

Building Contractors Association of Otero County

BCAOC

www.bcaoc.com • 575-437-2066



Join us for Our 2010
Christmas Party!
Thursday, Dec. 16
at the
19th Hole
6:00 PM



See Page 6 For Information on
This Month's Cover Home!

Quote of the Month

"Tough Times Never Last,
Tough People Do."

A Message from the Chief Executive Officer



Tami Sauerman

Hello BCAOC members,

In depressed economic times, everything and everyone is affected. This is understandable. But there are economic indicators that the tide is shifting, the retail industry is showing higher than average numbers in sales and builder confidence nationally is on an upswing.

We are about to close out 2010 and I would like to personally make an appeal to each one of you to attend the Christmas Party/Installation of Officers this year. This annual event serves two purposes, both equally as important.

First, showing your support of the people who volunteer their time, efforts and resources to serve in the capacity of your Association officers by attending the swearing in shows them your appreciation of their commitment to you and the industry that supports us all. New Mexico Home Builders Association is sending down from Albuquerque, senior officer Mike Buechter to officiate our ceremony. Recognition and awards will be presented for those who gave their time and worked for your Association. Associate of the Year and Builder of the Year has been selected by committee and will be honored on this evening as well.

Secondly, the simple act of gathering as a group is a celebration and affirmation of strength. It keeps us connected and united; and together we have historically been a powerful entity when times have called for it. Let's get together at this event that will be a relaxing and enjoyable evening, allow ourselves to unwind and be entertained by the season, the music and by friends. You will be sure to appreciate the festive décor, menu selections, and the ability to listen or dance to the music you personally selected on the website Desert DJs made especially for us. They have literally over 70,000 of songs from all genres to choose from. If you haven't already chosen yours, the website address again is: <http://www.desertdjs.djintelligence.com/request/bcaoc>.

Tickets are available by calling the office 437-2066 or cell 575-551-2942, or coming by the office. They remain at last year's cost of \$25.00 each when acquired in advance, or \$30.00 at the door. Details of the event are included on page 7 of this newsletter.

Most Sincerely,
Tami Sauerman
Executive Officer, BCAOC

BCAOC 2010

Board Members and Officers

Executive Board of Directors:

President – Josh Rardin • President Elect – Jessica Beach
Associate VP – Rick McCracken • Secretary/Treasurer – Jeri Melton
Past President – Mark Bolin • Life Member – Mike Drunzer
Executive Officer – Tami Sauerman

Builder Members

Jim French, Gerald Matherly, Tommy Messer,
Allen Gorby, Harris Blankenship, Randy Rabon

Associate Members:

Beth Crabbe-Smith, Rudy Chanez, Miles Ledgerwood,
Phil Stevens, Lee Ann Bain

The Building Contractors Association of Otero County is a nonprofit voluntary trade association affiliated with the New Mexico Home Builders Association and the National Association of Home Builders. The association seeks to represent and serve the diversified needs of its members who consist of large, small volume and custom home builders, developers, and remodelers, as well as industry-related suppliers, subcontractors, & professionals.

As the voice of the housing industry in Otero County, the association's primary mission is to represent those involved in and served by the building industry in our region, and all those in pursuit of the American Dream.

This will be accomplished by spearheading a combined effort of all industry-related groups in addressing the quality of life in the community.

The Building Contractors Association of Otero County will work to achieve the following goals:

- ◆ Educate our membership, our industry and the public;
- ◆ Actively participate in legislative & regulatory affairs;
- ◆ Provide the forums that encourage quality construction and innovative products.

We responsibly serve our community by being the positive influence on the building industry.

A Message from the President



Josh Rardin

Hello BCAOC members,

Good news should always be shared and NAHB reports builder confidence in the market for newly built, single-family homes has now risen, albeit slightly, for two consecutive months, according to the latest reading of the NAHB/Wells Fargo Housing Market Index (HMI) on Nov. 16.

The HMI rose one notch to 16 in November from a downwardly revised level of 15 in the previous month. According to the survey, many builders are reporting that, while the quantity of buyer traffic through their model homes has not improved dramatically, the quality of that traffic seems to be getting better — meaning that more people appear to be serious about buying in the near future.

Moreover, according to NAHB Chief Economist David

Crowe, the most positive aspect of the latest HMI report was the future expectations component, which not only held onto the five-point gain it registered in October, but improved by an additional two points to 25 for November. This was the component's highest level since the home buyer tax credit program spurred sales activity in the spring.

I am happy to announce to you all that elections were held, thanks to everyone who participated in nominations and voting. Your Officers for 2011 will be: President- Jessica Beach; President Elect- Dan Hughes; Associate Vice President- Rick McCracken; Secretary/Treasurer- Lee Ann Bain.

Respectfully,
Josh Rardin, BCAOC President, 2010

IF YOU MISSED OUR GENERAL MEMBERSHIP MEETING...

