

VALENCIA COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting

May 2, 2007

PRESENT	ABSENT
Pedro G Rael, Chairman	
Georgia Otero-Kirkham, Vice-Chairman	
David R Medina, Member	
Ron Gentry, Member	
Lynette Pinkston, Member	
Eric Zamora, Interim County Manager	
Cynthia R. Wimberly, County Attorney	
Sally Perea, County Clerk	
Press and Public	

1. The meeting was called to order by Chairman Pedro Rael at 9:00 AM.

2. Chairman Rael led the Pledge of Allegiance.

3. Approval of Agenda

Commissioner Kirkham requested Item 7(a) for removal, Consideration of continuation of contract with Covenant Health System. Commission discussion. Commissioner Kirkham moved for removal of Item 7(a) and at a later date hold a workshop. Seconded by Commissioner Medina. Motion carried unanimously. Commissioner Pinkston requested Item 7(i) to be moved up on the agenda as the State Fire Funding application needs to be in Santa Fe. Commission discussion. Commissioner Pinkston moved for Item 7(i) to replace 7(a). Seconded by Commissioner Medina. Motion carried unanimously. Commissioner Pinkston moved for approval of the agenda with the above amendments. Seconded by Commissioner Medina. Motion carried unanimously.

4. Approval of Minutes

April 6, 2007 – Special Meeting

April 11, 2007 – Public Hearing Meeting

April 11, 2007 – Special Meeting

Commissioner Kirkham moved for approval of all three sets of minutes. Seconded by Commissioner Medina. Motion carried unanimously.

5. Public Requests – At the discretion of the Chair

(For Information Only – limited to two minutes per person on subjects not on this published agenda)

Mike Wood commented on the newspaper article in which the Chairman had an apology with regard to the Attorney General's opinion upon Commissioner Gentry's complaint. Mr. Wood said the Chairman's term ends in 2008 and it disturbs him and stated this is a problem.

Chairman Rael read the newspaper article for public consumption. Chairman Rael wanted the public and his fellow commissioners to know that he did apologize for any consternation or anxiety that he may have caused because it was based on his opinion that the other two commissioners were there at that meeting on the hospital that was held in his office. Chairman Rael said we now need to move forward and he respected the Attorney General's opinion.

Russ Smith, Treasurer of the Cypress Gardens Homeowner's Association, said his concern is, getting two roads in that subdivision accepted for maintenance by the county. Mr. Smith said Alamosa Loop and Pariso Road are the roads in question. Commissioner Kirkham said these roads are in her district and she asked Mr. Smith to get with Mr. Zamora on this matter.

William Dean, Los Chavez, said he has been an advocate for water conservation and controlled development. Mr. Dean handed out an article pertaining to water conservation to the commission and then read the article out loud for the public.

Bill Lebrecht, Meadow Lake Residents Association, said he had a concern that when the commission holds a workshop on the hospital issue to hold it some place that seats a lot of people, because this commission room is too small.

Jim Lane, Meadow Lake said he had written a letter to the editor in the newspaper of the possible closing of Mesa Estates Road also known as Fence Line Road. This is a big concern for him, he owns property on that road and he needs to know what is going on with this road. Mr. Lane suggested that while the freeholders are investigating the plats and records that they go and investigate extending Mesa Estates Road out through La Ladera which would alleviate the traffic flow through there.

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6. Discussion (Non-Action) Items

a) Presentation of Casas De Vida Nueva – Charlotte Black

Ms. Black, founder of the Casas De Vida Nueva, a non-profit corporation that is designed to provide housing for adults with mental illness spoke on this issue. Ms. Black gave a little personal history of how this project became so dear to her, because of her son. Ms. Black said residents with mental health needs will learn many skills on this farm for example, housekeeping, personal care, relationship skills, medication management, animal care and increased self-confidence. Ms. Black said she believes so strongly in the sense of community. Casas De Vida Nueva hopes that residents would want to stay a few months or for the rest of their lives, depending on the needs of each individual resident. Ms. Black said this farm community will be a productive addition to Valencia County environment. Marjorie Mosser spoke on providing services to individuals who are in need of counseling and therapy. Ms. Mosser said Casas De Vida Nueva will have a positive economic influence on the county. The construction alone will benefit the community. It is the intent of Casas to utilize the resources here in the county for the construction of this project. Ms. Mosser said Casas is being built on agricultural land for a specific reason, parts of the treatment of the residents of the facility is centered on working on the farm. Casas will keep the area as farmland and in the process guard against possible sprawl that can result in uncontrolled growth. This will help maintain the rural flavor of Valencia County.

b) Department Reports – Department Directors

None

c) Reports from Boards, Commissions & Committees – County Commission

Commissioner Pinkston reminded the public of a Meadow Lake Association's meeting to be held on Saturday, May 12th. Commissioner Pinkston stated they will also have the groundbreaking for the fire station at that time. She will get invitations out to the commissioners. Commissioner Pinkston reminded everyone that tomorrow is National Day of Prayer and she would appreciate prayers for leadership.

