

Regular Meeting

February 19, 2009

The Board of County Commissioners, in and for the County of Otero, State of New Mexico, met in a Regular Meeting at the Otero County Courthouse in Alamogordo, County and State aforesaid. Meeting called to order by the Chairman at 6:00 p.m., February 19, 2009; and he announced that reasonable notice for this meeting was given to the Alamogordo Daily News, and to Radio Stations, KPSA, KINN and KYEE.

Present:

Ronny Rardin	Chairman
Doug Moore	Vice-Chairperson
Clarissa McGinn	Member
Timothy Smith	County Manager
Ray Backstrom	Assistant County Manager
Pamela Heltnar	Commission Liaison
Lynn Estrada	Deputy Clerk

DRAFT

Commissioner Moore gave the invocation. Commissioner Rardin led the Pledge of Allegiance and the Salute to the Flag of the State of New Mexico.

1. Scheduled Citizen Communications:

- a. Request Otero County convey the Mayhill VFD sub-station to the previous landowner.

Bill Parker, Public Works Director, stated that he has viewed the road and it is passable. It is narrow and there has been some logging going on up there, but the trees have been cleaned up. The water is running through the culverts, so the road is dry and passable.

Commissioner Rardin stated that Mr. Rice had a serious question about the sub-station not being used for six years as a fire department and all of a sudden when he asked for it back, we started using it.

Paul Quiaroli, Emergency Service Coordinator, stated that he met with the fire chief and discussed the use of the station. They have been using the station non-stop since they received it. We have an interface engine that is coming and a new 2000 gallon water tender. Two of those trucks will be going to a new station and one of the older trucks will be moved to this station in question.

Commissioner Moore asked if we got an evaluation of the improvements on the property. Mr. Quiaroli stated that the insurance pool has it currently at \$243,204.00 for replacement with contents of \$102,430.00.

Commissioner Moore asked if we are actively using the facility as a fire station per se or for storage for the other fire stations. Mr. Quiaroli stated that we were using it as a fire station until 2005. They had an older engine that they took out of service. There is a wild land truck that is there that holds a cache of equipment should we have a mountain fire. That truck has always been in that station.

Commissioner Rardin directed staff to send Mr. Rice a letter telling him that the Commission took no action and we will be keeping the station. If in the future we decide to vacate it, we will let him know so there is a revert clause back to him.

b. Commissioner Moore moved one of his discussions from Commission discussion to unscheduled Citizen Communications.

Becky Reeves and Tom Burns approached the Board to discuss the Boles Acres park.

Commissioner Moore stated that many years ago the County working with the community of Boles Acres, acquired some BLM property to construct a park. It has fallen into disarray from lack of maintenance and vandalism. BLM approached the Commission and the County Manager, requesting that the park revert back to BLM, because the property wasn't being used for its intended purpose. Commissioner Moore and

Tim Smith, met with Becky Reeves to put a crew together to clean the facility up. Ms. Reeves brought pictures of their progress so far. Ms Reeves stated that we need lighting and to be able to secure the area. We have done quite a bit of the clean-up on our own, but need some heavy equipment to come in and clean up the softball fields and haul the mesquite out. All the copper wire has been stolen along with the toilets and the sinks. Our project plans are to repair and secure the park first. We need some help in finances to restore the electric and water to the entire area and material to repair the bathrooms.

Commissioner Moore stated that in the beginning the park was run by the Lions Club. There was a chapter of the Lions in Boles Acres and most of those old timers have passed away. They were the ones who gave the County their pledge to maintain the park. When their chapter was decertified, there was no one left to run it, so it fell into disarray and subject to vandalism. It wasn't brought to our attention until BLM, at our 10 year review, said we need to revert it back or somebody needs to step in and maintain it. Ms. Reeves stated that we can maintain it once we can get some funds to clean it up initially. Commissioner Moore stated that we need the list of names that are willing to take the pledge to help keep it up. These will be forwarded to BLM, telling them that we don't want the park to revert, the community still wants to actively use it as a recreation area for youth.