President Josh Rardin called the meeting to order at 12:01 pm at the 19th Hole Restaurant. He led us in the Pledge of Allegiance and Tommy Messer offered the prayer. Members voted on the open Board positions and ballots were collected. Josh gave members information about the upcoming Christmas Party/Installation of Officers and tickets were available for purchase there and at the BCAOC office.

The speaker was Mike Espiritu, Director of the Otero County Economic Development Council (OCEDC), who spoke on the council's involvement and support of Otero County. OCEDC is funded both privately and publicly. Some of what OCEDC has done is worked towards generating tourism, business retention and expansion, the film industry, and is involved in legislative agendas.

They assisted in the attempt to keep the chimps from being relocated to preserve local jobs and also got involved when PNM proposed the rates increase. Without spending or incentives they were also instrumental in IHOP opening a restaurant in Alamogordo. Other projects they were involved with include Premier Pellets, ACS, solar power projects, CHINS- by helping them get funding and jobs reinstated, the Ruidoso Racetrack- by making our area attractive in the event they decided to relocate. Projects in the works are a sawmill, hotel, restaurant, electric supply company, and more.

Mike showed us a very professional and inclusive 6 minute video detailing what Alamogordo and Otero has to offer prospective companies and individuals who are considering the area. Mike was very generous with his time and stayed after the meeting to speak with several members who had questions regarding Holloman and the housing situation in Otero County.

Josh was the lucky winner of the 50/50 drawing this time, and the meeting adjourned at 12:37 pm.

OSHA Increases Penalties for Serious, Willful and Repeat Safety Violations by 300% to 400%

In an effort to provide a greater deterrent and encourage employers to provide a safer workplace, the Occupational Safety and Health Administration (OSHA) on Oct. 1 instituted a new penalty structure that increases fines for non-compliance by 300% to 400% for employers who have been previously cited for serious, willful, repeat or failure-to-abate safety violations.

"For many employers, investing in job safety happens only when they have adequate incentives to comply with OSHA's requirements," said Dr. David Michaels, OSHA assistant secretary of labor. "Higher penalties and more aggressive, targeted enforcement will provide a greater deterrent and further encourage employers to furnish safe and healthy workplaces for their employees."

Prior to Oct. 1, OSHA also began stepping up its inspections and increasing the penalties levied against not only large builders, but small- and medium-sized home builders, as well.

Examples of recent OSHA citations of home builders and contractors include proposed penalties of:

- \$57,600 for failing to protect workers from falls at a residential construction job site in Ohio.
- \$82,220 for failing to protect workers from falls, electrical and struck-by hazards levied against a framing contractor in Texas.
- \$106,400 for failing to provide fall protection on a residential construction job site in Illinois.
- \$128,000 for failing to provide fall protection or failing to wear reflective vests in high automobile traffic areas at a home building job site in Idaho.
- \$51,500 for trenching and electrical hazards at a Texas job site.

Understanding the Inspection Process

OSHA historically has deemed the construction industry a high "hazard industry" and, as a result, home builders have frequently been targeted for OSHA inspections. While in the past, commercial contractors were subject to a majority of the inspections, under the rule changes, residential builders can now expect to be routinely inspected.

In order to better understand the OSHA inspection process, NAHB's Construction Safety & Health Committee has developed guidelines explaining the OSHA inspection process and the steps builders should take, including verifying the OSHA compliance officer's credentials; being cooperative; participating in an opening conference and the walk-around; taking pictures and notes; and participating

in a post-investigative conference.

To access the guidelines posted on the NAHB website, click here.

A variety of NAHB safety training materials — including information on falls, scaffolding, trenching and excavation and a general job site safety handbook — are available at NAHB Builder Books. To view the information, visit www.builderbooks.com/safety.

For more information on safe work practices and safety training materials, e-mail Marcus Odorizzi at NAHB, or call him at 800-368-5242 x8590.

Boost Job Site Safety With Fall Protection Training Products

In an effort to increase job site safety and reduce the chance of job related accidents, NAHB has produced the

Continued on Page 5

From all of us to all of you go our warmest wishes for a simply unforgettable holiday season.

Est. 1934
BANK 34
LET'S MAKE IT POSSIBLE

500 E. 10th Street in Alamogordo • 575.437.9334
www.bank34online.com

FDIC Equal Housing Lender

“Fall Protection Video, English-Spanish” and “NAHB-OSHA Fall Protection Handbook, English-Spanish.”

Both are available through BuilderBooks.com.

The 30-minute “Fall Protection Video, English-Spanish” can be used by builders to train workers to use safe work practices that eliminate fall hazards and comply with OSHA fall-protection standards.

The “NAHB-OSHA Fall Protection Handbook, English-Spanish” provides guidelines for creating a written fall-protection plan and identifying safe work practices that can prevent costly accidents and injuries. Written with clear text, photographs and illustrations, the book serves as a user-friendly resource for promoting safety on any job site.

To purchase the handbook and video online, click here, or call 800-223-2665.

The Mortgage Interest Deduction is Under Attack

American voters have a clear message for Congress: “Don’t touch my mortgage interest deduction!” However, a recent draft proposal released by the co-chairs of the National Commission on Fiscal Responsibility and Reform (NCFRR) threatens this deduction that often provides thousands of dollars of tax savings each year to American home owners.