Commissioner Gentry complimented County Clerk, Sally Perea and her staff for allowing one of the election offices to be used for the commissioners to use for their executive sessions. Those offices are no longer used by the District Judge and he appreciates the clerk letting them utilize that office. Commissioner Gentry also spoke on roads that are in need of maintenance.

County Clerk, Sally Perea thanked the commission for getting our office space back. We will utilize that open office for executive session or whomever needs it, but we will also be using it for elections.

7. Action Items

a) Consideration of Continuation of Contract with Covenant Health System – Pedro Rael

Removed from agenda.

i) Consideration of FY 2007/2008, State Fire Funding applications, Nine (9) County Fire Departments & County Fire Administration Office – Charles Eaton (See Exhibit A)

Fire Chief Eaton thanked the commission for scheduling a workshop because of the emergency medical response needs of the community. There were a lot of questions and with this workshop they can be answered. Fire Chief Eaton said the agenda item is the state fire fund application for fiscal year 2007-2008 for the nine fire districts. Commissioner Pinkston moved for approval. Seconded by Commissioner Kirkham. Discussion. Motion carried unanimously. Chairman Rael signed the proper documents so that Chief Eaton can take them to Santa Fe.

b) Resolution 2007-23, Increase Expenditure Professional Services – Wilma Abril (See Exhibit B)

Ms. Abril presented the above item. Commissioner Pinkston moved for approval. Seconded by Commissioner Medina. Motion carried unanimously.

County Clerk, Sally Perea, announced **Resolution 2007-23**.

c) Consideration of Memorandum of Understanding between the City of Belen & Valencia County – Eric Zamora (See Exhibit C)

Mr. Zamora stated the memorandum of understanding provides assistance in the City of Belen's summer program in the amount of \$3,000. Commissioner Gentry moved for approval. Seconded by Commissioner Medina. Motion carried unanimously.

d) Consideration of Contract for Interim County Manager & Public Works – County Commission (See Exhibit D & E)

Chairman Rael stated this agenda item has to do with the interim employment of Eric Zamora as the county manager and also a written contract as the Public Works Director. Commissioner Medina moved for approval of both contracts. Seconded by Commissioner Pinkston. Motion carried unanimously.

Mr. Zamora stated he wanted to take this opportunity to thank this commission as a resident of Valencia County in giving him the opportunity to work in this county and address the issues that affect him and his family directly as well as the rest of the citizens. Mr. Zamora said he has lived in this area for a number of years and he enjoys Valencia County and he appreciates the opportunity to contribute to the needs of the county and its residents.

e) Resolution 2007-24, GRIP II – Application for Highland Meadows, El Cerro Mission & Meadow Lake Areas – Eric Zamora (See Exhibit F)

Mr. Zamora stated the state legislation recently approved the funding for a road package identified as GRIP II included for Valencia County was a project that provides funding in the amount of \$800,000 for various road projects in Highland Meadows, Meadow Lake and El Cerro Mission. Mr. Zamora said in order to qualify for this, a resolution is required and a county match of \$200,000 match either financial or in-kind. Commissioner Pinkston questioned the application that she and Ruben Chavez had done and why was it changed? Loretta Tolefson, Special Projects Manager said she doesn't know why it was changed but part of the legislative process things do get changed in that way. Commissioner Pinkston said she just wanted clarification on this change and she will be asking her legislators. Commissioner Pinkston moved for approval. Seconded by Commissioner Kirkham. Discussion. Motion carried unanimously.