2. Unscheduled Citizen Communications:

a. Jerry Carroll, private citizen, read Commissioner Moore's Oath of Office. Mr. Carroll thanked the Board for their service to this County and to the State. Mr. Carroll defined treason. The Constitution of the State of New Mexico, Article 2 Bill of Rights, section 1, it's the State of New Mexico as an inseparable part of the federal union and the constitution of the United States as a supreme law of the land. Article 2, a well regulated militia, being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed.

Commissioner Rardin brought up Article 2 Section 6 in the Work Session, but we won't be discussing it tonight until I have read the 81 page document that the attorney has given me. Commissioner Rardin appreciates Mr. Carroll's input and would like to have his phone number.

b. Katie Ramsey, 4-H Agent, Saisha Clark, Tularosa Chapter, James Josselyn, La Luz 4H Chapter, Shanley Smotherman, Tularosa 4H Chapter, Trey Rodgers, La Luz 4H Chapter, Shay Ella Smotherman, Tularosa 4H Chapter. Shay Smotherman stated that on behalf of the Otero County 4H, the kids thanked the Board for all their help and support of their programs through the year. Commissioner Rardin stated that you are our future and appreciate all that the 4H does.

c. Brenda Purvis approached the Board with a couple of questions. El Paso lawmakers have been proactive in seeking stimulus money to complete infrastructure projects that normally they wouldn't have the money for, such as road projects and to improve flood systems. Is Otero County going to do the same to help improve lives and safety of their residents? Listed in the Otero County ordinances web page is a Flood Damage Prevention Ordinance, dated 1975 and amended in 1978. This ordinance has not been followed since its creation with respect to building codes, flood prevention and in hiring a Floodplain Administrator. The Dog Canyon residents question our Commissioner to the reason why the ordinance has not been followed. In October of 2007, the Dog Canyon residents presented a packet to each one of the Board members that listed health and safety concerns from the flooding that the Dog Canyon residents face yearly. To this day, we have not had a response or resolution to any one of the issues listed in the packet, that was introduced in an agenda format. Why have we been ignored?

Commissioner Rardin stated that to answer your first question, we are considering some stimulus package money that has been offered to the Department of Transportation for some road improvements. That is the only stimulus package money we are even looking at. Commissioner Moore has been working very hard on

the flood control for Otero County and Dog Canyon. Commissioner Moore stated that of the 40 billion stimulus package, we are still looking at the breakdown of that whole package. We are involved in a couple of them and none of them are for rural infrastructure. The ones we are currently dealing with are DOT, and they have to be either major arterial or secondary flow roads. Bill Parker will be giving us an update later in the meeting on this, as he attended a meeting in Roswell on this package. Commissioner Moore is unfamiliar with the rural part that Ms. Purvis is talking about in a stimulus package. We did vote last November to take full funding through the Forest Service, which gives us some more Title 1 money, some more Title 2 money which is roads and Title 3 money which is defendable private property. We have enhanced dollars in those areas. We are working with the Forest Service to create an advisory committee to best develop a plan for emergency planning and how to interface that with state monies. Much of that is in defense of fires. Many of the issues that Ms. Purvis brought forward to the October meeting of 2007, have been addressed.

Commissioner Rardin interrupted to open the Public Hearing at 6:30. Commissioner Rardin assured Ms. Purvis that we are working very hard on flood control from Bent Canyon all the way to Dog Canyon. It is one our top priorities. We can come back to this issue after the Public Hearing if Ms. Purvis would like some more time.

John Blansett, Sheriff, stated that if there was a chemical spill at the Dog Canyon turn off and Old El Paso road, these folks would be trapped. We need to have Old El Paso passable so they can get the heck out of there. Commissioner Moore stated that Old El Paso is fixed and passable and has been for about 10 days.

3. Public Hearing:

Commissioner Rardin called the Public Hearing on the proposed changes regarding the Otero County Subdivision Regulations 07-02 and Appendices A, C and E to order.

