. Kirksey a few meetings ago. Primrose said he will follow up on where the request is.

#### UNDER NEW BUSINESS:

Mark Lake, Main Street Project Director requested funding in the amount of \$5000.00 for the Fired-Up Event. Lake stated the event should be a fabulous event again this year with vendors, live music, food, demonstrations and fireworks. They are also hoping to secure an Engine for display from Union Pacific Railroad. The Commissioners thanked Lake for his hard work and dedication but had serious concerns over the amount requested due to severe budget constraints at the County. A MOTION was made by Brad Bryant, SECONDED by Robert Lopez to approve funding for the Fired-Up Event in the amount of \$2000.00. MOTION carried with all members voting "aye".

Tim Rose, Assistant District Attorney joined the meeting. Time noted 9:15 a.m.

Darla Munsell, Quay County CDBG Coordinator presented the following items for approval:

1. Resolution No. 4; Approval of the CDBG Guidelines. A MOTION was made by Robert Lopez, SECONDED by Brad Bryant to approve said Resolution. MOTION carried with all members voting "aye". A copy is attached and made a part of these minutes.
2. Resolution No. 5; Compliance with Section 3 of the Housing and Urban Development Act of 1968. A MOTION was made by Brad Bryant, SECONDED by Robert Lopez to approve said Resolution. A copy is attached and made a part of these minutes.

Janie Hoffman, Quay County Assessor requested approval of Resolution No. 6; A Resolution supporting the 2013 Legislative Priorities of the NMAC. 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.

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

1. Working to schedule the Fog Sealing on Quay Road AD. Warning signs are being installed and the head wall for the culvert will be constructed in a couple of weeks to complete the project.
2. Shoulder work and clearing of banks on Quay Road 64 is progressing. The Engineer plan calls for a 120 ft. culvert. Moore does not think they need that much and continues dialog with the Engineer.
3. Bid Proposals will be issued next week on the Quay Road 64 project.
4. Blades continue to work in areas that have experienced rainfall including Nara Visa, Ragland and House.
5. Moore has visited with Josh Pacheco of Pacheco Trucking regarding the removal of the base course from Quay Road 64. Moore does not agree with the amount of base course they are requesting be removed. The cost involved with removal and restoration of that much base course is \$54,000.00. Chairman Curry asked for details. Moore said they are instructing him to remove

3000 square yards which is about 8 inches of material. Moore has requested to drop that to 6 inches.

6. The water truck is broken down and in Amarillo. Cost of repairs is being sought.
7. Moore said he would like to inform the Commissioners of the complaints lodged by Mike Martin at the last Commission Meeting were not valid. Moore said caliche was hauled into the roads in the area and was being distributed until Martin requested the roads be closed. Moore said all cattle guards were repaired and operable at the time. Moore said Martin wants new cattle guards and wants them at the expense of the County and that is not the policy in place. Moore said complaints throughout the County will continue to be lodged regarding wash-boarding on county roadways, but he has no way of fixing them without moisture.

Quay County Manager, Richard Primrose presented the following items:

1. Requested approval of the Severance Tax Bond Capital Appropriation Agreement. This Agreement is in the amount of \$185,000.00 for renovations to the Courthouse, specifically being used on the roof. A MOTION was made by Robert Lopez, SECONDED by Brad Bryant to approve said Agreement. MOTION carried with all members voting "aye". MOTION carried with all members voting "aye". A copy is attached and made a part of these minutes.
2. Presented the Memorandum of Understanding between Quay County and the Village of House for the Repeater Tower Service used by the Village of House Volunteer Fire Department and the Volunteer Departments located at Jordan and Forrest. Sherman Martin, Village of House Mayor said he had some minor issues with the MOU specifically the lack of spelling out that this Repeater is for use by the three Departments listed exclusively. Michele Morrow, Fire Chief for House echoed Martin's concerns saying there are a few times in case of an emergency when the Sheriff's Department or State Police might need use, but they always allow them to. However, people passing by should not have access. Primrose clarified it's not the use of the tower they are referring to, but specifically the signal assigned to these departments. Morrow and Martin agreed. A MOTION was made by Robert Lopez, SECONDED by Brad Bryant to table action on this item until all parties involved are satisfied with the content of the Agreement. MOTION carried with all members voting "aye".
3. Tim Rose, Assistant District Attorney requested the County pursue the purchase or lease of new office space for the 10<sup>th</sup> Judicial District Attorney's Office. Rose said they are out of office space, crowded and plan to hire 2 additional staff members in January. Rose requested the Commission either pursue the purchase or lease of the Engineers Inc. building on Main Street for \$350,000.00 or a \$1500 per month lease. Rose said he would try and secure funding for renovations and utility costs. Rose offered another option of having Mares Construction build a new facility in the amount of \$385,000.00 which would be located at the corner of Second Street and Aber Street. Rose said he understands the financial burden this would place on the County, but requests them to begin planning and try and pursue avenues of funding.

