

REGULAR SESSION-BOARD OF QUAY COUNTY COMMISSIONERS

January 14, 2013

9:00 a.m.

BE IT REMEMBERED THE HONORABLE BOARD OF QUAY COUNTY COMMISSIONERS met in regular session the 14th of January, 2013 at 9:00 a.m. at the 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:

Brad Bryant, Chairman
Sue Dowell, Member
Mike Cherry, Member
Veronica Marez, County Clerk
Richard Primrose, County Manager

OTHERS PRESENT:

Cheryl Simpson, Quay County Manager's Office
Janie Hoffman, Quay County Assessor
Bryan Rinestine, Quay County DWI Compliance Officer
Ellen White, Quay County Chief Deputy Clerk
Larry Moore, Quay County Road Superintendent
Joe Schallert, Quay County Sheriff
Larry Cooksey, Quay County Deputy Sheriff
Donald Adams, Quay County Fire Marshall
Becky Wallace, Quay County Family Health Center Administrator
Paul Quintana, Quay County Landowner and Developer

Chairman Brad Bryant called the meeting to order. Donald Adams led the Pledge of Allegiance.

A MOTION was made by Brad Bryant, SECONDED by Mike Cherry to approve the minutes from the December 10, 2012 regular commission meeting. MOTION carried with all members voting "aye".

A MOTION was made by Mike Cherry, SECONDED by Sue Dowell to approve the Agenda as presented. MOTION carried with all members voting "aye".

PUBLIC COMMENTS: N/A

Under Old Business: N/A

UNDER NEW BUSINESS:

Commissioner Bryant opened the floor for nominations of Quay County Board Chairman. A MOTION was made by Mike Cherry, Seconded by Sue Dowell to appoint Commissioner Brad Bryant as Chairman. MOTION carried with members voting "aye".

Chairman Bryant requested reorganization of Board and Sub-Committees. Primrose presented the list of former appointments for changes and recommendations. A MOTION was made by Mike Cherry, SECONDED by Sue Dowell to approve the appointments as changed. MOTION carried with all members voting "aye". A copy of said appointments are attached and made a part of these minutes.

According to NMSA 4-44-23-25 each January for elected officials or at the beginning of employment for employees of the county, a disclosure statement must be filed with the County Clerk disclosing the precise nature and value of such financial interests which an employee or elected official believes may be affected by the actions of the County. This information on the disclosure shall be made available by the County Clerk for inspection by the public while the valuation shall be kept confidential except for official removal proceedings. Quay County Clerk, Veronica Marez informed the Commissioners that distribution of the forms had been distributed.

Primrose requested approval of 2012-2013 Resolution No. 16; Adopting procedures for Compliance with NMSA 10-17; miscellaneous provisions that documents, Annual Audits, Summary minutes, monthly budget, financial reports, and monthly warrants list are public information and establishes method of compliance with revenue and expenditure requirements. Commissioner Dowell requested clarification regarding the use of a recording device during the meetings and not making the tape available for public inspection as she does not believe that meets requirements set forth by the Inspection of Public Records Act. Chief Deputy Clerk Ellen White, along with Veronica Marez, County Clerk said they would get more information at the upcoming NMAC Conference and bring information back to the Commissioners. White believes they are in compliance. A MOTION was made by Dowell, SECONDED by Cherry to table action on Resolution No. 16. MOTION carried with all members voting "aye".

Paul Quintana, Quay County landowner and developer requested approval of application and summary review plat for Saddleback Acres, a new subdivision. A MOTION was made by Mike Cherry, SECONDED by Sue Dowell to approve the new Saddleback Acres Subdivision as long as all State and County regulations have been met. MOTION carried with all members voting "aye".

Bill Anderson, Quay County sheriff deputy joined the meeting. Time noted 9:25 a.m.

Bryan Rinstine, Quay County DWI Compliance Officer joined the meeting. Time noted 9:30 a.m.

Donald Adams, Quay County Fire Marshall requested approval of EMS Grant applications for Forrest, Rural I and Rural II. A MOTION was made by Mike Cherry, SECONDED by Sue Dowell to approve the application for Forrest and Rural I. MOTION carried with all members voting "aye". The Rural II application was not submitted by the Chief to be approved. Commissioner Cherry commended everyone for volunteering their time in turning in the applications.

Adams requested approval of the PERA Annual Report for Forrest Fire Department. A MOTION was made by Sue Dowell, SECONDED by Mike Cherry to approve report. MOTION carried with all members voting "aye". A copy of his report is attached and made a part of these minutes.

Adams informed the board of the following:

1. Adams will be attending a meeting with Jordan & Ima Fire Departments and they will be having an election tonight to re-elect a new fire chief because Jack Akin has resigned. The new Fire Chief in Forrest is Joe Garrett.
2. Kelley Boney was sent to Socorro for school to be a licensed instructor. She will be able to train volunteers and the fire academy will pay her to do instructing in Quay County.

Larry Cooksey, Quay County Deputy Sheriff presented the monthly activity report on behalf of the Sheriff's Department. A copy is attached and made a part of these minutes.

Chairman Bryant requested a recess. Time noted 9:50 a.m.
Return to regular session. Time noted 10:00 a.m.

Bryan Rinestine, Quay County DWI Compliance Officer received a letter of interest from Keith Barreras to become a member of the Quay County DWI Planning Council. Rinestine requested approval of applicant. A MOTION was made by Sue Dowell, SECONDED by Mike Cherry to approve applicant. MOTION carried with all members voting "aye".