The NCFRR — a bipartisan commission created by President Obama to help address the nation’s budget deficit — recommends either eliminating the mortgage interest deduction altogether or severely limiting it among many other changes. This means many home owners could have a much higher tax debt each year than they are used to, which could have a serious negative impact on their family’s financial situation.

Currently, the mortgage interest deduction allows home owners to reduce their taxable income by the amount of interest paid on their home loan each year. Home owners can deduct the interest for up to \$1 million of mortgage debt and up to \$100,000 of home equity loan debt on both primary and secondary homes that aren’t rented out.

A recent nationwide survey of 800 likely voters commissioned by the National Association of Home Builders (NAHB) shows that no matter their political party affiliation or homeownership status, Americans don’t want their mortgage interest deduction to be taken away.

Here are some important results of the survey:

- Homeownership status: Even people who aren’t able to claim a mortgage interest deduction support it. Eighty-two percent of renters and 72 percent of owners think tax incentives to promote homeown-

ship are reasonable.

- Political party affiliation: 69 percent of Republicans, 83 percent of Democrats and 70 percent of Independents think it is reasonable for the federal government to provide tax incentives to promote homeownership.
- Comparison to other tax credits: An overwhelming majority of Americans — 81 percent — feel that the mortgage interest deduction should remain in the tax code. This compares to 82 percent for medical expenses, 76 percent for state/local taxes, and 66 percent for charitable deductions.

Critics of the deduction argue that it favors high-income taxpayers over lower to moderate income earners who need it most. But according to the Joint Committee on Taxation, 89 percent of taxpayers benefiting from the deduction make less than \$200,000 annually.

Research by NAHB economists — using the Internal Revenue Service Statistics of Income data — also shows that as a share of household income the biggest beneficiaries are younger households, who typically have large mortgages, small amounts of equity in their homes and growing families. A copy of the report can be found at www.nahb.org/TaxIncentivesStudy.

Current home owners rely on the mortgage interest deduction to help offset the costs of homeownership each year and prospective buyers take the deduction into consideration when choosing homeownership over renting. Any change to the tax code that limits or eliminates the deduction will negatively affect homeownership in America.



Visit our new property developments:

Mesa
VILLAGE

Experience desert living at its finest. Mesa Village is a rare master planned community.

New Mexico's answer to the American Dream. A unique 130-acre ranch neighborhood offering wide open spaces

Cielo Vista
RANCH

Phone 575.443.1957
www.heritagegroupnewmexico.com

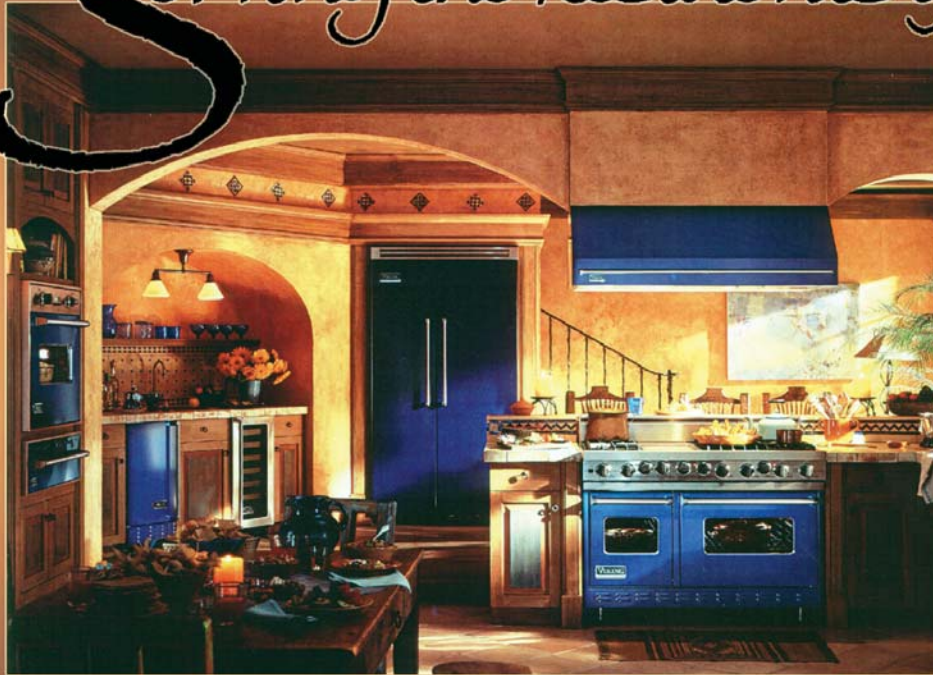
On The Cover ~

212 Burnage Lane, Alamogordo
French Brothers, Incorporated
Jim & Tom French

This Westover model home is a stately two-story, 2160 square feet of living space. The home boasts 4 bedrooms, 2-1/2 baths, plus handy loft, and separate living areas. The home is spacious with an abundance of natural light. Granite counters, maple cabinets, the brushed nickel package, and front landscaping are all included in the base price, with other options available.

