

VALENCIA COUNTY BOARD OF COMMISSIONERS

Business Meeting

March 17, 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 9:04 AM.

2. Chairman Trujillo asked Jane Moorman to lead the Pledge of Allegiance.

3. Approval of Agenda

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

4. Approval of Minutes

March 3, 2006 – Business Meeting

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

5. Public Requests

M.G. Martinez from Los Chavez said the Sheriff's Department has been doing an outstanding job in policing the area. A few months ago it was pretty bad in our area, we have been heard and the Commissioners dollars have been well spent.

Ms. Wimberly said on behalf of County Manager, Mike Trujillo in his absence, she was both Counsel and Acting County Manager.

6. Discussion (Non-Action) Items

a. Discussion on County Checking Accounts (tabled March 3, 2006) – Diana Martinez-Coplen

Ms. Coplen said she wasn't sure how the Commission intended to discuss the above item. Chairman Trujillo opened it up for discussion. Ms. Wimberly said this item was at the Commissioner's request. Commissioner Kirkham said the current account is with Bank of the West at Albertson's and asked why is it there? Ms. Coplen said when the County was on reduced hours, research was done and the best proposal was Bank of the West, this was a considerable savings to the County. Ms. Coplen said she has been satisfied with the Bank of the West services. Commissioner Kirkham said Bank of the West was not a full service bank and wondered how the employees felt about it, could an employee speak with them about a car loan or a home loan, are these kinds of services available to the employees? Ms. Coplen said those services are available and representatives were present and plans were to have an office building soon. Commissioner Gentry said in discussion it has been stated, we need to do business locally in the County. He has heard from local banks that the process hasn't been as open. Commissioner Gentry said he has looked at the five proposals and wants to give consideration to the local banks, that a price sheet be given to those banks to see what services are offered to the County. Ms. Coplen said any time a change in banks is done, we contact all of them and ask them for an interest rate and we go with the best rate. Commissioner Gentry said we need to work together in evaluating in the next few months because we have a lot of movement within the County with the banks. Commissioner Gentry said he wanted to make it clear that no one is unhappy with Bank of the West, its just that we need to do as much business locally as we can.

b. Discussion on Selection for Engineer of Record Proposals for Judicial Complex – Mike Trujillo

Ms. Wimberly asked the Commissioners direction on the above item as we have received the proposals. Commissioner Gentry said he would like to have an afternoon to review the proposals and set up interviews. Consensus amongst the Commissioners to have staff set this up.

c. Commissioner Communication or Questions – County Commission

Commissioner Pinkston said on behalf of her and her family, she would like to present the Sheriff's Department with 400 gun locks and asked Sheriff Perea and Kelly Pinkston to come forward. Commission thanked Commissioner Pinkston.

d. Reports from Boards, Commission & Committees – County Commission

Commissioner Andersen reported on the Transportation Steering Committee. The final draft of the Mobility Plan was accepted, this plan will be reviewed annually. Commissioner Kirkham reported on the Mid-West Community Action Program meeting. There was a scare that the Head Start funding would be reduced and we would have to close that program down in Valencia County but we are working to establish a task force to seek alternative revenue monies and continue to work with the program.

7. ACTION ITEMS

a. Proclamation for Month of April 2006 as “Child Abuse Prevention” – Pam McKenzie (Exhibit A)

Ms. Wimberly read the proclamation. Alfred Hagerman on behalf of Ms. McKenzie said the month of April is child abuse prevention and on the 22nd is the fifteenth annual fun fest which children can attend free in a carnival type atmosphere. It is held at the Daniel Fernandez Park. Commissioner Andersen moved for approval of the proclamation. Seconded by Commissioner Gentry. Motion carried unanimously.