Rinestine requested approval of the Bylaws of DWI Planning Council. A MOTION was made by Mike Cherry, SECONDED by Sue Dowell to approve Bylaws. MOTION carried with all members voting "aye". A copy is attached and made a part of these minutes.

Bryan Rinestine presented the quarterly report of DWI Statistics. A copy is attached and made a part of these minutes.

Larry Moore Quay County Road Superintendent presented the following report:

1. Installing culverts in pond to relieve the ditch on Quay Road AD.
2. Crews are working on Quay Rd 64 asphaltting.
3. Blade men have bladed 135 miles since we received moisture.
4. Alvin Dominguez Secretary of New Mexico Department of Transportation and his assistant Paul Gray have both retired.
5. Commissioners have requested blading reports.

Chairman Bryant requested a recess. Time noted 10:40 a.m.
Return to regular session. Time noted 10:45 a.m.

Quay County Manager, Richard Primrose presented the following items:

Requested approval of support letter for the restoration of funding to the NM Department of Health budget. A MOTION was made by Mike Cherry, SECONDED by Sue Dowell to approve letter. MOTION carried with all members voting "aye".

Requested approval of change order number 001 to the Quay County Courthouse roof replacement contract. A MOTION was made by Mike Cherry, SECONDED by Sue Dowell to approve contract. MOTION carried with all members voting "aye". A copy of said contract is attached and made a part of these minutes.

Requested approval of 2012-2013 Resolution #13 Budget Increase for the ARRA Project Fund. A MOTION was made by Mike Cherry, SECONDED by Sue Dowell to approve Resolution #13. MOTION carried with all members voting "aye". A copy of said Resolution is attached and made a part of these minutes.

Requested approval of 2012-2013 Resolution #14 Budget Increase for the Bard Endee Fire Fund. A MOTION was made by Sue Dowell, SECONDED by Mike Cherry to approve Resolution #14. MOTION carried with all members voting "aye". A copy of said Resolution is attached and made a part of these minutes.

Requested approval of 2012-2013 Resolution #15 Regarding the petition to list the Prairie-Chicken as Threatened. A MOTION was made by Mike Cherry, SECONDED by Sue Dowell to approve Resolution #15. MOTION carried with all members voting "aye". A copy of said Resolution is attached and made a part of these minutes

U.S. Fish and Wildlife Services are wanting to expand the Gray Wolf territory and they are wanting Quay County to send a letter to extend the deadline for public comment from February 1, 2013 for 90 days. A MOTION was made by Mike Cherry, SECONDED by Sue Dowell to approve a letter to U.S. Fish and Wildlife Service to extend the deadline for public comment. MOTION carried with all members voting "aye".

Requested approval of 2012-2013 Resolution #17 2013 Legislative Capital Outlay Request. A MOTION was made by Mike Cherry, SECONDED by Sue Dowell to approve Resolution #17. MOTION carried with all members voting "aye". A copy of said Resolution is attached and made a part of these minutes

Manager's Correspondence:

1. Primrose informed Commissioners of the list of 2013 Legislative issues and priorities that Tukumcari and Quay County will be discussing with their legislature.
2. Primrose stated the December monthly RPHCA report is enclosed for their review.
3. Primrose presented the monthly gross receipts for information.

CHECKS WERE REVIEWED AND APPROVED:

Under Other Business: NONE

A MOTION was made by Brad Bryant, SECONDED by Mike Cherry, 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 for Quay County vs. Ute Lake Ranch, Inc. and DVR, LLC. Section 10-15-1(H) 2. The New Mexico Open Meetings Act to Discuss Limited Personnel Matters and also Section 10-15-1 (H)8.

The New Mexico Open Meetings Act to Discuss the Purchase, Acquisition or Disposal of Real Property or Water Rights. A MOTION was made by Mike Cherry, SECONDED by Sue Dowell. MOTION carried with Bryant voting "aye", Cherry voting "aye" and Dowell voting "aye". Time noted 11:45 a.m.

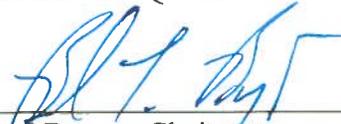
-----EXECUTIVE SESSION-----

Return to regular session. Time noted 12:30 p.m.

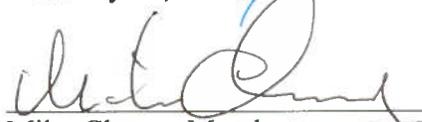
A MOTION was made by Brad Bryant, SECONDED by Mike Cherry that only the items listed above were discussed during Executive Session and no action was taken. MOTION carried with Bryant voting "aye"; Cherry voting "aye" and Dowell voting "aye".

There being no further business, a MOTION was made by Brad Bryant, SECONDED by Mike Cherry to adjourn the regular meeting of the Board of Quay County Commissioners until the next regular meeting set for Monday, February 4, 2013 unless sooner called. The Commissioners announced they would be having lunch at the Pow Wow and all those in attendance were invited. MOTION carried with all members voting "aye". Time noted 12:30 p.m.

BOARD OF QUAY COUNTY COMMISSIONERS



Brad Bryant, Chairman

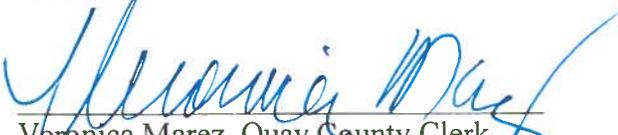


Mike Cherry, Member



Sue Dowell, Member

ATTEST:



Veronica Marez, Quay County Clerk