COVER PHOTO: TAMI SAUERMAN

Serving the Residents of New Mexico Since 1960



Sales & Service
Whirlpool, Maytag, Kitchenaid,
Frigidaire, Viking, Satellites,
Hitachi, Pioneer, RCA, Philips

1307 10th Street, Alamogordo, NM 88310 • (575) 437-2539

Christmas Party

Mark your calendars and save the date...

2010 BCAOC CHRISTMAS PARTY and INSTALLATION OF OFFICERS for 2011

Please join us for our annual event!

Tickets remain at last year's cost of \$25.00 per person in advance, \$30 at the door.

THURSDAY, DECEMBER 16, 2010
19th Hole Restaurant, Desert Lakes Golf Course

6:00 - 7:00 Social Hour • 7:00 - 8:00 Dinner

8:00 - 9:00 Installation of new Officers and Awards

9:00 - 12:00 Dance to Desert DJs!

Log in to DESERT DJs Online Music Request Page!

<http://www.desertdjs.djintelligence.com/request/bcaoc>

You can select up to 25 songs YOU want to hear and dance to!

Request page will be available until December 11th.

Attire for this event is casual/dressy.

Workers' Compensation Excellence Since 1987



BUILDERS TRUST®
OF NEW MEXICO

AFFILIATED WITH NEW MEXICO HOME BUILDERS ASSOCIATION

CONTRACTORS BELONG HERE!

WWW.BUILDERSTRUST.COM® Telephone: 1-800-640-3369

For ALL your home service needs!



Home Service Contractors inc.
NM Lic. #88711

PERRY HISAW
Owner

FREE ESTIMATES

Plumbing • Heating/Cooling
Remodeling • Carpet Cleaning

820 Scenic Drive
Alamogordo, NM 88310
(575) 437-4790

CASA 'Y' TIERRA
TITLE

Work (575) 434-6770 Fax (575) 434-6772

2420 N. WHITE SANDS BLVD., ALAMOGORDO, NEW MEXICO 88310



Western Bank
Your Source for Construction Lending

500 9th Street
Alamogordo, New Mexico 88310
575 / 443-5000 Fax 575 / 437-0668

Member **FDIC**

A. Javier Lerma
Vice President



Real Estate Update ~ October, 2010

Karen Krupovage, Owner/Qualifying Broker Affinity Real Estate LLC

Statistics for October, 2010

SOLD – Residential.....	51
SOLD – Commercial.....	0
SOLD – Land.....	17
Active – Residential.....	731
Active – Commercial.....	71
Active – Land.....	703
Under Contract – Residential.....	83
Under Contract – Commercial.....	2
Under Contract – Land.....	14



Karen Krupovage
OWNER/QUALIFYING BROKER

Cell 575-430-0323
TeamAffinity@qwestoffice.net • HomesAtAffinity.com

2904 N. White Sands Blvd., Suite B • Alamogordo, NM 88310
575-434-9700 • Toll Free 877-437-9700 • Fax 575-434-9705



MONTHLY COMPARISON	Properties SOLD	Total Value
October, 2010	68 Units	\$8,149,715
October, 2009	93 Units	\$13,032,350

(based on information from the Otero County Assoc of REALTORS®, Inc. Multiple Listing Service)

Membership Renewals

Builders:

◆ **AMERICAN LEGENDS
CONSTRUCTION**

James Burrell

Thanks for
Renewing Your BCAOC
Membership!

Associates:

◆ **84 LUMBER COMPANY**

Tim Turnbull

◆ **EXECUTIVE ACCOUNTING**

Cheryl Matherly

◆ **EZ TV & APPLIANCES**

Mark Eaton

◆ **STONE ELECTRIC**

Neil Stone

MORRISON

PLUMBING | APPLIANCES | HARDWARE

406 Fairgrounds Rd.
Alamogordo, NM 88310

(575) 437-5620 • FAX (575)437-3958

GML
General Membership Luncheon

December Meeting
**BE SURE TO JOIN US
AT THE
CHRISTMAS PARTY!**

Thursday, December 16th
at 6:00 PM at

**THE 19TH HOLE at the
DESERT LAKES GOLF
COURSE...**

Come join us!

CHRISTMAS PARTY
Installation of Officers
Recognition Awards

**Mesa
Verde**

Ready Mixed Concrete
Asphalt • Sand • Gravel



Concrete Placement
House Pads • Driveways
Sidewalks

396 La Luz Gate Rd • Alamogordo • NM • 88310
(575) 437-2995 www.mesaverdeinc.com

Survey Illuminates Preference of Single Buyers of New Homes

A special analysis of the 2010 BUILDER/American LIVES New Home Shopper Survey reveals the wants and needs of single buyers.

By Boyce Thompson

Singles buyers are fonder of new homes than couples. They are also more serious about their home-shopping efforts. And they are more willing to consider attached housing.