County Clerk, Sally Perea, announced **Resolution 2007-24.**

f) Resolution 2007-25, GRIP II – Application for Manzano Express Way – Ron Gentry (See Exhibit G)

Commissioner Gentry said he would like Mari Anexter with the Governmental Relations for the Los Lunas School District to speak on this item. Ms. Anexter introduced Maria Marez, Vice President, Los Lunas School Board, Bernard Saiz, Deputy Superintendent, Los Lunas School District, and Loretta Tollefson, MRGCOG. Ms. Anexter said the county is in a good position to come up with the match money for this scope of project. The state has been generous with the criteria for the matching funds. This is a critical time to have the resolution passed so that the county can move forward with the application. Ms. Anexter said she has had the opportunity to work with Mr. Zamora and she appreciates his professionalism and his help. Mr. Sais, said on behalf of the superintendent they are here to work with the county and do what they can to see this project through. Mr. Sais said at the board's next meeting they will pass a resolution to show public support for this endeavor. Ms. Marez, represented the Los Lunas Board said she is here to ask for support regarding this issue. Commissioner Kirkham moved for approval. Seconded by Commissioner Pinkston. Discussion. Motion carried unanimously.

County Clerk, Sally Perea announced **Resolution 2007-25.**

g) Final Action of Public Hearing held: February 14, 2007

i) Vacate a Portion of Puente Court, a cul-de-sac within Rio Oro Subdivision, Unit 45 – County Commission (See Exhibit H)

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

h) Transfer of used OPA Vehicles to City of Belen RSVP Program – Vangie Gabaldon (See Exhibit I)

Ms. Gabaldon presented the above request. This request is for reconsideration of a prior request that was heard in January to transfer three vehicles from the Older American fleet to the City of Belen RSVP Program. The discussion was to offer these vehicles internally before offering them to an outside entity. Ms. Gabaldon stated that no department from the county has inquired about these vehicles. Commissioner Pinkston moved for approval. Seconded by Commissioner Medina. Discussion. Motion carried unanimously.

j) Accept Findings of Fact & Conclusion of Law Decisions – County Commission

i) Amending Zone Maps from RR2 to RR1, Tr. A-1 of Lands of JA & BK Smith, Book 352, Page 7725, AKA 311 La Entrada, Los Lunas, NM/Ann Waterworth (See Exhibit J)

ii) Final Plat for the Luna Vista Subdivision as Lot 48 & a portion of Open Space as shown as on a replat of Lots 72-A – Lots 95-A & Lots 250-A-264-A of replat of Lots 52-54 & Lots 111-116 of Eastland Hills Subdivision/Robert Moore (See Exhibit K)

iii) Amend Zone Maps from RR2 to RR1 for the purpose of dividing property into 2 Lots each 1.59 in size. Tr. A-1, Lands of James Shortle, AKA 1372 Sichler Rd/Robert Marsh (See Exhibit L)

iv) Amend Zone Maps from RR2 to RR1 for the purpose of subdividing the 2.58 acre subject property into 2 parcels; T6N R2E, Sec. 18, Tr 19-A, AKA 34 Pleasant View Dr/Loretta Torres (See Exhibit M)

Commissioner Pinkston moved for acceptance of all four findings of fact and conclusion of law. Seconded by Commissioner Gentry. Motion carried unanimously.

k) Financial Matters

i) Consideration of Approval of 2007 Legislative General fund Appropriations Grant Agreement for Thirteen (13) General Fund Projects totaling \$2,019,000.00 – Vangie Gabaldon (See Exhibit N)

Ms. Gabaldon stated we have received the first batch of legislative appropriations grant agreement for 13 general fund projects totaling \$2,019,000.00. The financial impact of this request will be a positive one since these funds will support several capital outlay projects throughout the county. Commissioner Pinkston moved for approval. Seconded by Commissioner Medina. Motion carried unanimously.

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ii) Consideration of Approval of Contractual Agreement No. 2007-2474, \$250,000.00 with North Central New Mexico Economic Development District (NCNMEDD) Non-metro Area Agency on Aging to Expand & renovate the Los Lunas Senior Center – Vangie Gabaldon (See Exhibit O)

Ms. Gabaldon requested the above consideration of a contractual agreement with NCNMEDD. This agreement represents a \$250,000.00 General Obligation Bond that was approved in FY 2006 and is not a new 2007/2008 legislative appropriation. Commissioner Pinkston moved for approval. Seconded by Commissioner Kirkham. Motion carried unanimously.

iii) Consideration Awarding Bid #614, Meadow Lake Community Center Expansion – Vangie Gabaldon (See Exhibit P)

Ms. Gabaldon requested approval of awarding Bid #614 Meadow Lake Community Center Expansion to ESA Construction in the amount of \$295,000.00 plus applicable gross receipts tax. Commissioner Pinkston moved for approval. Seconded by Commissioner Medina. Motion carried unanimously.

iv) Resolution 2007-26, Increase Expenditures Indigent Claims – Wilma Abril (See Exhibit Q)

Ms. Abril presented the above item. Commissioner Pinkston moved for approval. Seconded by Commissioner Kirkham. Motion carried unanimously.