Board of Commissioners convenes as Indigent Claims Board

Commissioner Andersen moved to convene as the Indigent Claims Board. Seconded by Commissioner Pinkston. Motion carried unanimously.

b. Indigent Report & Appeals – Barbara Baker (Exhibit B & C)

Ms. Wimberly on behalf of Ms. Baker presented the indigent claims from February 2, 2006 to March 2, 2006. The amount of claims submitted was \$269,019.06. Ms. Wimberly recommended approval of \$41,758.97. There were 66 claims submitted and 17 applicant denials.

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

Ms. Wimberly presented two appeals, one for Joseph Alefeld and the other Roberta Lopez, Valencia County Inmates. Both were denied as the bill was received after the 90-day limit. The first appeal if approved the County would pay \$159.82 to UNM Health Sciences Center and the second appeal if approved would pay \$896.61 to the UNM Health Sciences Center.

Commissioner Gentry moved for approval of both appeals. Seconded by Commissioner Andersen. Motion carried unanimously.

Reconvene as Board of County Commissioners

Commissioner Andersen moved to reconvene as Board of County Commissioners. Seconded by Commissioner Pinkston. Motion carried unanimously.

c. Final Action on Public Hearing held March 8, 2006 – County Commission

1) AP to RR2 for the purpose of development with low density residential housing all of Tract A & southerly 8.7 acres, Tract B located off John Rd/John Whisenant

Chairman Trujillo moved for disapproval of the zone change. Seconded by Commissioner Andersen. Motion carried unanimously.

2) AP to RR1 for the purpose of creating smaller lots Tract 10-B1-B, Land of Carlos Castillo-Heirs located off of Don Felipe Road/Lester Garcia

Commissioner Kirkham moved for approval. Seconded by Commissioner Andersen. Motion carried unanimously. Commissioner Gentry asked if there was any opposition to this matter on March 8, 2006 as he was not in attendance and it was not stated in the Planning and Zoning minutes.. Commission answered no there was not.

3) Ordinance 2006-02, Relating to County Roads, Setting Design Standards, Procedures for Working In, Disturbing & Repairing County Property & Rights-of-way, Courtesy Grading, Acceptance for Road Maintenance, Vacation Procedures of Public Roads, Speed Humps & Setting Forth Penalties For Violations – County Commission (Exhibit D)

Ms. Wimberly said at the public hearing they were presented with a substitute ordinance and the changes from the original ordinance that was published was reviewed and further this week the County received proposed amendments from Steve Crawford. Ms. Wimberly suggested that the Commission, assuming the Commissioners agree with the process, to move and second for discussion the original ordinance as published, and then move to vote to replace it with the substitute ordinance, then pick up each amendment to the ordinance and then vote on the entire package as amended.

Commissioner Gentry moved acceptance of the proposed ordinance for discussion. Seconded by Commissioner Pinkston.

Commissioner Gentry moved to make a substitution on the ordinance which was published to replace the original ordinance. Seconded by Commissioner Pinkston. Discussion.

Commissioner Gentry said at the last meeting which he missed there was some language looked at and Mr. Crawford brought those recommendations before the Commission and Commissioner Gentry said he would like to enter these as an amendment to the substitute ordinance, Section 2.2,

Section 2.2.1B, Section 2.2.2, and Section 2.3, those proposals changing from ½ acre to ¾ acres. This looks at our road ordinance and makes it flexible enough for all the rural areas and design plans within the unidentified areas that does not cause everybody to have to pay everything and it allows divisions and infrastructure to be done after the review process. **(Exhibit E)**

Commissioner Gentry moved for approval of the amendments as stated above. Seconded by Commissioner Pinkston. Discussion.

Commissioner Kirkham said she wanted to thank Rick Stockton for establishing this ordinance and Steve Crawford for taking the time on working on this ordinance.

Chairman Trujillo said we have three open parenthesis to close. First on the motion for the amendments, all in favor signify by saying yes. Motion carried unanimously. Second, the motion on the substitution as amended, all in favor signify by saying yes. Roll call vote. Commissioner Pinkston voted yes. Commissioner Kirkham voted yes. Commissioner Gentry voted yes. Commissioner Andersen voted yes. Chairman Trujillo voted yes. Third to accept for discussion, Motion carried unanimously.

