

# VALENCIA COUNTY BOARD OF COMMISSIONERS

## Public Hearing Meeting

February 8, 2006

PRESENT	ABSENT
Paul Trujillo, Chairman	
Ron Gentry, Vice-Chairman	
Mary J. Andersen, Member	
Georgia Otero-Kirkham, Member	
Lynette Pinkston, Member	
Michael R. Trujillo, County Manager	
Wimberly Law Firm, County Attorney	
Tina Gallegos, County Clerk	
Press and Public	

1. The meeting was called to order by Chairman Paul Trujillo at 5:00 PM.

**2. Chairman Trujillo asked William Dean and Joe Rizzo to lead the Pledge of Allegiance.**

**3. Approval of Agenda**

Commissioner Pinkston moved for approval. Seconded by Commissioner Gentry. Motion carried unanimously.

**4. Public Requests**

None

**5. Discussion (Non-Action) Items:**

None

**6. Public Hearing Items**

**a. Valencia County Mobility Plan – Final Draft – Loretta Tollefson, MRCOG (Exhibit A)**

Loretta Tollefson, Special Projects Manager, MRCOG, said they have been working on a long range plan for Valencia County for a year. It addresses the needs of bicycle, pedestrian, equestrian, public transportation, and motorized vehicle users throughout Valencia County. The plan was completed in early 2006 and covers a 20-year time frame, 2005 to 2025. Ms. Tollefson said the intent of the plan is to identify a prioritized list of projects that can be used as a starting point for discussions between local, state, and federal officials about Valencia County's transportation needs and most effective and appropriate ways to provide funding to meet those needs. The Mobility Plan is the result of intensive work by local officials and planners, and staff from the Mid-Region Council of Governments. MRCOG is the regional planning agency for the four-county area. Ms. Tollefson provided a power point presentation as this is the final draft and most importantly for the public to have input on this project.

Fabian Padilla, President of the Historical Tome Association said he had a concern with the mobility plan. Mr. Padilla said he would like a turning lane on Highway 47, this was discussed back in 2002 with the Department of Transportation, and now it is back on the plan. Mr. Padilla said he would like to include shoulder spurs for farm equipment which would be 50 ft long for farmers on their tractors to not hold up traffic and can pull off every so often. These shoulder spurs can also be used for emergency purposes. Mr. Padilla asked if this project could be put on the mobility plan. Mr. Padilla also had a concern with the river crossings and would like to be included in the discussions on this project.

William Dean asked the Commission if they would consider the area where these bridges eventually meet and if they cross AP land that you try to prevent builders from changing that land to RR and start building homes. We don't have the water to support too much more construction.

**b. 2006-\_\_\_, An Ordinance Relating to Planning and Zoning amending Section 2 (C) terms of the Ordinance creating a County Planning Commission, Adopted April 22, 1985 – Cynthia Wimberly, Mike Trujillo (Exhibit B)**

Mr. Trujillo stated this Ordinance amends the terms of the County Planning Commission. They shall be appointed for a one year term. Members may be reappointed for an indefinite number of terms. Vacancies shall be filled by appointment for the unexpired term only. Members may be removed for cause in writing, following a public hearing, by a majority of the Board of County Commissioners.

County Clerk, Tina Gallegos gave the oath to the public and staff giving testimony at tonight's public hearing meeting.

**c. Request to re-plat a portion of the Eastland Hills Subdivision and the vacation portion of Cruces Loop & Parador Road – Ruben Chavez, Dick Burton (Exhibit C)**

Mr. Chavez requested the approval of the vacation of a portion of Cruces Loop and Parador Road in the Eastland Hills Subdivision. Eastland Hills Subdivision is a previously approved subdivision. As the developer has changed engineers, the design has changed. Dick Burton Engineer for the developer is making a claim that development would serve better with lots going East/West rather than North/South. Mr. Chavez said the maps are in the Commissioner's packets for review. Richard Burton discussed the request with the Commission.

Debbie Christensen asked where the subdivision was. Mr. Burton answered that the subdivision is on Meadowlake Road, east of Los Lunas.

Pat Owens, original developer of Cypress Gardens and Eastland Hills said this is a very good proposal and this allows the 47 lots to be able to access Cypress Blvd. and have all the traffic go through the existing roads which is Cruces and Parador but they can go out that north exist without coming back south through Cruces and Parador. Ms. Owens recommended this request.

Patricia Felix said half of Eastland Hills received notice of tonight's meeting and did not understand the way it was worded. Ms. Felix said they are concerned because they are residents of the area and have questions. Wilson Road intersects both Cruces Loop and Parador Road and is our only access from Cypress Blvd.

Bob Moore said with our additional road named Camel Road, this will reduce the amount of traffic on Wilson Road.