County Clerk, Sally Perea, announced **Resolution 2007-26**.

v) Consideration of Approval – Payroll & Warrants – Eric Zamora

Mr. Zamora presented the computer printout list of all the checks issued by the Manager's Office on April 20, 2007, covering vendor bills processed on that date. Check #89439 thru Check #89439 inclusive for a total of \$5850.00. **(See Exhibit R)**

Mr. Zamora presented the computer printout list of all the checks issued by the Manager's Office on April 23, 2007 covering vendor bills processed on that date. Check #89440 thru Check #89440 inclusive for a total of \$125.00. **(See Exhibit S)**

Mr. Zamora presented the computer printout list of all the checks issued by the Manager's Office on April 26, 2007 covering vendor bills processed on that date. Check #89472 thru Check #89585 inclusive for a total of \$1,162,139.59. **(See Exhibit T)**

Mr. Zamora presented the computer printout list of all the checks issued by the Manager's Office on April 27, 2007 covering payroll processed on that date. Payroll Check #79024 thru Payroll Check #79119 inclusive. Direct Deposit Check #2288 thru Direct Deposit Check #2429 inclusive. Deduction Check #89441 thru Deduction Check #89471 inclusive for a listing total of \$278,906.39. **(See Exhibit U)**

Mr. Zamora presented the computer printout list of all the checks issued by the Manager's Office on April 30, 2007, covering vendor bills processed on that date. Check #89586 thru Check #89586 inclusive for a total of \$147.58. **(See Exhibit V)**

Commissioner Pinkston moved for approval of the above payroll & warrants. Seconded by Commissioner Kirkham. Discussion. Motion carried unanimously.

8. Executive Session- Pursuant to Section 10-15-1 NMSA 1978, the following matters may be discussed in closed session: a. limited personnel matters: Juvenile Detention & Adult Detention Director Position; b. pending or threatened litigation, and c. other specific limited topics that are allowed or authorized under the stated statute.

Commissioner Pinkston moved to enter into executive session. Seconded by Commissioner Kirkham. Motion carried unanimously. Roll call vote. Commissioner Pinkston voted yes. Commissioner Kirkham voted yes. Chairman Rael voted yes. Commissioner Gentry voted yes. Commissioner Medina voted yes. Motion carried 5-0.

Commissioner Kirkham moved to enter into regular session. Seconded by Commissioner Pinkston. Motion carried unanimously.

Ms. Wimberly reported on matters that were discussed in closed session. We discussed personnel matters related to the Juvenile Detention Program, personnel matters regarding the Adult Detention Director position and pending litigation, the status of Sisson vs. Valencia County lawsuit. No final action was taken.

Commissioner Kirkham moved to accept Ms. Wimberly's report as what was discussed in closed session. Seconded by Commissioner Pinkston. Roll call vote. Commissioner Pinkston voted yes. Commissioner Kirkham voted yes. Chairman Rael voted yes. Commissioner Gentry voted yes. Commissioner Medina voted yes. Motion carried 5-0.

9. Action on Executive Session Item

- a) Juvenile Detention**
- b) Adult Detention Director Position**

No action taken.

10. County Manager's Report

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Mr. Zamora said on behalf of the Acting Detention Center Director requested a meeting with the Judges to discuss overcrowding issues. This meeting will take place tomorrow, May 3, 2007 at 4:00 PM in the commission room.

Chairman Rael reminded commissioners of a Budget Workshop on May 8, 2007 at 3:00 PM in the Manager's Conference Room.

10. The next Regular Public Hearing Meeting of the Valencia County Board of County Commission will be held on May 9, 2007 at 5:00 PM in the County Commission Room at the Valencia County Courthouse.

Adjournment

Commissioner Kirkham moved to adjourn. Seconded by Commissioner Medina. Motion carried unanimously. Chairman Rael reminded commissioners to sign all proper documents before leaving. Time 12:14 PM.

NOTE: All proposals, documents, items, etc., pertaining to items on the agenda of the May 2, 2007 Regular 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/
PEDRO G. RAE, CHAIRMAN**

**ss/
GEORGIA OTERO-KIRKHAM, VICE-CHAIRMAN**

**ss/
DAVID R. MEDINA, MEMBER**

**ss/
RON GENTRY, MEMBER**

**ss/
LYNETTE PINKSTON, MEMBER**

ATTEST: ss/

SALLY PEREA, COUNTY CLERK

DATE: May 16, 2007