4) Ordinance 2006-03, Relating to Public Works, Amending Section 1404.04 of the Solid Waste Collection & Disposal Ordinance Deleting the Sunset Clause – County Commission (Exhibit F)

Commissioner Gentry moved for approval of amendment No. 1 to the Proposed Solid Waste Collection and Disposal Ordinance. Seconded by Commissioner Pinkston. Commissioner Gentry withdrew his motion. Commissioner Pinkston withdrew her second.

Commissioner Gentry moved for consideration of the Proposed Solid Waste Collection and Disposal Ordinance. Seconded by Commissioner Pinkston. Motion carried unanimously.

Commissioner Gentry moved for approval of amendment No. 1 to the above ordinance. Seconded by Commissioner Pinkston. Discussion. Commissioner Andersen voted yes. Commissioner Gentry voted yes. Commissioner Kirkham voted yes. Commissioner Pinkston voted yes. Chairman Trujillo voted yes. Motion carried 5-0.

5) Ordinance 2006-04, Relating to Planning & Zoning, Amending in the Part of the Valencia County Subdivision Regulations, Section 6.1 Summary Review Procedures & Requirements & Amending the Administrative Fees Article – County Commission (Exhibit G)

Ms. Wimberly presented the above item. Commissioner Kirkham moved for approval. Seconded by Commissioner Andersen. Commissioner Gentry voted yes. Commissioner Andersen voted yes. Commissioner Pinkston voted yes. Commissioner Kirkham voted yes. Chairman Trujillo voted yes. Motion carried 5-0.

d. Additional 2006 List of Appointments (Planning & Zoning Commission) – County

Commissioner Andersen nominated Anthony J. Williams as her representative to the Planning & Zoning Commission, District I. Commissioner Kirkham nominated Steven Otero as her representative in District II. Chairman Trujillo nominated Mark Peters as his representative in District III. Commissioner Gentry nominated Sally Benavidez has his representative in District IV. Commissioner Gentry thanked George Koch for his many years of service on the Board. And also advised staff to present a certificate to Mr. Koch for his service to the P & Z Board. Consensus was to do this at a meeting. Commissioner Pinkston nominated Claudio Moya as her representative in District V. Commissioner Kirkham moved for approval of the appointees. Seconded by Commissioner Pinkston. Motion carried unanimously. Consensus was to thank both Mr. Koch and Mr. Holliday for their service to the P & Z Board.

e. Approval of Volunteer Fire Fighters Annual PERA Report – Andrew di Camillo (Exhibit H)

Mr. di Camillo deferred this report to Mr. Eaton to present the Annual PERA Report. Mr. Eaton presented the PERA report for the nine fire districts. Commissioner Pinkston moved for approval. Seconded by Commissioner Kirkham. Motion carried unanimously.

f. Approval of 2006 Annual Certified County Maintained Mileage Report – Dan Trujillo/Helen Cole (Exhibit I)

Mr. Trujillo and Ms. Cole presented the annual County maintained mileage report. Chairman Trujillo opened the item for discussion. Commissioner Andersen moved for approval. Seconded by Commissioner Kirkham. Motion carried unanimously.

g. Resolution 2006-12, Adopting 2006/2007 County Road Improvement Program – Dan Trujillo (Exhibit J)

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

h. Resolution 2006__ Prohibit Open-Burning within Valencia County – Andrew di Camillo

Chairman Trujillo said this item as stated earlier will be removed after Fire Chief, Charles Eaton's comments. Mr. Eaton said the resolution that was adopted about three weeks ago indicated that he could issue a burn ban on red flag days even though the National Weather Service did not issue a red flag day. If it got problematic and our volunteers got expended on a regular basis, we would

need to give them some relief and on any given day especially with the drought conditions. The State Forestry issued a similar ban that takes effect today and the biggest concern is the agricultural residences which permits them to burn with the agreement they call the local fire departments on the day of burning. We will assist the State Forestry if necessary. At this time we do not need to impose a new resolution.

i. Financial Matters

1) Approval of Application for Law Enforcement Protection Funds – Bill Martinez (Exhibit K)

Sheriff Perea requested the approval of the application for law enforcement protection funds. Commissioner Pinkston moved for approval. Seconded by Commissioner Kirkham. Motion carried unanimously.