Chairman Curry stated he understands the property on Main Street would provide immediate solutions to the overcrowding. Curry, along with the other Commissioners said they would prefer not purchasing a building of that age and expect renovations to eliminate the aging problems. A new building makes better financial sense, but funding sources are very limited Curry stated.

Commissioner Lopez said we already have a courthouse that is in dire need of attention and we don't need another building built in the 1930's to maintain and upgrade. Lopez reiterated the Agreement signed earlier in the meeting for roof repairs in the amount of \$185,000.00.

Commissioner Bryant said the County could never recover the costs of purchasing that old of a building. Lopez agreed stating a long term commitment to a new facility makes sense, but only if the County could secure Capital Outlay money which has been nearly non-existent lately.

Tim Rose agreed a new building would suit their needs and they would make due for the time present. Commission Lopez suggested Rose obtain official drawings and a plan that could be presented to the Legislature during the January, 2013 Session. County Manager, Primrose said he would work with Rose to pursue funding sources.

#### Manager's Correspondence:

1. Presented a letter from Christina Fleming, Tucumcari Volunteer Animal Rescue, requesting the County supports the Spay-Neuter Van returning to Tucumcari by donating \$2200.00 to the cause. Primrose presented his letter of response to Fleming denying the request. Chairman Curry asked the Board what their individual answer would be regarding this. All three Commissioners stated Primroses letter of denial met their approval.
2. Presented a letter from Joseph E. Barnes regarding the Cemetery in Tucumcari. Primrose provided his letter to Barnes explaining the Cemetery is owned and operated by the City of Tucumcari, not the County.
3. Provided a letter from the Department of Finance approving the 2012-2013 Quay County budget.
4. Provided a letter from Ariana Vigil, State of NM Project Coordinator, authorizing the County to proceed with the RFP for Quay Road 64.
5. Presented the monthly Gross Receipts Tax Report.
6. Primrose made a presentation to the City of Tucumcari regarding the budget for the 911 Central Dispatch Center. Primrose requested a separate budget be created apart from the normal operational budget of the City of Tucumcari so any un-expended monies would remain in the 911 budget and not revert to the General Fund at the end of a fiscal year. The City Commission tabled the request.
7. Reported racks of spot lights are at the Caprock Amphitheater and the Wind Energy Company is requesting them be moved. Primrose will try and give them away to another entity if possible.
8. Requested the regular meeting of the Commission scheduled for September 10, 2012 be changed to Friday, September 7, 2012. A MOTION was made by Brad Bryant, SECONDED by Robert Lopez to approve said meeting change. MOTION carried with all members voting "aye".
9. Informed the Commission the Ordinance No. 44 relating to Animal Control is being advertised and will be on the September 7 agenda.

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 10:15 a.m.

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

Return to regular session. Time noted 10:20 a.m.

CHECKS WERE REVIEWED 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 10:30 a.m.

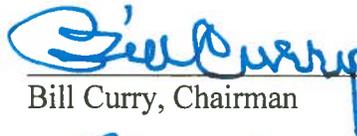
-----EXECUTIVE SESSION-----

Return to regular session. Time noted 11:30 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, September 7, 2012 unless sooner called. The Commissioners announced they would be staying for lunch at the House Community Center and all those in attendance were invited. MOTION carried with all members voting "aye". Time noted 11:35 a.m.

BOARD OF QUAY COUNTY COMMISSIONERS

  
Bill Curry, Chairman

  
Robert Lopez, Member

  
Brad Bryant, Member

ATTEST:

  
Ellen L. White, County Clerk