

VALENCIA COUNTY BOARD OF COMMISSIONERS

Business Meeting

May 5, 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 9:11 AM.

2. Chairman Trujillo asked Undersheriff William Martinez to lead the Pledge of Allegiance.

3. Approval of Agenda

Mr. Trujillo recommended Item 7c, Appointment – Representative to Regional Planning Organization (RPO) be deleted from the agenda. Commissioner Pinkston moved for approval with the above deletion. Seconded by Commissioner Andersen. Motion carried unanimously.

4. Approval of Minutes

April 21, 2006 – Public Hearing Meeting

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

5. Public Requests

None

6. Discussion (Non-Action) Items

a. Proclamation for “Older American” Month – May – Jose Campos (Exhibit A)

Mr. Campos gave a brief history and urged all citizens to honor older adults during the month of May and to promote and participate in the services that contribute to the health, welfare, and independence of our older citizens. Chairman Trujillo had Commissioner Andersen present the plaque on behalf of the Commissioners to Mr. Campos for the Older American Program.

b. Certificate of Appreciation for Valencia County Officer of the Year – 2006 – County Commission (Exhibit B & C)

Chairman Trujillo asked Sheriff Perea to present the next two plaques. Sheriff Perea recognized the 2006 Officer of the Year, Joe Portio for his outstanding dedication and service to Valencia County for his commitment to being a true public servant and a highly respected leader in our community as a Detective of the Valencia County Sheriff’s Department. Commissioners thanked Detective Portio for his service.

Sheriff Perea asked Detective Joe Portio to present the next plaque. Mr. Portio recognized the 2006 Reserve Officer of the Year, Jeff Goen in recognition for his outstanding dedication and service to Valencia County and his commitment to being a true public servant and a highly respected leader in our community as a Reserve Member of the Valencia County Sheriff’s Department. Mr. Portio said Mr. Goen has proven himself as being one of the best leaders in this program and is helping with the Neighborhood Watch and Crime Prevention Programs. Sheriff Perea joined with Detective Portio and the Commissioners in recognition of Mr. Goen.

c. Commissioner Communication or Questions – County Commission

Commissioner Pinkston said yesterday, May 4th was National Day of Prayer and she wanted to thank the community for adding them in their prayers as elected officials because we need all the help we can get. Commissioner Pinkston asked Mr. Trujillo to check into a concern brought to her attention at her town hall meeting about the Meadow Lake Center and Headstart Center taking full use of the kitchen as to who authorized this to be used. They have taken over the storage, refrigerators, freezers and so forth and it is the Headstart’s kitchen and not the Community Center’s kitchen.

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

Commissioner Andersen said today’s newspaper had Albuquerque listed by Forbes Magazine as the number one place in the business industry environment. In the article, they mentioned the tempurpedic mattress factory, Merlatt, which tells her they were also looking at Valencia County.

Also, at Mesa del Sol's 27 acres they are looking at a film studio. We are going to be faced with many important decisions from here on out.

Chairman Trujillo turned the meeting over to Commissioner Gentry because there are some issues under Action Items that he will feel more comfortable addressing not in the Chair position. At this time, Chairman Trujillo turned the meeting over to Vice-Chairman Gentry.

7. ACTION ITEMS

a. Approval to issue a request for proposal for a Health Care Facility for Valencia County – Dan Weaks (Exhibit D)

Mr. Weaks requested approval to issue a request for proposal for a health care facility. The Commission authorized lobbying services for obtaining funds for development of a health care facility for the County. Some matching funding have been provided to the County from VIA to proceed with the development of the RFP. Mr. Weaks suggested the County enter into a contract with Robin Hunn, LLC for completion of the RFP and that it be issued by May 12th. Also, that the County enter into a contract with Shoats and Weaks, Inc. for the purpose of planning and developing financing options and strategies for funding the construction and operation of the healthcare facility. Including securing potential state, federal and private funding sources. Mr. Weaks suggested issuing an RFP for ongoing professional services relative to development of the health care facility relative to project management and oversight. Mr. Weaks discussed the proposed project phases and the additional services and the sequence of events that will take place. Commissioner Pinkston moved for approval. Seconded by Commissioner Andersen. Motion carried unanimously.

b. Approval of Memorandum of Understanding between the Village of Los Lunas – Local DWI Program – Richard Perea (Exhibit E)