Diane Romo, Planning Commission Coordinator, approached the Board with the changes that have been proposed.

Commissioner Moore stated that we have spent quite a bit of time over the last 2 years revising the old subdivision ordinance. It was passed about 16 months ago and as we tried to implement it, there were some glitches in it. This pass through it was an attempt to clean up some of these glitches. We have had the building community and subdividers working hand in hand with our Planning Commission. What we have tonight is language that both agreed that they can live with and the parties that will be affected as well as the parties that will be bound to enforce the ordinance. Unless we have additional input from the audience, Commissioner Moore recommends that we tentatively adopt this ordinance and send it out for review for consistency. Once we get the professional read through on it, we will have it back for final adoption.

Commissioner Moore made a motion that we consider for first publication and review for amended Subdivision Regulations 07-02 and Appendices A, C and E as printed for final adoption, upon review. The motion was seconded by Commissioner McGinn. A vote was taken and the motion passed unanimously. See pages

The Chairman closed the Public Hearing and returned to Citizen Communications.

4. Unscheduled Citizen Communications:

d. Shirley Hartwick stated that she is concerned with the culverts on Dog Canyon road. She was told that on La Sala De Centro that it should be maintained by the people that live on that road. It has a green sign and Commissioner Moore said that if the sign was white and black it was County. Commissioner Moore stated that he did not say that. He said that he wished that the sign was a different color, if it were a private road. They do that in different counties. In Otero County, every sign is for emergency vehicles to find their way. Ms. Hartwick asked what can be done to get the culverts changed

out on Dog Canyon Road. When we have a flood the culverts just can't handle all that water. We have been having this problem since 2005 and nothing has been done. Commissioner Moore stated that he is glad all these folks are here tonight, but he is ill prepared to respond. He didn't know you all would be here and he isn't sure what culverts you are speaking about. The culverts in Otero County are not sized to stand the kind of rain that we saw last summer. It wiped out about a 500 yard section of Old El Paso and this has never happened before. No matter how big a culvert you build, it won't handle those catastrophic flows. Commissioner Rardin stated that if Ms. Hartwick will give her name and number to our County Manager, we will get an answer for you. We have to have the information, before we can give some answers.

e. Sharon Livingston stated that on our plat maps there are utility easements and county road easements. If that doesn't belong to the County for upkeep, how does it come back to the home owners. Commissioner Moore stated that a lot of the questions that these folks have, we have done a dead level attempt to answer them. The answers have been unsatisfactory for them. What we all have been hoping for is, if we could get the Corp of Engineers study so we could evaluate the drainage. The main drainage of that neighborhood is Dog Canyon. If we are going to try and maintain this as a major drainage, then we need to have it evaluated. With the Corp of Engineers money, maybe we need to go through there and take everyone's little culverts out and put in bigger ones. We didn't want the residents to have to bear that burden until we can get the study done. Commissioner Moore doesn't see any immediate fix. It will take at least a year for the Corp of Engineers study to be done.

F. Pete Griffin stated that the stimulus package that is coming from Washington has a few strings attached to it. One of the deals allows people to come into your home without a warrant and check your guns. This was on the internet, but he did not print it out. Commissioner Rardin stated that this Commission is very aware of your Second Amendment Rights and will do everything to protect the citizens

of Otero County.

Commissioner McGinn stated that the stimulus money that is coming down from Department of Transportation for road projects is going through a committee at the state level. They look at all the projects that are submitted. What we are looking at this evening is submitting projects that could be considered. Before we accept that money after going out to bid for any of these projects, we are going to look at all the details and what that might involve.

5. Elected Officials:

a. Robyn Holmes, County Clerk, request the Board select three voters and two alternates in Otero County who shall constitute the board of registration for Otero County.