These are the findings from a special cut of the results from the BUILDER/American LIVES New-Home Shopper Survey. Single buyers—young and old, female and male, who currently account for about one-third of all home buyers--will be the fastest-growing household type over the next decade, according to recent demographic projections from the Joint Center for Housing Studies at Harvard University.

To benefit from this groundswell, however, builders may need to change the way they cater to single buyers. "Builders are doing their best to [tick off] young females," says Brooke Warrick, president of American LIVES, which conducted the survey. "If the young woman is shopping with a male friend or 'Uncle Buck', as they often do, salespeople routinely present the collateral material to the man."

That's unfortunate, because young single buyers tend to prefer new homes. The BUILDER/American LIVES survey shows that 61% of single buyers shopping for new homes last summer prefer new homes, compared to 51% of couples. Many of these single buyers live in apartments with outdated kitchens and baths, and as prospective homeowners, they are on a mission to obtain cleaner, shinier spaces.

"Young single buyers are often driven by what they don't want," says Warrick. "They dislike the kitchens and baths that dominate the stock of multifamily buildings. They are attracted by new homes that have more up-to-date kitchens and baths with more space, better materials, and greater functionality."

The danger to new-home builders, Warrick says, is that multifamily building owners appear to have fig-

ured this out. "They are catching up with new-home builders by updating, replacing, and/or adding to their inventory... Stay tuned."

The survey also shows that singles are also more serious than couples about their efforts to find a new home. This is especially true of recent divorcees and other singles who have recently gone through life-changing events.

The survey shows that nearly half of singles are considering a move because of a life-changing event, such as a divorce, a new job, or the death of a spouse. "After job growth, divorce may be the biggest driver of new-home demand," says Warrick.

Singles, with or without children, are also nearly three times more likely to consider a townhome (29%) compared to, say, couples with children (12%), according to our survey. They are only slightly more likely than couples without children (26%) to consider a townhome.

The finding makes sense, given that having neighbors nearby brings a sense of safety to people who live alone. "Young females in particular want a safe home, so entry lighting around the garage and doors becomes more important," says Warrick. "Builders need to avoid blind corners in design."

The survey also shows that community belonging is more important to single buyers than married or unmarried couples. This is especially true of older single female buyers, whose husband may have died.

"One of the big reasons singles want attached housing is that they want to live in a community," says Warrick. "I've often said to builders, 'Why not just build a community and throw in the house?'"

Singles are also more motivated by a shorten commute than family buyers. Our survey results show

Continued on Page 11

that 35% of single buyers were considering purchasing a home because they wanted to be closer to work, compared to 27% for couples.

But these buyers face some tough trade-offs, since close-in locations often cost more, and they won't have help from a partner making a mortgage payment. It's not that surprising that low home prices and mortgage rates are more important to singles than family buyers.

Recent data from the National Association of Realtors (NAR) shows that single buyers account for roughly one-third of all buyers who bought homes—new and existing—in 2009. Single female buyers (20% of purchases) outnumber single male buyers (12%) by almost two to one.

Single female buyers have accounted for roughly the same share of total home buyers since the late 1990s. But the percentage of single male buyers took a big jump, from 10% to 12%, in the recent NAR survey.

Several sources expect big future growth in the percentage of young females who buy homes. Gen Y females are already out-earning their male counterparts, partly because they are better-educated.

Reach Advisors, a consumer research firm, analyzed Census data to find that women between the ages of 22 and 30 without children, earned 8% more than males in 47 of the 50 largest U.S. cities. Click here to watch an interview with James Chung of Reach Advisors on this topic.

RCLCO, a development research company, estimates that, within five years, women with income and no kids (so-called WINKS) will comprise 43% of all Gen Y households. RCLCO surveys indicate that WINKS prefer to live close to city centers. They want to walk to work, restaurants, and retail stores.

Boyce Thompson is editorial director of BUILDER magazine.



WEEKLY UPDATE

State Appeals Court Rules Domestic Well Law OK – A ruling by the NM Court of Appeals means those holding land in rural areas where municipal water lines do not yet exist can count on the Office of the State Engineer (OSE) issuing a permit for a domestic water well, at least for now. A couple who own a farm with water rights dating back to the late 1800s in the Mimbres Water Basin (outside Silver City) had sued the OSE, claiming their water rights were not being protected because anyone who wanted to drill a domestic well in the same basin was given a permit by the OSE. The OSE countered that a Statute written in 1953 required the OSE to issue a domestic well permit to anyone who applied.

Over the past decade the “No-Growth” movement has attacked the issuance of domestic well permits in an effort to stop development. A tremendous amount of time and effort has been expended by Jack and Randy Traynor over the years as they successfully beat back attempts to turn the taps off on domestic wells. There was a real concern this court ruling could result in no more domestic well permits being issued, and untold acres of vacant land would be “unbuildable” unless landowners purchased water rights.

