



## QUAY COUNTY GOVERNMENT

300 South Third Street

P.O. Box 1246

Tucumcari, NM 88401

Phone: (575) 461-2112

Fax: (575) 461-6208

### AGENDA REGULAR SESSION QUAY COUNTY BOARD OF COMMISSIONERS July 1, 2016

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#### 9:00 A.M. Call Meeting to Order

Pledge of Allegiance

Approval of Minutes-Regular Session June 10, 2016

Approval/Amendment of Agenda

#### Public Comment

#### Ongoing Business-None

#### New Business

- I. **Wrangler 4-H Club**
  - Presentation of **Activity Report**
- II. **Gail Sanders, Tucumcari Chamber of Commerce**
  - Presentation of **Quarterly Report**
- III. **Russell Shafer, Quay County Sheriff**
  - Presentation of **Sheriff's Report**
- IV. **Larry Moore, Quay County Road Superintendent**
  - Road Update
- V. **Richard Primrose, Quay County Manager**
  - Discussion of **2016 NMAC Conference**
  - Discussion of **DWI Audit**
  - Request Approval of **2015-2016 Resolution No. 33 Elected Officials 27<sup>th</sup> Pay Period Adjustment**
  - Correspondence



DOC #CM-00396

07/18/2016 03:31 PM Doc Type: COCOM

Fee (No FieldTag Finance TotalFees found)

Quay County, NM Veronica Marez, County Clerk

Pages: 14



**VI. INDIGENT CLAIMS BOARD**

- Call Meeting to Order
- Request Approval of Indigent Minutes for the May 23, 2016 Meeting
- Review June Claims Prepared by Sheryl Chambers
- Adjourn

**VII. Request Approval of Accounts Payable**

**VIII. Request for Closed Executive Session**

- Pursuant to Section 10-15-1(H) 7. The New Mexico Open Meetings Act Pertaining to Threatened or Pending Litigation, and

**IX. Richard Primrose, Quay County Manager**

- Proposed action, if any, from Executive Session

**X. Other Quay County Business That May Arise During the Commission Meeting and/or Comments from the Commissioners**

**Adjourn**

*Carry-In Lunch in Courthouse Foyer*

# REGULAR SESSION-BOARD OF QUAY COUNTY COMMISSIONERS

July 1, 2016

9:00 A.M.

BE IT REMEMBERED THE HONORABLE BOARD OF QUAY COUNTY COMMISSIONERS met in regular session the 1st day of July 2016, at 9:00 a.m. in the Quay County Commission Chambers, Tucumcari, New Mexico, for the purpose of taking care of any business that may come before them.

## PRESENT & PRESIDING:

Franklin McCasland, Chairman  
Mike Cherry, Member  
Sue Dowell, Member  
Ellen L. White, Chief Deputy County Clerk  
Richard Primrose, County Manager

## OTHERS PRESENT:

Larry Moore, Quay County Road Superintendent  
Cheryl Simpson, Quay County Manager's Office  
Russell Shafer, Quay County Sheriff  
Gail Sanders, Tucumcari Chamber of Commerce Director  
Darla Munsell, CDBG Coordinator  
Tim & Andrea Clark, Reyes Gonzales, James Hammer, Katrina Hayes and youth from  
the Wrangler 4-H Club  
Becky Wallace, Presbyterian Health Clinic Administrator  
Thomas Garcia, Quay County Sun

Chairman Franklin McCasland called the meeting to order. Jonathan Clark, Wrangler 4-H member led the Pledge of Allegiance.

A MOTION was made by Sue Dowell, SECONDED by Mike Cherry to approve the minutes from the June 10, 2016 regular session as printed. MOTION carried with Cherry voting "aye", McCasland voting "aye", and Dowell "aye".

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

## PUBLIC COMMENTS:

Franklin McCasland presented Janie Hoffman with a Certificate of Service for her 25 year anniversary with Quay County. Along with that presentation, McCasland recognized Hoffman for receiving her third Certification of Completion from the NMSU Edge Program as a Certified Public Supervisor.

McCasland also mentioned Larry Moore and Darla Munsell were recognized by the NMAC for their dedication and hard work to the success of the Rodeo at the Summer Conference. In addition, McCasland stated Patrick Vanderpool, Tucumcari EDC Director, made a presentation to several affiliates in a joint meeting.

ONGOING BUSINESS: NONE

NEW BUSINESS:

Members of the Wrangler 4-H Club presented two chair dollies as a donation to the equipment at the Exhibit Center. The members stated the money used to make this purchase was generated by the community forum held for Primary Election Candidates and the dessert auction held at that time. Members making the presentation included Rebecca Rush, Lanie Hammer, Caleb Hayes, Jonathan Clark, Nathan Hayes, Dyson Clark, Antonio and Brandon Gonzales.