Sheriff Perea stated this memorandum of understanding will reimburse the County Sheriff's Dept for overtime expenditures for 2 saturation patrols, 2 underage drinking compliance checks/activities, and 2 sobriety checkpoints conducted in the County. Commissioner Pinkston moved for approval. Seconded by Chairman Trujillo. Motion carried unanimously.

c. Appointment – Representative to Regional Planning Organization (RPO) – Mike Trujillo

Deleted from the agenda.

d. Ordinance 2006-05, Relating to administration, ordaining a personnel policy, setting forth personnel rules & regulations establishing consistent, basic policies & practices concerning relations between the County and its employees, declaring an emergency – County Commission (Exhibit F)

Vice-Chairman Gentry discussed a format with the Commission as to how to proceed with the above item as it is quite lengthy. He said this has been the most scrutinized and thought through ordinance that he has seen, it is quite complex because it has to deal with employer/employee relationships. It is basic policies for operating the County so it has everybody's interest at hand. The Commission will want to go through it and be pretty thorough and it won't be perfect to everybody's opinion but we will try and get it as close as we can.

Commissioner Andersen moved approval of the above ordinance. Seconded by Commissioner Pinkston. Discussion.

Mr. Trujillo said the Sheriff has asked for a proposed amendment to Section 3 – Appointed Service that it be changed from Administrative Secretary to the Sheriff to Executive Secretary to the Sheriff.

Commissioner Andersen moved for approval to change Administrative Secretary to Executive Secretary as stated above. Seconded by Chairman Trujillo. Motion carried unanimously.

Roll call vote on the motion by Commissioner Andersen for approval to the ordinance as amended as seconded by Commissioner Pinkston. Commissioner Pinkston voted yes. Commissioner Andersen voted yes. Chairman Trujillo voted yes. Vice-Chairman Gentry voted yes. Motion carried 4-0.

Vice-Chairman Gentry said per the Commissioner's wishes there is Resolution Amendments A-D and they can be taken one at a time and can vote on all of them at the end, for example Resolution Amendment A deals with the typographical amendments as recommended by staff.

Resolution Amendment A (Exhibit G)

Commissioner Pinkston moved for approval on Resolution Amendment A. Seconded by Chairman Trujillo. Commissioner Pinkston voted yes. Commissioner Andersen voted yes. Chairman Trujillo voted yes. Vice-Chairman Gentry voted yes. Motion carried 4-0.

After lengthy discussion Vice-Chairman Gentry read No. 39 Page16 line 31, to delete (Acts of dishonesty, including without limitation: making false, deceptive or misleading statements, lying about sick or personal leave or leave of absence) and have it read (Falsification or misrepresentation of official documents with willful falsification of, or misrepresentation on, any work records, falsifying data or information requested by the County; forgery or inappropriate alteration of County records or other County documents (including written or audio or audio-visual media). Commissioner Andersen moved for approval to accept the above amendment. Seconded by Commissioner Pinkston. Roll

call vote. Commissioner Pinkston voted yes. Commissioner Andersen voted yes. Chairman Trujillo voted yes. Vice-Chairman voted yes. Motion carried 4-0.

Resolution Amendment B (Exhibit H)

Commissioner Andersen made a motion to accept Resolution Amendment B (1-70) as amended. Seconded by Commissioner Pinkston. Roll call vote. Commissioner Pinkston voted yes. Commissioner Andersen voted yes. Chairman Trujillo voted yes. Vice-Chairman Gentry voted yes. Motion carried 4-0.

Commissioners took a 10 minute break.

Resolution Amendment C (Exhibit I)

No. 1 Commissioner Andersen made a motion to delete on Page 4 (Line 10) Sheriff's Executive Assistant and replace it with Sheriff's Executive Secretary. Seconded by Commissioner Pinkston. Motion carried unanimously.

No. 2 Chairman Trujillo made a motion that the word (will) will be left in Section IV 4.3 (Public Job Announcements Exception (will post) instead of (may post). Chairman Trujillo withdrew his motion. Chairman Trujillo made a motion to reject the proposed Amendment C No. 2. Seconded by Commissioner Pinkston. Discussion. Commissioner Pinkston said there are some changes to be made in Section 4.3 after discussion on this amendment. Commissioner Pinkston voted yes. Commissioner Andersen voted no. Chairman Trujillo voted yes. Vice-Chairman Gentry voted yes. Motion carried 3-1.