2) Award of IFB #591, Construction Contract, Valencia County District Court – Mike Trujillo (Exhibit L)

Ms. Wimberly requested the Commission award the bid IFB#591 to Bradbury and Stamm, Inc. in the amount of \$9,743,000 plus applicable gross receipts taxes. The County opened bids on February 3, 2006. The County has a sixty day award time frame within the bid documents, thus allowing the County to determine the amount of funds that would be available taking into account any legislative funding. The legislature through the Governor's package approved \$1,700,000 plus bond funds and interest. We are recommending award of the base bid as being within the available funding. With award of this bid, the County can issue a notice to proceed within funding available to construct the project and consider other options as funding becomes available. Judge Pope said this has been a long and difficult process and he commends the Commission and the committee and he is one committee member for all time that has been spent on this project. Commissioner Andersen moved for approval. Seconded by Commissioner Gentry. Motion carried unanimously.

3) Approval of Payroll & Warrants – Mike Trujillo

Ms. Wimberly presented the computer printout list of all the checks issued by the Manager's Office on March 14, 2006 covering vendor bills processed on that date. Check #84147 thru Check #84253 inclusive for a total of \$310,600.20. **(Exhibit M)**

Ms. Wimberly presented the computer printout list of all the checks issued by the Manager's Office on March 17, 2006 covering payroll process on that date. Payroll Check #72226 thru Payroll Check #72453 inclusive. Deduction Check #84254 thru Deduction Check # 84290 inclusive for a listing total of \$272,077.89. **(Exhibit N)**

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

8. Executive Session

Commissioner Kirkham moved to enter into executive session. Seconded by Commissioner Pinkston. Commissioner Pinkston voted yes. Commissioner Kirkham voted yes. Commissioner Gentry voted yes. Commissioner Andersen voted yes. Chairman Trujillo voted yes. Motion carried 5-0.

Commissioner Pinkston moved to enter into regular session. Seconded by Commissioner Kirkham. Commissioner Pinkston voted yes. Commissioner Kirkham voted yes. Commissioner Gentry voted yes. Commissioner Andersen voted yes. Chairman Trujillo voted yes. Motion carried 5-0.

Ms. Wimberly reported as to what was discussed in executive session. Ms. Wimberly announced that the Commission selected Vangie Gabaldon for the Business Administrative Manager. Also discussed was a real property negotiating issue, potential threatened litigation and no final action was taken.

Commissioner Pinkston moved for approval of the above report. Seconded by Commissioner Andersen. Commissioner Pinkston voted yes. Commissioner Kirkham voted yes. Commissioner Gentry voted yes. Commissioner Andersen voted yes. Chairman Trujillo voted yes. Motion carried 5-0.

9. County Manager's Report

NACO-Annual Conference & Exposition – Cook County, Illinois – August 4th-8th, 2006
TriCounty Fire Safety & Response Coordination Monday, March 20, 2006 @ City/County Government Building, One Civic Plaza NW, 10th Floor, Conference Room B Albuquerque

10. The next Business Meeting of the Valencia County Board of County Commission will be held on April 7, 2006 at 9:00 AM at the Los Lunas Consolidated Schools Board Room.

11. Adjournment

Commissioner Pinkston moved to adjourn. Seconded by Commissioner Kirkham. Motion carried unanimously.

NOTE: All proposals, documents, items, etc., pertaining to items on the agenda of the March 17, 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/ (Sally Perea for:)

TINA GALLEGOS, COUNTY CLERK

DATE: April 7, 2006