Members of the Commission thanked them for the donation and the foresight to see the need at the Exhibit Center.

Gail Sanders, Quay County Chamber of Commerce Director presented a quarterly report from the Chamber. Sanders distributed the Profit and Loss Statement, as well as the Detailed Advertising Expense Report. Sanders informed the Commissioners of her daily and weekly activities ranging from being the first point of contact for guests either appearing in person, on the phone or by email to preparing tourists packets and relocation packages. Sanders reported the new Chamber Board members include Aaron Kennedy, Debbie Lafferty and Paula McCasland. Sanders gave a brief overview of the yearly events of the Chamber of Commerce.

Russell Shafer, Quay County Sheriff presented monthly reports ending in June. Shafer stated the new report format was generated from the new CAD system recently purchased. A copy of this report is attached and made a part of these minutes.

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

1. The first phase of Quay Road 63 and AP.6 is complete. Signs and barrels have been removed. Moore thanked Sheriff Shafer for assisting with traffic control.
2. The CDBG Agreements from DFA authorizing us to proceed with the second and third phases of the Quay Road 63 project have been received. A pre-con meeting should be held in two weeks.
3. The 2015 School Bus project funds have been received along with the 2016 CAP, COOP and School Bus funding.
4. Purchased a pintle hitch trailer to transport the backhoe behind the dump truck.
5. Attended the NMAC Annual Conference in Hobbs. The Rodeo was a huge success with 94 contestants.

Chairman McCasland stated he viewed the Quay Road 63 and AP.6 project and the work was outstanding.

Commissioner Dowell asked for updates on the following concerns and brought attention to some new items:

1. Judy Jasper reported the narrowing of Quay Road 60 which services 9 residences. Dowell asked Primrose and/or Moore to contact her.
2. Requested updates from the calls concerning the Cammack and Stull roads in Nara Visa and Phil Runyan and Denise Runyan in the House area. Moore and Primrose stated those areas are being addressed as equipment is available in those areas.

Richard Primrose, Quay County Manager presented the following report:

1. Reported most departments sent employees to the NMAC Annual Conference in Hobbs. The NACO Vice-President was in attendance and said in Florida, they barely have 300 people attend in comparison to the huge turnout in New Mexico of nearly 800.
2. DFA conducted the annual audit of the DWI programs on March 23, 2016 and no exceptions or findings were indicated.
3. Requested approval of Resolution No. 33; Granting Elected Officials of Quay County the 27<sup>th</sup> pay period for the FY16. A MOTION was made by Mike Cherry, SECONDED by Sue Dowell to approve. MOTION carried with Cherry voting "aye", Dowell voting "aye" and McCasland voting "aye". A copy is attached and made a part of these minutes.
4. Provided a copy of the monthly RPHCA Report for May.
5. Presented the Gross Receipts Tax Report for June.
6. Along with Commissioner Cherry and McCasland, Primrose attended the Water Summit in Clovis on June 29.
7. Received the letter of approval for the new fiscal year preliminary budget. Final budget approval will be later in July.
8. The next Board of Commission meeting is scheduled for July 11. Commissioner Cherry will not be able to attend. The meeting will be rescheduled for Wednesday, July 13 at 1:00 p.m. During the July 25 Commission meeting, the Board will tour the Detention Center and the Solar Project.

Commissioner Dowell urged Primrose to set a date for the County Christmas Dinner. Dowell stated she had received a request from the employees who asked for the date to be set so they could schedule their hunting trips and/or Christmas family activities without conflicting with the County Dinner.

Chairman McCasland called the Indigent Claims Board portion of the meeting to order. Time noted 10:00 a.m.

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

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

ACCOUNTS PAYABLE: A MOTION was made by Sue Dowell, SECONDED by Mike Cherry to approve the expenditures included in the Accounts Payable Report. MOTION carried with Cherry voting "aye", Dowell voting "aye" and McCasland voting "aye".

Chairman McCasland requested a break. Time noted 10:10 a.m. to 10:15 a.m.

A MOTION was made by Mike Cherry, SECONDED by Sue Dowell, to go into Executive Session pursuant to the Open Meetings Act pursuant to Section 10-15-1(H)7 to discuss Threatened or Pending Litigation MOTION carried with Cherry voting "aye", McCasland voting "aye" and Dowell voting "aye".

Time noted 10:20 a.m.