No. 3 Replace (in house by the Human Resources Director) with (as set forth in Section 4). Commissioner Pinkston made a motion to approve the amendment No. 3. Seconded by Commissioner Andersen. Motion carried unanimously.

No. 4 Replace (after obtaining authorization from the County Manager) with (subject to position vacancy and budget availability). Chairman Trujillo made a motion to approve No. 4. Seconded by Commissioner Andersen. Motion carried unanimously.

No. 5a. Replace Trial with Evaluation. Commissioner Andersen moved for approval. Seconded by Commissioner Pinkston. Discussion. Motion carried unanimously.

No. 5b. Delete (from their position). Commissioner Andersen moved for approval. Seconded by Commissioner Pinkston. Motion carried unanimously.

No. 5c Insert (or voluntarily transferred between Departments) before (to a vacant position). Commissioner Andersen moved for approval. Seconded by Commissioner Pinkston. Motion carried unanimously.

No. 5d Replace (a trial) with (an evaluation) in both instances. Commissioner Pinkston moved for approval. Seconded by Commissioner Andersen. Motion carried unanimously.

No. 5e. Insert (and training) after (is a period of evaluation). Chairman Trujillo moved for approval. Seconded by Vice-Chairman Gentry. Motion carried unanimously.

No. 5f Replace (trial) with (evaluation). Chairman Trujillo moved for approval. Seconded by Commissioner Pinkston. Motion carried unanimously.

No 5g After (vacant position) insert (for which the employee is qualified). Commissioner Pinkston moved for approval. Seconded by Commissioner Andersen. Motion carried unanimously.

No. 5h Delete (at the discretion of the County Manager). Commissioner Andersen moved to reject amendment 5h. Seconded by Commissioner Pinkston. Chairman Trujillo voted no. Commissioner Pinkston voted yes. Commissioner Andersen voted yes. Vice-Chairman Gentry voted yes. Motion carried 3-1.

No. 5i Replace (at the discretion of the County Manager) with (after the pre-disciplinary process provided in these regulations has been completed). Commissioner Pinkston moved to reject the amendment 5i. Seconded by Commissioner Andersen. Chairman Trujillo voted no. Commissioner Pinkston voted yes. Commissioner Andersen voted yes. Vice-Chairman voted yes. Motion carried 3-1.

No. 5j Correct internal cross-references to (evaluation period). Commissioner Andersen moved for approval. Seconded by Commissioner Pinkston. Motion carried unanimously.

No. 6 Replace (probationary) with (evaluation). Commissioner Andersen moved to reject amendment No. 6. Seconded by Commissioner Pinkston. Discussion. Chairman Trujillo voted no. Commissioner Andersen voted yes. Commissioner Pinkston voted yes. Vice-Chairman Gentry voted yes. Motion carried 3-1.

No. 7 Delete (an elected). Vice-Chairman Gentry moved to accept this deletion. Seconded by Chairman Trujillo. Motion carried unanimously.

No. 8 After (institution) insert (governing body). Commissioner Andersen moved for approval. Seconded by Commissioner Pinkston. Motion carried unanimously.

No. 9 Insert (At the employee's request, the written reprimand may be removed from the employee's personnel file twenty-four (24) months after the employee received the reprimand, provided the employee has not received another written reprimand or other disciplinary action (suspension or demotion) during the twenty-four (24) month period. All written reprimands will remain in the employee's file until the employee has completed reprimands or other progressive disciplinary action. Commissioner Pinkston moved to reject amendment No. 9. Seconded by Commissioner Andersen. Discussion. Chairman Trujillo voted no. Vice-Chairman Gentry voted no. Commissioner Andersen voted yes. Commissioner Pinkston voted yes. Motion failed.

No. 10a. Replace (In cases where County property, other employees or citizens or their property are at risk because of the employee's actions, the County Manager or in his/her absence, an appointed designee shall put) with (In unique or extraordinary circumstances, the elected official or department director may place). Commissioner Andersen made a motion to reject amendment No 10a. Seconded by Chairman Trujillo. Motion carried unanimously.