Commissioner McGinn made a motion to select the three voters as Rocky Galassini, Gloria Bailey and Carole Turowski as listed, and the two alternates Patricia Morrison and Jerome B. Tinling. The motion was seconded by Commissioner Moore for discussion. Commissioner Moore stated that he doesn't believe we can take them all. We can only list two from one party's recommendation. Commissioner Moore proposed Rocky Galassini and Gloria Bailey as our number 1 and 2 and choose Laura Stewart as our number 3 on the purge board, with the alternates to be one from the Republican recommendation, which would be Patricia Morrison and one from the Democrat recommendation, Paul Duran.

Commissioner McGinn amended her motion to select Rocky Galassini and Gloria Bailey as the 1 and 2 positions and Laura Stewart as the number 3 position. Alternates to be Republican, Patricia Morrison and Democrat, Paul Duran. The amended motion was seconded by Commissioner Moore. A vote was taken and the amended motion passed unanimously.

b. Letters of appreciation to those directly involved with the refurbishment and move to the Federal Building.

Mr. Smith, County Manager, stated that as discussed at the Work Session he will write a letter of appreciation to all who were involved with the move to the Federal Building.

c. Consider authorizing the sale, as a combined package of the old hospital lot and adjoining parking lot, subject to approval by the NM State Board of Finance.

Ray Backstrom, Assistant County Manager, stated that we had an offer on the property that the County has, that used to house the Gerald Champion Memorial Hospital on 10th Street. Included in the package is the parking lot just the south of that. We are requesting the approval of the Board to move forward with the sale of this property.

Commissioner Rardin stated that where the old hospital used to be is a big vacant area. We have had an offer of 1.5 million from Otero Federal Credit Union. They will be building a new facility there.

Commissioner McGinn made a motion that we move to approve subject to approval by the State of New Mexico Board of Finance the sale of two properties deemed surplus by the Otero County Commission and identified as follows: parcel code 01-09349, with legal description as Alamo Blocks Replat A, Block 138, Lot 1A and parcel code 01-09305, with legal description as Alamo Blocks Block 139, Lots 9 west 5' and Lots 10, 11 and 12. The motion was seconded by Commissioner Moore. Commissioner McGinn stated that she had asked Mr. Backstrom to pull some information about once the sale goes through, we are putting the property, which was once government, back on the tax rolls. At it's current undeveloped state, it could produce in property tax \$11, 500.00 per year and an additional \$5,000.00, depending on the value of the building that they put there. It is worth our consideration to put it back on the tax rolls for Otero County. Commissioner Moore stated that over the last several years since the removal of the hospital, we've had several offers. We've had opportunities to give it to the City for their use, some charitable organizations wanted it as a park and additional offers from other entities that we thought were not

conducive to the neighborhood or the offer was below the appraised value. We have been working with this one for about 6 months and believe it to be a fair offer. A vote was taken and the motion passed unanimously. See pages

d. Consider application for funding of road repairs through the Federal Economic Stimulus Package. Bill Lee Parker, Public Work Director, stated that he attended the meeting in Roswell last Thursday. It's 100 percent government funded with no County match, which sounded great. It is great, but it narrows the roads down. The road has to be at least a major collector. According to the maps from Department of Transportation, the only roads in Otero County that can be worked on is Alamo Street, La Luz Street, North Florida and about 1 mile of Scenic. There is an allotted amount for the Southeast Regional Planning Group, which includes seven counties. So far to date, there has been 25 projects turned in, with only about \$13,000,000.00 that can be used for the whole lot. Whichever the Commission decides, Mr. Parker will present that tomorrow in Roswell. There will be another meeting next Tuesday and the SERPO (South Eastern Regional Planning Organization) group will vote on it and prioritize the roads. All we can do now is turn it in and hope that we are one of the projects that is voted on. Commissioner Moore stated that by looking at the map he can't believe out of 16,000.00 miles of road we don't have but 6 miles here and all of it used to be a state highway that they gave us back. Mr. Parker agrees that it seems like an awful little amount of roads, but since this package goes through the state, we have to use their designations. Mr. Parker stated that he will get with the state to see if they will redefine some of our roads so that they are considered arterial. This would also provide another resource to us for state funding.