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

Return to regular session. Time noted 10:35 a.m.

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

A MOTION was made by Mike Cherry, SECONDED by Sue Dowell to send a letter to the NM Interstate Stream Commission to establish Quay County's position regarding their permit with the

Office of the State Engineer for the Strategic Water Reserve below the Ute Reservoir. MOTION carried with Cherry voting "aye", Dowell voting "aye" and McCasland voting "aye". A copy of the letter is attached to these minutes.

Other Quay County Business That May Arise During the Commission Meeting and/or Comments from the Commissioners:

Commissioner Cherry thanked the Board for rescheduling the July 11<sup>th</sup> meeting to July 13. Cherry also reported that Tyler Massey is the new NMAC President, Susan Flores is the President-Elect and Rebecca Long is the 1<sup>st</sup> Vice-President.

Cherry reported he was approached by a resident on Quay Road 63 and stated that Moore and the road crews went above and beyond their normal work days to complete the project and the residents were very thankful for their dedication and hard work. It was reported that Moore was out Sunday evening pumping rain water away from the project on his own and worked long hours outside his normal duties and should be commended.

There being no further business, a MOTION was made by Sue Dowell, SECONDED by Mike Cherry to adjourn. MOTION carried with Cherry voting "aye", McCasland voting "aye" and Dowell voting "aye". Time noted 10:40 a.m.

A carried in lunch was hosted at the Courthouse for all employees.

Respectfully submitted by Ellen White, Chief Deputy County Clerk.

BOARD OF QUAY COUNTY COMMISSIONERS



*Franklin McCasland*  
Franklin McCasland

*Sue Dowell*  
Sue Dowell

*Mike Cherry*  
Mike Cherry

ATTEST:

*Ellen L. White*  
Veronica Marez, County Clerk  
Ellen L. White, Chief Deputy

CALL FOR SERVICE REPORT BY MONTH REPORTED

Quay County SO  
Tucumcari, NM 88401  
(575) 461-2280



REPORT CRITERIA

Responsible Officer Is

	Month Reported	Count
January		0
February		27
March		106
April		89
May		122
June		91
July		0
August		0
September		0
October		0
November		0
December		0

CALL FOR SERVICE REPORT BY MONTH REPORTED

Quay County SO  
Tucumcari, NM 88401  
(575) 461-2280



REPORT CRITERIA

Nature Is

Responsible Officer Is

	Month Reported	Count
January		0
February		4
March		6
April		12
May		17
June		6
July		0
August		0
September		0
October		0
November		0
December		0

ARREST REPORT BY MONTH ARRESTED

Quay County SO  
Tucumcari, NM 88401  
(575) 461-2280



REPORT CRITERIA

Officer is  Gates, Ben  Huffman, Clay  Garcia, Dennis  Smart, Dennis  
 Cooksey, Larry  Gonzales, Reyes  Shafer, Russell D

	Month Arrested	Count
January		0
February		1
March		8
April		6
May		15
June		3
July		0
August		0
September		0
October		0
November		0
December		0

CIVIL PROCESS REPORT BY MONTH RECEIVED

Quay County SO  
Tucumcari, NM 88401  
(575) 461-2280



REPORT CRITERIA

Responsible Officer Is  Gates, Ben  Huffman, Clay  Garcia, Dennis  
 Smart, Dennis  Cooksey, Larry  Gonzales, Reyes  Shafer, Russell D

Agency Is  QuayCountySO  SO

	Month Received	Count
January		0
February		30
March		80
April		78
May		76
June		33
July		0
August		0
September		0
October		0
November		0
December		0

CITATION REPORT BY MONTH OCCURRED

Quay County SO  
Tucumcari, NM 88401  
(575) 461-2280



REPORT CRITERIA

Citing Officer is

	Month Occurred	Count
January		0
February		0
March		11
April		10
May		12
June		0
July		0
August		0
September		0
October		0
November		0
December		0

QUAY COUNTY

2015-2016 RESOLUTION No. 33

A RESOLUTION GRANTING ELECTED OFFICIALS

OF QUAY COUNTY, NEW MEXICO

A 27<sup>TH</sup> PAY PERIOD FOR FY16

WHEREAS, the salary for elected county officials is established by statute; and,

WHEREAS, the Board of County Commissioners of Quay County, on November 24, 2014, in a regularly scheduled meeting, set the elected officials' salaries at 85% of the approved Legislative State established rate; and

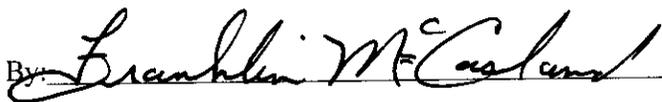
WHEREAS, the 2015-2016 budget year contains 27 pay periods; and

WHEREAS, the Quay County elected officials will be paid the one-time 27<sup>th</sup> pay period amending 2014-2015 Resolution No. 20 salary amounts but not exceeding the statutory salary limitations;

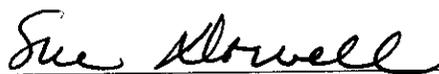
**BE IT HEREBY RESOLVED** by the Board of County Commissioners of Quay County that all elected officials will receive pay for the 27<sup>th</sup> pay period of fiscal year 2016.