No. 10b Replace (In cases where County property, other employees or citizens or their property are at risk because of the employee's actions, the County Manager or in his/her absence, an appointed designee shall put) with (the elected official or department director may place.) Commissioner Pinkston moved to reject amendment No.10b. Seconded by Chairman Trujillo. Motion carried unanimously.

No. 11 After July 1, 2006 insert footnote, which shall state (For employees with 5-7 years of service on the effective date of this policy, this schedule will take effect upon entry into their seventh year). Commissioner Andersen moved to reject amendment No. 11, Table 10.2. Seconded by Commissioner Pinkston. Discussion. Motion carried unanimously.

Mr. Trujillo suggested on 10.2 Annual Vacation Leave With Pay. Annual leave must be approved with at least three (3) days or more notice by the employee's supervisor prior to being taken. Employees accrue annual leave with pay (here insert per pay period) in accordance with the following years of service. On Table 10.1 Full Years of Service strike 0 to 5 years and insert less than five years, strike 5 to 15, have it read 5 years or more but less than 15 years, and 15+, leave that alone.

Vice-Chairman Gentry suggested Commission come back to this amendment No. 11.

No. 12 Replace (two hundred forty) (240) with (four hundred (400)). Commissioner Pinkston moved to reject amendment No. 12. Seconded by Commissioner Andersen. Chairman Trujillo voted no. Commissioner Andersen voted yes. Commissioner Pinkston voted yes. Vice-Chairman Gentry voted yes. Motion carried 3-1.

No. 13a Before (leave) insert (or sick) (adopt if want sick leave donations) Commissioner Andersen moved for approval. Seconded by Commissioner Pinkston. Discussion. Commissioner Andersen voted yes. Commissioner Pinkston voted yes. Chairman Trujillo voted yes. Vice-Chairman Gentry voted no. Motion carried 3-1.

No. 13b. Delete (sick) (do adopt if want sick leave donations) Commissioner Pinkston made a motion to reject. Seconded by Chairman Trujillo. Commissioner Pinkston voted yes. Commissioner Andersen voted yes. Vice-Chairman Gentry voted no. Chairman Trujillo voted yes. Motion carried 3-1.

No. 13c. Delete (sick) (do not adopt if want sick). Commissioner Pinkston made a motion to reject. Seconded by Chairman Trujillo. Commissioner Pinkston voted yes. Commissioner Andersen voted yes. Chairman Trujillo voted yes. Vice-Chairman Gentry voted no. Motion carried 3-1.

No. 14. After (it) insert (Only employees with eighty (80) hours or more of accrued leave may donate their leave). Commissioner Andersen moved for approval. Seconded by Commissioner Pinkston. Discussion. Commissioner Pinkston voted yes. Commissioner Andersen voted yes. Chairman Trujillo voted no. Vice-Chairman Gentry voted yes. Motion failed.

Vice-Chairman Gentry called for a 10 minute break.

No. 15a. After period insert, (however, the County Manager, upon the recommendation of the elected official or department director, may authorize donation more frequently in extraordinary circumstances.) Chairman Trujillo moved for approval. Seconded by Commissioner Pinkston. Motion carried unanimously.

No. 15b. After period insert, (however, the County Manager, upon the recommendation of the elected official or department director, may authorize donation more frequently in extraordinary circumstances.) Chairman Trujillo moved for approval. Seconded by Commissioner Pinkston. Motion carried unanimously.

No. 16. Replace (may) with (shall). After (command) insert (as directed by the elected official or department director. Replace with (Sick Leave may be authorized). Commissioner Andersen moved to reject the amendment 16. Seconded by Chairman Trujillo. Motion carried unanimously.

No. 17 Replace (counseling and treatment with the employee's child is ill) with (counseling, treatment, or when a member of the employee's immediate family is ill or injured. Delete (of the child) on line 13. Chairman Trujillo moved to reject amendment 17. Seconded by Commissioner Pinkston. Motion carried unanimously.

No. 18. Delete (through voice mail, and other otherwise). Chairman Trujillo moved to reject amendment No. 18. Seconded by Commissioner Andersen. Discussion. Motion carried unanimously. Chairman Trujillo moved to reject amendment 18. Seconded by Commissioner Pinkston. Motion carried unanimously.

No. 19. After (call-in) insert (Calling in is required but does not constitute approval of sick leave). Commissioner Pinkston moved to reject amendment 19. Seconded by Commissioner Andersen. Motion carried unanimously.