During meetings about the many Bills at the Legislature, NMHBA lobbyists and the OSE came to an understanding

that later became the OSE’s “Active Water Management” program. This resulted in regulations that allow the OSE to limit the amount of water that can be pumped from domestic water wells in “impaired” basins where the aquifer is dropping. NMHBA and the OSE have long maintained there are currently enough “tools” for the State Engineer to deal with the convoluted water laws in NM, and changing the laws would likely result in a bigger mess than we see now.

The Appeals Court ruling doesn’t address the issue of protection of existing water rights; it just says the 1953 Statute is constitutional. The ruling will continue to allow landowners to “dip a straw” into underground aquifers (subject to the OSE’s practice of limiting the amount of water being sipped). While the OSE may severely limit the amount of water that may be pumped and restrict it to indoor-use only, at least landowners are allowed to build upon their land, and that should mean work for NMHBA members.

The ruling is good news for those of you wanting to subdivide land without water rights; not reassuring for any of you who hold existing water rights in an impaired basin. As always, this ruling could end up being appealed to the Supreme Court, and the issue could be decided in the opposite direction. Contact Melanie at melanie@nmhba.org if you want a copy of Tuesday’s news story on this ruling.

MEMBER SPOTLIGHT - BUILDER JOE BOUMA CONSTRUCTION, INC. BCAOC MEMBER - 21 YEARS

Joe Bouma has a long history of work in construction, and the Bouma name has been long associated with drywall in the area as Joe's father started a drywall business known as Superior Drywall in 1948. Joe started working for his father's company right out of high school, and for ten years did this before founding his own drywall company, Joe Bouma Construction, Inc., in 1985. In 2004, he began building homes in addition to his subcontracting work of drywall.

Born in Alamogordo, Bouma has been here his whole life, is married and has two daughters of which he is very proud. His family is of utmost importance to Joe, and they are very close. Bouma is a very humble man who always has a good word to say about those he works with and enjoys the interactions with his subcontractors, his banker and his peers in the construction industry.

There is much Joe enjoys about his work. Seeing a job from start through completion and the process involved is a feeling of accomplishment with the finished product. His longevity in business, quality and service are all an important part of his company. He continues to build and to work in drywall and currently has a spec home and a lease house in the works.

Like all the rest of us, Joe also sees the effects the slow downtrend of the economy has had on the construction industry and the nation as a whole. It is an issue we all face and are dealing with.

FAST FIVE

- 1. What was your first job?**
Cleaning up sheetrock for my dad when I was 12.
- 2. What was your worst job?**
Anytime I have tried to get to a job in the mountains when it was cold and snowy.
- 3. What is your favorite vacation spot?**
Padre Island.
- 4. What is your favorite quote?**
"Do unto others as you would have them do unto you."
- 5. What is one thing you know for sure?**
"You can count on true friends during bad times."

MEMBER SPOTLIGHT - ASSOCIATE PNM BCAOC MEMBER - 30 YEARS

Mary Parra has been with PNM for 37 years and has worked as an energy auditor, in direct energy sales and for the last thirteen years as Regional Community Liaison. Mary is well suited to Public relations as it utilizes her natural people skills. Genuine and thoughtful, her effervescent and friendly demeanor is readily apparent.

Born in Mexico, she moved here with her family when she was two years old. Parra says she's a 'Hometown Gal', raised her two children here, and calls Alamogordo home.

"My family is everything" says Mary, "my life revolves around my family." She derives great joy from the close proximity of her grandchildren, and spends much time with them. The community has benefitted from and recognized Mary's contributions as well, bestowing upon her the Citizen of the Year award, the Helen Kirk award, and the Paul Harris award.

Parra summed up in one word what she feels is the biggest issue facing her industry: rates. "People want reliability. The system has to be reliable. In order to keep it that way, it has to be paid for." PNM are major community supporters and participate in various community events including Earth Day, relay For Life, Thanks Team Holloman, United Way, the Alamogordo Chamber of Commerce, OCEDC, and Partners in Education with La Luz Elementary School.

PNM has much information on their online site about Energy Efficiency Programs, Renewable Energy- Wind and Solar, Energy Grants and much more. They do their part by recycling and they champion the 'Green' movement. To access these and more, go to www.pnm.com.

Recently a Chamber Ambassador made a statement about Mary, saying she always brings sunshine in the room. For all of us that know Mary, this sums it up perfectly!

FAST FIVE

- 1. What was your first job?**
Working as a carhop at Hi-D-Ho when I was a teenager with Margo Sandoval and Beverly Coble.
- 2. What was your worst job?**
Anytime I had to write a self-evaluation.
- 3. What is your favorite vacation spot?**
On the beach.
- 4. What is your favorite quote?**
"Serenity is not freedom from the storm, but peace within the storm."
- 5. What is the one thing you know for sure?**
"I live my life and treat people the way I want to be treated."