**PASSED AND ADOPTED** on this 1st day of July, 2016, by the Quay County Board of Commissioners in an open meeting in Tucumcari, Quay County, New Mexico.

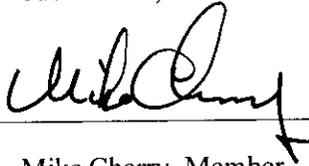
QUAY COUNTY BOARD OF COMMISSIONERS

By: 

Franklin McCasland, Chairman



Sue Dowell, Member



Mike Cherry, Member

ATTEST:



Veronica Marez, County Clerk





## QUAY COUNTY GOVERNMENT

300 South Third Street

P.O. Box 1246

Tucumcari, NM 88401

Phone: (575) 461-2112

Fax: (575) 461-6208

July 1, 2016

Kim Bannerman, Attorney  
NMISC  
PO Box 25102  
Santa Fe NM 87504-5102

Dear Ms. Bannerman:

As you know a number of counties, organizations and others objected to the New Mexico Interstate Steams Commission application to the State Engineer (OSE File No. SP-5044). New Mexico Cattle Growers' Assoc. has repeatedly indicated that we oppose the application and lack of adequate public meetings and input prior to the legal notice and application. We agree the NMISC has the authority and may obtain an adequate amount of water for the benefit of the Arkansas River Shiner by purchase or lease from willing sellers or lessors to establish a Strategic Water Reserve. We can agree and support that action under New Mexico Statutes. However, we continue to oppose the NMISC Application to appropriate surface water. We believe that there is no unappropriated surface water for the State Engineer to appropriate and this application attempts to artificially create unappropriated surface water. This is an entirely inappropriate attempt to create and then seek appropriation of water and circumvent the legislative intent and authority to buy or lease water to place in the Strategic Water Reserve. We believe the State Engineer can limit any withdrawal or deny any other application for appropriation or diversion of water from Ute Dam to the Logan gage which will also assure that water remains available for the benefit of the Arkansas River Shiner.

We again strongly state that we believe the NMISC should withdraw this application (SP-5044) and seek to obtain the water by lease or purchase. It should also be noted that the NMISC application seeks to obtain a minimum flow up to 5 cubic feet per second and does not clearly indicate how many acre feet of water that actually is. Our estimates are that 5 cfs represents approximately 10 acre feet per day or 3650 acre feet per year. It would be far more informative to the public if the NMISC would represent the quantity of water they want in acre feet per year not cubic feet per second.

Additionally, we are emphatically opposed to the NMISC attempting to claim upland flood flow, surface runoff, seepage, springs and other inflows from Revuelto Creek and other tributaries to the Canadian river. This is unprecedented attempt to control and take private property. In order

to eliminate this claim from the application we are certain that the NMISC must withdraw the application and completely eliminate this language from the new application and all legal notices.

NMISC staff has stated in our attempted settlement meetings that they do not want to withdraw the application and yet have amended it without amending the legal notice or seeking further public input or holding any further public information meetings.

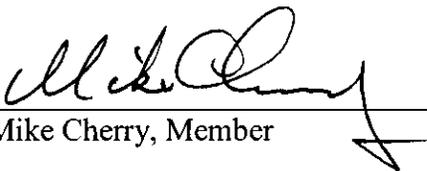
We again respectfully request that NMISC withdraw their application and buy or lease the needed amount of water to establish the Strategic Water Reserve required for the benefit of the Arkansas River Shiner.

Sincerely,

**BOARD OF QUAY COUNTY COMMISSIONERS**

  
\_\_\_\_\_  
Franklin McCasland, Chairman

  
\_\_\_\_\_  
Sue Dowell, Member

  
\_\_\_\_\_  
Mike Cherry, Member

pc: Deborah Dixon  
Caleb Chandler  
Blane Sanchez  
Buford Harris  
Topper Thorpe  
Tom Blaine  
James Wilcox  
Mark Sanchez