Commissioner McGinn asked Mr. Parker if he got a copy of the application, so we can look at it for any of the terms and conditions and any strings that could be attached to that, if they do accept this project. Mr. Parker does have a copy and can make more for the Board to read through. Commissioner McGinn stated

that to clarify, what we are asking tonight is to submit an application to be considered for one of the projects through SERPO.

Commissioner Moore made a motion that we have Bill Parker submit the list of roads prioritized. Florida from the intersection of Scenic to the post office in La Luz is priority #1. Priority 2 is Alamo 140 from the post office intersection, back to the highway and drop the entire route on Scenic, as there is imminent road construction there. All of this for application, because of the time sensitive nature. While we are having staff and legal review, if the acceptance of these funds would in anyway encroach upon our constitution, whether that be federal or state constitution, if that's such a disclosure we can always refuse to accept it. The motion was seconded by Commissioner McGinn. Commissioner Rardin asked if anyone from the audience would like to speak on this.

Hans Steinhoff stated that North Florida from Hwy 82 to La Luz is the critical part. From Hwy 82 south to Scenic is really not too bad. That pavement is pretty good. The worst part of Florida is from Scenic to Canal Street, but that's within the City.

A vote was taken and the motion passed unanimously. See pages

e. Request the Board select a candidate to fill the vacancy of the Planning Commission.

Commissioner Rardin stated that we have 4 applicants to fill 1 position. Two of the applicants were present and addressed the Board.

John Van Doren stated that he has spent some time as a City Commissioner and realized the importance of a Planning Commission. He is interested in being a part of what's going on and doing whatever he can do to assist the Commission in the performance of their duties.

Justin Burks stated that he is interested in seeing what he could do to participate in the planning process. He has some background that would assist him in this process and he thanked the Board for their

consideration.

Commissioner Rardin stated that he appreciates anyone who volunteers for these non paying positions. There is only one position open and he hates to let any of these applicants go.

Commissioner McGinn stated that she has had the opportunity to speak with the applicants and she does appreciate them volunteering for this service.

Commissioner McGinn made a motion to recommend Justin Burks be the Boards candidate to fill the vacancy for the Planning Commission. The motion was seconded by Commissioner Moore.

Commissioner Moore stated that this is a great community. We have on almost any of our volunteer positions that come open, we have multiple candidates. All the candidates that have applied for this position are pillars of the community. Commissioner Moore stated that the reason why he leaned toward Justin Burks is that lets give him a chance, because this is the first time he has volunteered for a position with the County. We appreciate all of you and for giving of your time with little recognition. A vote was taken and the motion passed unanimously. See pages

f. Request approval for the vacation of lots 1-28, Block 117 and lots 1-28, Block 118 of Orogrande Subdivision. This subdivision is west of U.S. Hwy 54, approximately 35 miles south of Alamogordo and adjacent to War Road on the east and west sides.

Commissioner McGinn made a motion to approve the vacation of lots 1-28 Block.117 and lots 1-28 Block.118 of Orogrande Subdivision. The motion was seconded by Commissioner Moore. A vote was taken and the motion passed unanimously. See pages

g. Bert Hanneman presented Safety Awards to the Otero County Detention Center B and C shifts, Sheriff's Office, Mountain and Chaparral Deputies.

6. Consent Agenda:

a. Commissioner McGinn made a motion to approve all consent agenda items except for #13, #17, #21 and #24, being pulled for discussion. The motion was seconded by Commissioner Moore. A vote was taken and the motion passed unanimously. See pages

b. Commissioner Moore made a motion to approve Sealed Bid 09-030, Interior Building Construction Phase II, for La Luz VFD to Jack Wayte Construction in the amount of \$1,888,621 plus all taxes. The motion was seconded by Commissioner McGinn.