Mr. Chavez said per our ordinance and state statute the road viewers have gone out to see this area and they agree with the proposal.

Mr. Chavez said to answer Ms. Felix question about not everyone receiving notice of tonight's meeting, we notify everyone within 200 or 300 feet of the area that is going to be changed or affected. Since New Mexico is a self rendering state, we may not have all of the information for address purposes of the assessed property.

Irene Gamut asked Camel Road was mentioned, where is it?

Bob Moore answered Camel Road is an extension road off of Cypress Blvd.

Commissioner Gentry discussed the plat that was for Commission review in their packets. Commissioner Kirkham asked if these lots had water and sewer. Mr. Moore answered that they do.

Chairman Trujillo suggested before the Commission revisits this item if Mr. Chavez could clarify the questions that Commissioner Gentry had and provide copies to the other Commissioners.

Jess Eppard said the County needs a projector so that the public can follow when reviewing map issues.

**d. Request to amend zone maps from RR2 to RR1 creating two (1) acre lots to comply with will, Tr. 37-C, AKA 3053 Hwy 47, Los Lunas – Ruben Chavez, Sara R. Casias (Exhibit D)**

Mr. Chavez requested to amend the zone maps from RR2 to RR1 creating two one acre lots. Ms. Casias is attempting to split her two acres into one acre parcels. In attempting to settle her own estate she has deeded one acre and home to her son, and one acre and home to her daughter. Mr. Chavez said this does not meet County regulation regarding lot sizes. On January 18, 2006 Planning & Zoning heard this request and voted 5-0 in favor of the request. Ms. Casias said she would like to cut her land in half to avoid legal problems in the future and thanked the Commission for their time.

**e. Request to amend zone maps from AP to PD providing for a Master Planned Development on the Property, Map 79 & 83, All of Parcel A1A of McCullough & Knight Tracts – Ruben Chavez, Tome Amigos LLC (Exhibit E)**

Mr. Chavez requested to amend the zone maps from AP to PD providing for a Master Planned Development for the Tome Amigos LLC/Agent Steve Crawford. The applicants would like to develop the property as a planned development rather than a unit by unit form of development. This would allow for mixed uses and or parcel sized averaging. If a PD designation is allowed the applicant would still have to come back to both Commissions for subdivision approval. On January 18, 2006 Planning and Zoning heard this request and voted 5-0 in favor of the request.

Steve Crawford, agent for the LLC that is trying to develop this property. Due to confusion at the last meeting, the lands of the project are under purchase agreement with the buyer being Tome Amigos, LLC, NM Limited Liability Corporation. The principle members of the LLC are Kenneth Trujillo, owner of Raks Lumber Stores and George Munoz, Owner of Munoz Properties in Gallup. The name of the LLC is going to be changed, there were comment at the P & Z meeting from the Tome folks, that they did not like the name that was chosen by the developers and will be changed. Mr. Crawford said the 97 acre project site is located on the south side of South El Cerro Loop between the Las Cercas Ditch and the Hell Canyon Lateral in the Rio Grande valley area east of the river.

The property is currently zoned AP and is managed as an alfalfa field. The prior land owner stripped and sold the water rights off the land and the farming activities must now pay the MRGCD for water to irrigate the cropland.

Pam McKenzie, resident of Tome said this particular piece of land that has no water rights, so this is a major issue. Ms. McKenzie said she would like to see this land as rural and left agricultural.

Dan Bastion, 2 Inspiration Drive, said he lives across the road from this proposed rezoning project. Mr. Bastion said per the Comprehensive Plan is to preserve the rural character of the Rio Grande valley for regulating land use for protecting agricultural land. Mr. Bastion said the plan is being completely ignored and we shouldn't just grant a zoning change because someone requests one. Mr. Bastion left a copy of a petition with 84 signatures that are against this proposed project.

Peter Lupsha, 22 Tome Hill Rd, said he is here to support the citizens that are against any change on this zoning. There are two big issues, we see Los Lunas as an agricultural community in the valley that is rich with history and culture and this Commission are our guardians for the future. This Commission has signed off on a comprehensive plan that we hope has meat with law, and if these Commissioners are our true leaders of this community then the P & Z Commission are your servants. They are the tail on the dog. You can't commit them to whittle away or salami slice away, what your history and culture have said, they do not want to look down and see a subdivision. This is not what our history and culture is about.

William Dean, 1206 John Road, Los Chavez, said what Mr. Lupsha just said is true. Mr. Dean said he is for preserving the AP land but one of the main reasons is we have very little water left underground. Mr. Dean read off averages on the water issue as to how much usage is being used.