December 2010

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1	2	3	4
5	6	City Commission City Hall 7:30	County Work Session Courthouse 9:00	9	10	11
12	13	14	15	County Commission Courthouse 6:00 Christmas Party 19th Hole 6:00	17	18
19	20	City Commission City Hall 7:30	22	23	24	25
26	27	28	29	30	31	

EPA ANNOUNCES PLANS TO REVISE NATIONWIDE TURBIDITY LIMIT FOR CONSTRUCTION STORMWATER RUNOFF

On November 5, 2010, the U.S. Environmental Protection Agency (EPA) published in the Federal Register a direct final rulemaking to formally stay the numeric limit and associated monitoring requirements for turbidity in the "effluent limitation guidelines" rule (ELG) for stormwater runoff from "construction and development" (C&D) because of an error in the way the Agency calculated the limit.

EPA plans to propose in December 2010 a "correction rule" for public comment that would revise the current numeric limit of 280 nephelometric turbidity units (NTUs), and then take final action on a revised limit by May 30, 2011.

The direct final rule takes effect January 4, 2011, without further notice, unless EPA receives adverse comment by December 6. This immediate action is necessary because EPA has concluded that it improperly interpreted the data underlying the 280 NTU limit and, as a result, the calculations in the existing administrative record are no longer adequate to support the 280 NTU effluent limitation. EPA intends to expeditiously conduct a separate rulemaking to correct the numeric effluent limitation. According to EPA, states issuing construction stormwater permits between the effective date of the stay and the effective date of the new numeric limit rulemaking need not incorporate the 280 NTU standard into their permits. This is especially critical for the 16 states that are expected to issue new construction general (stormwater) permits in 2010 and 2011.

The final C&D ELG rule was published Dec. 1, 2009, at 40 CFR 450 and became effective Feb. 1, 2010 (74 FR 62996). Under the rule, starting in August 2011, on certain larger construction sites, the average turbidity for any stormwater discharges on any day may not exceed 280 NTU (turbidity

measurement units) (40 CFR § 450.22(a)). As reported previously by AGC, the home building industry challenged EPA's final C&D ELG regulations in the U.S. Court of Appeals for the Seventh Circuit (in Chicago). AGC also reported that the U.S. Small Business Administration (SBA) and industry had filed administrative petitions with EPA to reconsider the 280 NTU standard, pursuant to the Administrative Procedure Act. Despite EPA's admission that the 280 NTU limit is improperly derived, and both industry and EPA's support for throwing it out, the 7th Circuit refused to vacate the flawed limit. Instead, the court remanded certain portions of the final rule back to EPA for further reconsideration. EPA said it would re-examine the numeric limit "through a narrowly-tailored notice-and-comment rulemaking, and, if necessary, revise that portion of the limit" (*Wisconsin Builders Ass'n v. EPA*, 7th Cir., No. 09-4113, 8/24/10). EPA now says it will propose a change to the turbidity limit in December.

In short, EPA's inability or unwillingness to defend the 280 NTU limit in the 7th Circuit litigation and that court's failure to vacate that limit per EPA's request have forced the Agency to use the Administrative Procedure Act to issue a direct final rulemaking staying the 280 NTU limit while it works on a new rulemaking. Simultaneously and as a precaution, EPA has proposed a separate rule to stay the 280 NTU limit, in case the Agency receives "adverse comment" to the direct final rule, which would require EPA to withdraw that rule.

In a fact sheet explaining the latest developments, EPA has indicated that it hopes to propose a new rule to set a numeric effluent limit for the C&D ELG regulations by the end of 2010, and finalize a new limit by May 30, 2011. That would provide EPA with a month between setting a new limit and reissuing its federal Construction General Permit (CGP); a period of time the Agency believes is sufficient to promulgate a new CGP with the new numeric limit and other ELG requirements by EPA's June 29, 2011, self-imposed deadline for completing its CGP. States authorized to run their own permit programs also are required to incorporate the new rule requirements into any reissued National Pollutant Discharge Elimination System construction stormwater permits, EPA said.

EPA's action to stay the 280 NTU limit in the C&D ELG does not impact existing stormwater permits for discharges from active construction operations. Those permit conditions continue to be effective and construction site operators must still obtain and comply with such permits for any land disturbing activity equal to or greater than one acre, or part of a common plan of development that would disturb one acre or more. The Agency is encouraging states that were in the process of following EPA's lead and were working to promulgate their own numeric limit of 280 NTU to withhold such rulemaking efforts until EPA has acted on a new rulemaking. Concerned AGC members should ensure that their states recognize that EPA has admitted to improperly calculating the 280 NTU limit and encourage state permitting authorities to provide data and input into EPA's new rulemaking.

Currently, the EPA lawsuit pending in the 7th Circuit is being held in "abeyance" by the court until after EPA concludes the scheduled May 30, 2011 rulemaking.

A fact sheet and the Federal Register notices are available on EPA's website at:

<http://water.epa.gov/scitech/wastetech/guide/construction/index.cfm>

Interesting Facts for November

November 1, 1995 - The first all-race local government elections took place in South Africa, marking the end of the apartheid system.

November 2, 1947 - The first and only flight of Howard Hughes' "Spruce Goose" flying boat occurred in Long Beach Harbor, California. It flew about a mile at an altitude of 70 feet. Costing \$25 million, the 200-ton plywood eight-engine Hercules was the world's largest airplane, designed, built and flown by Hughes.