Commissioner Moore wanted to make sure we were properly funded before we approve this item. Wayne Glidden, La Luz Fire Chief, stated that we have the funds and even have a little extra in case we need it. A vote was taken and the motion passed unanimously. See pages

c. Commissioner Moore made a motion to approve Resolution #02-19-09/97-44 for the Road and S.R.S. Title III Funds for budget adjustments to reflect an increase of \$549,859.99 in the Forest Reserve distribution for FY 2008/2009. The motion was seconded by Commissioner McGinn.

Commissioner Moore asked Donna Brandon, Financial Director, about the Title III money. When you say \$549,859.99, that's reflective of 5 or 6 years of monies. Ms. Brandon stated that this money is Titles I and III. There is a misprint on the agenda. Title I was excluded, but it is on the budget. Commissioner McGinn stated that this is a budget reflection of the Title I, which is roads, schools and the fire money which is in Title III. It is to note the budget change.

A vote was taken and the motion passed unanimously. See pages

d. Request approval of Resolution #02-19-09/97-48 reaffirming public road rights-of-way in accordance with R.S. 2477.

Commissioner Rardin stated that the Commission has taken the action of claiming the roads under

the R.S. 2477 Resolution. Commissioner Rardin had asked staff to draw up a resolution that finished it off and says here's our resolution for what has already been done.

Commissioner McGinn made a motion to approve Resolution #02-19-09/97-48 reaffirming public road rights-of-way in accordance with R.S. 2477. The motion was seconded by Commissioner Moore. Commissioner Moore stated that at the Work Session, counsel told us for these roads to be acknowledged by the federal entities, which is the purpose of the designation, there was a process that had to be accomplished. We directed staff to give us a time line on that and Commissioner Moore asked if we had that yet. Ray Backstrom stated that we are waiting for a response from counsel concerning what the requirements are. We have put together the same package that the Commission acted on in the September meeting.

Commissioner Moore stated that the statement that was made when we did this several months ago, was that you can claim them all you want to, but until they are recognized by a federal agency or in a federal court, they haven't been challenged. Counsel advised us that there was a process that you could go through and submit this list to the federal government. They would review your documentation to see if it was compliant of the regulations under R.S.2477. If they were, they would accept them and once that's achieved, they could never be challenged by a federal entity. For many decades this County has done this 2477 designation in a piece meal way when a particular road became challenged. We chose to claim them all. We are choosing to reaffirm that claim with the strength of a resolution. We need to go the rest of the distance and submit this to the federal government and either have them acknowledge them or deny them, in which case we will go to Federal Court and settle this once and for all.

Hans Steinhoff asked if these were the abandoned US Forest Service roads. Commissioner Rardin stated that no, these were not. It's every road in Otero County that has ever had a car, motorcycle, or truck

on it that was before the designation of 1976. Commissioner Moore stated that when we looked at this project a year and a half ago, what triggered our action was, the Forest Service came up with a travel management plan. They brought a big map in here that showed many trails and ways that were fire roads and unused trails that they were recommending for closure on the Lincoln. This made us take action to figure out which ones were designated travel ways as of the trigger date. When the Forest Service asked us to comment on their Travel Management Plan, we told them to leave every road open that you have and open up some more. Their theory was close the unused roads, because they didn't want to maintain them. When we compared our data with theirs, there were either four or five very short roads that they intended to close. We took them as 2477 roads. In the spirit of cooperation, they withdrew all five of those from their proposed closure list in their Travel Management Plan. When they withdrew those, we no longer had any designation on anything that they intended to close or prohibit traffic on.

Mr. Jerry Carroll, stated that he is the former chairman of a R.S.2477 sub-committee in Lincoln County. In our work during the 2477 phase of it, he acquired some very old maps. Quite a few of them have Otero County on them, and if the Commission is interested in them, Mr. Carroll can provide them with a list of what he has. Commissioner Moore stated that if Mr. Carroll has maps that we don't have on file that have been recorded, we would love to have copies of those for our archives.

Commissioner Rardin stated that he would like to pass this resolution tonight and get it on the books. There is a motion on the floor. A vote was taken and the motion passed unanimously. See pages

e. Request approval of the 2009/2010 CAP, CO-OP and School Bus Projects.