Mr. Crawford discussed the water plan for the proposed project. The potable water supply for the homes will be provided by the use of individual domestic wells permitted through the State Engineer Office. The home's sewage will be treated and disposed of by the use of individual liquid waste disposal systems permitted by the NM Environmental Dept.

Suzanne McConeghy said with all of the problems we have had, with the transportation on the east mesa, building subdivision on this part of Los Lunas seems very odd to her and creates more of a burden on the roads that are existing.

Ed Jones asked what are the requirements for the residents to have the structured development to support the water issue?

Anna Trujillo said she is speaking on the investor's behalf. Ms. Trujillo said she was born and raised on El Cerro Loop and has lived there all her life, her family still lives there. Her dad farmed for years and her brother still farms, and finding it harder and harder to farm without having to pay for water. Ms. Trujillo said there is no one that loves that land more than she does, her dad built the first El Cerro Fire Department, and her dad was the first Fire Chief. Ms. Trujillo said when she climbs Tome Hill on Good Friday, she would rather look down and see a nice housing community with strict restrictions than weeds, mobile homes which possibly could go in there, 49 homes that is not too much to ask. Ms. Trujillo said with the strict restrictions and covenants, she asked the Commission to please consider this request.

**f. Request to amend the Master Plan of Sierra Vista Subdivision, All of Sierra Vista, a Plat of westerly portion of Rio Del Oro, Unit 19, Ruben Chavez-Steven Crawford – Curb Inc. (Exhibit F)**

Mr. di Camillo on behalf of Mr. Chavez requested to amend the master plan of Sierra Vista Subdivision. It is an approved plan and the developers would like to amend the plan by moving the pedestrian trails from back yard alleys to meandering sidewalks to collector streets where they can be landscaped and placed in a safer location. On January 18, 2006, Planning and Zoning Commission voted 5-0 in favor of this request.

Mr. Crawford said the summary is pretty accurate on the nature of the request. Mr. Crawford and the Commission reviewed the plat map.

**g. Request for a Preliminary Plat Review for Sierra Madre Unit 2, Subdivision Tr. 10 of Sierra Vista, a Plat of the Westerly portion of Rio Del Oro, Unit 19 within the Tome Grant – Ruben Chavez – Steven Crawford, Curb, Inc.**

Mr. di Camillo on behalf of Mr. Chavez requested for a preliminary plat review for Sierra Madre Subdivision. Curb, Inc. is proceeding to develop the Sierra Madre Subdivision. This subdivision is about 800 lots. The Commission already heard Unit 1 and the developers are proceeding with Unit 2. Mr. di Camillo said the Commission has the preliminary plat for their review now and the Final Plat will follow when they apply. Construction is after Final Plat unless the developer takes another route. On January 18, 2006, Planning and Zoning Commission heard this request and voted in favor with a 5-0 vote.

Mr. Crawford said when we requested to be placed on the agenda their traffic consultant who is doing their traffic study to support the development told them they would be done by the end of January. Mr. Crawford said he would like for the Commission to review that study and suggested to have this item withdrawn until the next public hearing meeting when they will have that available.

**7. County Manager's Report (Informational Only)**

Mr. Trujillo reported to the Commission on the closure of the landfill and the clean-up of Conejo. Mr. Trujillo said he will give an update to the Commission at the next meeting. Mr. Trujillo gave an update on the legislative session. The State Engineers Office have included Valencia County as a pilot program for doing a county wide or regional waste water master plan that include the issues we have discussed. Mr. Trujillo updated the Commission that the term limits had passed and additional funds for the volunteer fire department passed. There is legislation that would add an additional judge to the Thirteenth Judicial District that would be in Sandoval County which would make District Judge Otero full time in Valencia County so that the Commission room would not be available.

8. The next Business Meeting of the Valencia County Board of County Commission will be held on February 17, 2006 at 9:00 AM in the County Commission Room at the Valencia County Courthouse.

**9. Adjournment**

Meeting adjourned at 7:03 PM.

**NOTE:** All proposals, documents, items, etc., pertaining to items on the agenda of the February 8, 2006 Meeting (presented to the Board of County Commissioners) are attached in consecutive order as stated in these minutes.

**VALENCIA COUNTY BOARD OF COMMISSIONERS**

**ss/  
PAUL EDWARD TRUJILLO CHAIRMAN**

**ss/  
RON GENTRY, VICE-CHAIRMAN**

**ss/  
MARY J. ANDERSEN, MEMBER**

**ss/  
GEORGIA OTERO-KIRKHAM, MEMBER**

**ss/  
LYNETTE PINKSTON, MEMBER**

**ATTEST: ss/**

**TINA GALLEGOS, COUNTY CLERK**

**DATE: 3/3/2006**