November 3, 1957 - Soviet Russia launched the world's first inhabited space capsule, Sputnik II, which carried a dog named Laika.

November 4, 1922 - King Tut's tomb was discovered at Luxor, Egypt, by British archaeologist Howard Carter after several years of searching.

November 4, 1862 - Richard Gatling patented his first rapid-fire machine-gun which used revolving barrels rotating around a central mechanism to load, fire, and extract the cartridges.

November 4, 1979 - About 500 young Iranian militants stormed the U.S. Embassy in Teheran, Iran, and took 90 hostages, including 52 Americans that they held captive for 444 days.

November 4, 1995 - Israeli Prime Minister Yitzhak Rabin was assassinated as he left a peace rally in Tel Aviv.

November 6, 1860 - Abraham Lincoln was elected as the 16th U.S. President and the first Republican.

November 8, 1895 - X-rays (electromagnetic rays) were discovered by Wilhelm Roentgen at the University of Wuerzburg in Germany.

November 9, 1872 - The Great Boston Fire started in a dry-goods

warehouse then spread rapidly in windy weather, destroying nearly 800 buildings. Damage was estimated at more than \$75 million. The fire's bright red glare could be seen in the sky for nearly 100 miles.

November 9, 1965 - At 5:16 p.m., the Great Blackout of the Northeast began as a tripped circuit breaker at a power plant on the Niagara River caused a chain reaction sending power surges knocking out interconnected power companies down the East Coast. The blackout affected over 30 million persons, one-sixth of the entire U.S. population. Electricity also failed in Ontario and Quebec.

November 9, 1989 - The Berlin Wall was opened up after standing for 28 years as a symbol of the Cold War. The 27.9 mile wall had been constructed in 1961.

November 14, 1666 - The first experimental blood transfusion took place in Britain, utilizing two dogs.

November 15, 1881 - The Federation of Organized Trades and Labor Unions of the United States and Canada was formed in Pittsburgh, Pennsylvania. Five years later the organization was renamed the American Federation of Labor (AFL).

November 17, 1869 - The Suez Canal was formally opened after more than 10 years of construction.

November 18, 1883 - A Connecticut school teacher, Charles F. Dowd, proposed a uniform time zone plan for the U.S. consisting of four zones.

November 19, 1863 - President Abraham Lincoln delivered the Gettysburg Address during ceremonies dedicating 17 acres of the Gettysburg Battlefield as a National Cemetery. Lincoln's words have come to symbolize the definition of democracy itself.

November 19, 1969 - The first news reports emerged that American troops in Vietnam had massacred civilians in My Lai Village back in March of 1968.

November 19, 1978 - The biggest mass suicide in history occurred as Reverend Jim Jones led over 900 followers to their deaths at Jonestown, Guyana.

November 20, 1945 - The Nuremberg War Crime Trials began.

November 22, 1963 - At 12:30 p.m., on Elm Street in downtown Dallas, President John F. Kennedy's motorcade slowly approached a triple underpass. The President was struck in the back, then in the head. He was rushed to Parkland Memorial Hospital where fifteen doctors tried to save him. At 1 p.m., John Fitzgerald Kennedy, 35th President of the United States, was pronounced dead.

November 24, 1874 - Joseph Glidden patented his invention of barbed wire.

November 24, 1969 - The U.S. Army announced that Lt. William L. Calley had been charged with premeditated murder in the massacre of civilians in the Vietnamese village of My Lai in March of 1968.

November 26, 1789 - The first American holiday occurred, proclaimed by President George Washington to be Thanksgiving Day, a day of prayer and public thanksgiving in gratitude for the successful establishment of the new American republic.

November 27, 1701 - Anders Celsius (1701-1744) was born in Sweden. He invented the centigrade (Celsius) temperature scale commonly used in Europe.

November 28, 1934 - FBI agents killed bank robber George "Baby Face" Nelson near Barrington, Illinois.

Banking Services For All Your Needs Alamogordo • Tularosa • Cloudcroft

Financing Dreams... Building Relationships

Supporting Otero County Since 1956.
We Have Your Loan, Whatever The Need May Be!
Talk To Us Today!



**1ST
NATIONAL
BANK**
*Your community
bank since 1956*

437-4880

www.fnbalamo.com



the BCAOC can help you

BUILD your business!

Make a One Year
Commitment and get a
25% DISCOUNT!
This is equivalent to
3 months of
FREE ADVERTISING!

Advertising space is now
available for the upcoming issue
of our BCAOC newsletter! Please
give us a call
for more information...
Jeri Melton at 430-8063,
or Tami Sauerman at 437-2066.

Business Card.....	\$25
Quarter Page.....	\$50
Third Page.....	\$75
Half Page.....	\$100
Full Page (Inside).....	\$175
Inside Cover.....	\$200
Back Cover.....	\$250

*Please note: Prices listed are for BCAOC members. Non-members will be charged an additional 20%.