Commissioner McGinn made a motion to approve the 2009/2010 CAP, CO-OP and School Bus Projects. The motion was seconded by Commissioner Moore.

Commissioner Moore stated that we usually request more than they will give us and they feather us back.

We give them a list of priority roads and we continue to do that in the 2009/2010 process. Bill Parker stated that the amount that we are applying for right here, we probably won't get, it will be close. For the School Bus we are requesting \$118,904.93 and we usually get about \$90,000.00. The CO-OP agreement we are requesting \$117,313.92 and we usually get about \$100,000.00. Commissioner Moore stated that he wanted to make sure that we are using the same philosophy as we have in the past.

Commissioner McGinn stated that we funded additional projects out of General Fund last year during the budget. Have we completed all of those? Mr. Parker stated that we have completed some and he would like to give the Commission an update during the budget hearings.

A vote was taken and the motion passed unanimously. See pages

7. Commission Discussions/Action Items:

a. Ronny Rardin-Discuss resolution that Commissioner Rardin has from Arizona State. Commissioner Rardin read the resolution concerning the 10th Amendment. This amendment will let the county govern ourselves without interference from the state. Commissioner Rardin will introduce this resolution to the New Mexico Association of Counties and let the 33 counties decide if they will take it to the Legislatures next session.

b. Doug Moore-Report of February 13, Grazing Advisory Board Meeting.

Commissioner Moore stated that the Grazing Advisory Board gives recommendation to this Commission and is chaired by Bobby Jones. Predation has become such a problem, especially on the east side with the wool producers. Several of them haven't had a lamb crop in 2 years. Some of this is because their holdings are adjacent to Federal lands. You can't hunt with anything, but a shotgun and it's real hard to kill a coyote with a shotgun from faraway. At the meeting there was a lot of confusion of what a permit or allotment owner can or can't do to defend their property. We had a real good presentation by New Mexico Game and

Fish. They went over the laws that have changed since last year. Commissioner Moore will bring all the recommendations from that meeting to the next Commission meeting. Some of that will be that we interface with the New Mexico Game & Fish. Discussion about creating a special set of tools that an allotment or livestock producer would have, if he is suffering predation on his allotment that may currently fall outside the regulations. Out of that whole discussion, there was a lot of misunderstanding of, "Who do I call?" "What's the procedure?" and I have done it before and it never works. There is a list of contacts that Ms. Heltner is typing up for everyone to use and it will be posted on the County's website. Commissioner Moore suggested that we have a coyote hunt contest and maybe the County could put up a bounty. We have to engage the Sportsman to get involved.

Odie Prather would like to strongly recommend that the Commission pressure the Game Department in paying their fair share in predator control, because it will protect their interest. The coyotes, mountain lions and bears are literally wiping out the small game.

Commissioner Rardin stated that there is a Fish & Game meeting before our next Commission Meeting and he would like to attend. Commissioner Rardin would like to have one of the Commissioners present at every one of their meetings and start pressuring them.

8. Executive Session:

Commissioner McGinn made a motion to go into Executive Session to discuss items under G. Contracts, PSAP, B. Pending Threatened Litigation, C. Personnel and D. Land. The motion was seconded by Commissioner Moore. Roll call was taken as follows:

Commissioner McGinn	yes
Commissioner Moore	yes
Commissioner Rardin	yes

Commissioner Moore made a motion to come out of Executive Session having discussed items B. Pending Threatened Litigation, C. Personnel, D. Land and G. Contracts and having made no decisions. The motion was seconded by Commissioner McGinn. Roll call was taken as follows:

Commissioner McGinn	yes
Commissioner Moore	yes
Commissioner Rardin	yes

There being no further business before the Board the Chairman adjourned the meeting at 9:15 p.m.

APPROVED:

Ronny Rardin, Chairman

ATTEST:

Robyn Holmes, County Clerk

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