No. 20 After (or more) insert (consecutive work). Chairman Trujillo moved for approval of amendment 20. Seconded by Commissioner Pinkston. Motion carried unanimously.

No. 21 Replace entire section with (10.12 Bereavement Leave. In the event of a death in the employee's immediate family, he or she will be entitled to bereavement leave, not to exceed three (3) working days per year, which leave shall be with pay. The employee shall notify his or her elected official or department director prior to taking such leave.). Commissioner Andersen moved for approval. Seconded by Chairman Trujillo. Motion carried unanimously.

No. 22. After (Manager) insert (FLSA non-exempt employees working eight (8) hours or more per day shall be entitled to two (2) paid breaks per day and FLSA non-exempt employees working less than eight (8) hours per day shall be entitled to one (1) paid break per day. The authorized break may only last for fifteen (15) minutes, and any unauthorized extension of the break is contrary to County rules, will be unpaid, and may result in disciplinary action. Breaks may be limited or delayed if continuous work is required because of an emergency or unusual conditions. Unless otherwise authorized by the elected official or department director, or specified by departmental policy, full-time employees are required to take unpaid one (1) hour lunch breaks as scheduled by their supervisor. Commissioner Andersen moved for approval. Seconded by Chairman Trujillo. Motion carried unanimously.

No. 23 Insert new section 12.18 Separation from service with the County. (A). Upon an employee's termination or resignation from the County, he will go through an exit interview process with the Human Resources Manager, Insurance Benefits Manager, elected official and/or the department director, for the purpose of collecting County issued assets such as: mobile telephones, computers, vehicles, weapons, identification tags and keys. This list is demonstrative and not limited to the items listed. Such items should be inventoried on an Exit Interview Form provided by Human Resources.

(B) Failure to return all items within five (5) working days from separation from County service will result in a deduction for the cost of replacement of the items from the employee's final paycheck and possible legal action to recover the item(s) or any deficiency amount after deduction from the final paycheck.

Commissioner Andersen moved for approval with the conditions that instead of (he will go through an exit interview) and insert (he/she will be entitled to an exit interview) and strike everything after director. Seconded by Commissioner Pinkston. Discussion. Commissioner Andersen took back her motion for approval. Commissioner Pinkston took back her second. Motion failed.

Commissioner Andersen moved to delete No. 23. Seconded by Commissioner Pinkston. Motion failed.

Commissioner Andersen moved for approval with the conditions that instead of (he will go through an exit interview) and insert (he/she will be entitled to an exit interview) and strike everything after director and to delete part B under 12.18. Seconded by Commissioner Pinkston. Motion carried unanimously.

Ms. Wimberly stated this will be for clean-up on Table 10.1 under Section IX to read (Less than 5 years) instead of (0 to 5 years), replace 5 to 15 years with (5 years or more but less than 15), replace 15+ with (15 years or more). Commissioner Andersen moved for approval as stated by Ms. Wimberly. Seconded by Chairman Trujillo. Motion carried unanimously.

Ms. Wimberly said on amendment (B- 66) we inserted a footnote which explained the 0 to 5 and 5 to 15 and 15+ so we need to get rid of the footnote that we amended. The amendment would read delete language added in amendment B-66. Commissioner Andersen moved for approval. Seconded by Chairman Trujillo. Motion carried unanimously.

Ms. Wimberly said in Section IX 10.8 if this Commission would allow staff to rewrite this portion and adopt it at your next Business Meeting with a proposed separate resolution which would clean-up

the entire language. Commissioner Andersen moved for approval of this clean-up on 10.8 Sick Leave Authorization. Seconded by Commissioner Pinkston. Motion carried unanimously.

Resolution Amendment D (Exhibit J)

No. 1 Insert (Continuous Length of County Service means the length of time for which there have been no breaks in employment as an employee spanning from the employee's Date of Hire, other than annual leave, sick leave, military leave authorized pursuant to Section 10.24, below, or other authorized leave without pay for less than six (6) months). Commissioner Andersen moved for approval. Seconded by Chairman Trujillo. Motion carried unanimously.

No. 2 Replace (must) with (may, in the discretion of the elected official or department director and with County Manager approval). Commissioner Andersen moved for approval. Seconded by Commissioner Pinkston. Discussion. Chairman Trujillo voted no. Commissioner Pinkston voted yes. Commissioner Andersen voted yes. Vice-Chairman Gentry voted yes. Motion carried 3-1.

No. 3. Delete subsection 5.5 (A) in its entirety. Vice-Chairman Gentry moved for acceptance. Seconded by Commissioner Pinkston. Discussion. Motion carried unanimously.

No. 4. Before period insert (unless otherwise authorized by the County Manager). Commissioner Andersen moved to reject. Seconded by Commissioner Pinkston. Commissioner Pinkston voted yes. Commissioner Andersen voted yes. Vice-Chairman Gentry voted yes. Chairman Trujillo voted no. Motion carried 3-1.

No. 5. Replace (A County employee who uses sixteen (16) hours or less of sick leave per fiscal year will be able to convert eight (8) hours of sick leave to annual vacation leave with (Employees with 200 or more hours of accumulated sick leave may convert up to 24 hours of sick leave to annual leave provided that the employee has not used more than 32 hours (4 days) of sick leave per year and they do not exceed the maximum amount of annual leave carried over to a new calendar year). Vice-Chairman Gentry moved for approval. Seconded by Commissioner Pinkston. Commissioner Pinkston voted yes. Commissioner Andersen voted yes. Vice-Chairman voted yes. Chairman Trujillo voted no. Motion carried 3-1.

No. 6. Replace (granted administrative leave with pay as shown on an approved Leave Request Form with (compensated as regular work time). Commissioner Andersen moved approval. Seconded by Chairman Trujillo. Motion carried unanimously.

No. 7 Strike (More and more people are being diagnosed with an allergic reaction to tobacco smoke and may suffer severe asthmatic or allergy attacks by being placed in an environment where smoking occurred. In order to minimize liability for the County. Capitalize the (s) in smoking. Commissioner Andersen moved for approval. Seconded by Commissioner Pinkston. Motion carried unanimously.

No. 8 Replace (deemed by the Sheriff's Department to be dangerous) with (constituting deadly weapons pursuant to NMSA 1978, 30-1-12 (B) (1963) as amended. Commissioner Pinkston moved for approval. Seconded by Chairman Trujillo. Motion carried unanimously.

No. 9 Replace entire section with (Searches. The County's employees should not expect privacy in their personal effects and vehicles while on County property or on County time. The County may search lockers, desks, toolboxes, lunch sacks, clothing, County internet, e-mail or computer accounts and electronic media/storage, a County vehicle, a private vehicle on County property, and any other item in which an unauthorized weapon or other contraband may be hidden. To the extent that an employee refuses to permit a search, such refusal may constitute grounds for disciplinary action). Ms. Wimberly discussed the above item with the Commission. Commissioner Andersen moved for approval. Seconded by Commissioner Pinkston. Discussion. Vice-Chairman Gentry moved to insert County to read (County e-mail or County computer accounts and County electronic media/storage). Seconded by Commissioner Andersen. Motion carried unanimously.

Chairman Trujillo said these may not be issues but questions on the probationary period Section VI, 6.1, line 39, regarding probationary hires for new hires. Chairman Trujillo moved to have a probationary period for one year probationary period for Detention or Sheriff's Department, any Law Enforcement and otherwise six months probationary period. Seconded by Commissioner Andersen. Motion carried unanimously.

Commissioner Andersen made a motion that after the probationary period should follow an evaluation process whether it is six months or a year probation. Seconded by Commissioner Pinkston. Motion carried unanimously.

Chairman Trujillo made a motion on Section XIII, 13.12 Grandfather Clause, line 49 strike (will be required) and substitute that with (shall show satisfactory progress to meet the new standards within one (1) year). Seconded by Vice-Chairman Gentry. Motion carried unanimously.

On Section VI, 6..9 Outside employment. After discussion, Chairman Trujillo moved to have the section read (Prior to accepting outside employment, an employee shall certify that such interest will not conflict with the County.) Seconded by Commissioner Pinkston. Discussion. Chairman Trujillo withdrew his motion. Commissioner Pinkston withdrew her second.

After discussion, Commissioners asked staff to bring this section 6.9 back to look at it at the next Business Meeting.

e. Resolution 2006-17, Relating to administration, ordaining a personnel policy, setting forth personnel rules & regulations establishing consistent basic policies & practices concerning relations between the County and its employees, declaring an emergency. (Exhibit K)

Commissioner Andersen moved for approval. Seconded by Commissioner Pinkston. Discussion. Roll call vote. Commissioner Pinkston voted yes. Commissioner Andersen voted yes. Chairman Trujillo voted yes. Vice-Chairman Gentry voted yes. Motion carried 4-0.

Commissioner Andersen complimented Vice-Chairman Gentry on his conduction of the meeting. Vice-Chairman Gentry called for a 30 minute recess.

Vice-Chairman Gentry called the meeting back to order.

f. Resolution 2006-18, Drug-Free Workplace Policy – County Commission (Exhibit L)

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

g. Amendment to A/E Contract – Soliel West, OAP Kitchen Renovations – Mike Trujillo (Exhibit M)

Commissioner Andersen moved for approval of Amendment #1 to the Architect's agreement in the amount of \$7,500 plus applicable gross receipts taxes. Seconded by Chairman Trujillo. Motion carried unanimously.

h. Financial Matters

1) Approval of FY 2006 Edward Byrne Memorial Justice Assistance Grant Program – Richard Perea (Exhibit N)

Sheriff Perea presented the above item for approval. Chairman Trujillo moved for approval. Seconded by Commissioner Pinkston. Motion carried unanimously.

2) Approval of New Mexico Traffic Safety Project “Click It Or Ticket Program” – Richard Perea (Exhibit O)

Sheriff Perea presented the above item for approval. Commissioner Andersen moved for approval. Seconded by Chairman Trujillo. Motion carried unanimously.

3) Resolution 2006-19, Reimbursement – 911 Communications Center generator – Mike Trujillo (Exhibit P)

Mr. Trujillo said this item resulted in a reimbursement from DFA – 9-11 Enhancement in the amount of \$25,411.00 and we would ask permission to purchase a vehicle for the Fire Chief. Discussion. Chairman Trujillo moved for approval. Seconded by Commissioner Pinkston. Chairman Trujillo voted yes. Commissioner Pinkston voted yes. Commissioner Andersen voted no. Vice-Chairman Gentry voted no. Motion failed.

Commissioner Andersen made a motion to accept the reimbursement from 9-11 Enhancement in the amount of \$25,411.00 and not to allocate it for the purchase of the vehicle until we evaluate the vehicle that is currently being used and look at the budget. Seconded by Commissioner Pinkston. Motion carried unanimously.

4) Approval of Payroll & Warrants – Mike Trujillo

Mr. Trujillo presented the computer printout list of all the checks issued by the Manager's Office on April 28, 2006 covering payroll processed on that date. Payroll Check #72908 thru Payroll Check #73135 inclusive for a listing total of \$269,062.62. **(Exhibit Q)**

Mr. Trujillo presented the computer printout list of all the checks issued by the Manager's Office on April 28, 2006 covering vendor bills processed on that date. Check #84693 thru Check #84810 inclusive for the total of \$690,671.09. **(Exhibit R)**

As per request by the Commission, Mr. Trujillo reported in our budget process Commissioner Andersen made mention of the fact that it was seldom we had over \$2 million dollars in cash reserves, as of yesterday, we have in the General Fund Cash Reserves of \$4.264 million dollars in our cash balance.

Commissioner Andersen moved for approval of payroll and warrants. Seconded by Chairman Trujillo. Motion carried unanimously.

8. Executive Session

None

9. County Manager's Report (Informational Only)

Commission Budget Hearing Dates for County @ Manager's Office

May 3, 2006 – Elected Officials – 8:00 AM – 4:00 PM

May 8, 2006 – Department Heads 8:00 AM – 4:00 PM

10. The next Public Hearing Meeting of the Valencia County Board of County Commission will be held on May 10, 2006 at 5:00 PM in the County Commission Room at the Valencia County Courthouse. The next Business Meeting will be held on June 2, 2006 at the Los Lunas Consolidated Schools Board Room.

11. Adjournment

Commissioner Andersen moved to adjourn. Seconded by Vice-Chairman Gentry. Motion carried unanimously. Time being 3:08 PM.

NOTE: All proposals, documents, items, etc., pertaining to items on the agenda of the May 5, 2006 Business 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: May 19, 2006