



VALENCIA COUNTY
RESOLUTION 2020- 52
ESTABLISHING THE VALENCIA COUNTY OLDER AMERICANS PROGRAM
ADVISORY COUNCIL (REVISED)

RECITALS:

WHEREAS, the Board of County Commissioners met at a duly noticed and advertised meeting on August 5, 2020 at 5:00 PM in the Valencia County Administration Building located at 444 Luna Avenue, Los Lunas, New Mexico 87031; and,

WHEREAS, the Board of County Commissioners has general authority to provide for the appointment and removal of volunteer advisory boards; and,

WHEREAS, NMSA 1978, Sections 4-37-1 *et seq.* provides that counties may adopt those resolutions and ordinances, not inconsistent with statutory or constitutional limitations place on counties, to discharge those powers necessary and proper to provide for the safety, convenience of the county and its inhabitants; and,

WHEREAS, it is the joint and several duty and responsibility of the governments of the United States and State of New Mexico to assist older people to secure equal opportunity to the full and free enjoyment of the services made available under the Older Americans Act of 1965 as amended, and it is the policy of the County to assist the Federal & State Governments in order to better serve the County's older inhabitants; and,

WHEREAS, the governments of the United States, State of New Mexico, County of Valencia, local jurisdictions and private funding resources are combined for the purpose of providing direct services to eligible consumers including but not limited to Title IIIB Transportation, and Title III (C) congregate meal and home delivered meal services through annual agreements with the State of New Mexico Aging and Long Term Services Department; and,

WHEREAS, the Board of County Commissioners is committed to collaborating with community stakeholders and volunteers to plan, organize, program and fund where possible, quality public services to community members in Valencia County; and,

WHEREAS, the Board of County Commissioners maintains an Older Americans Program whose primary mission is to provide services to eligible consumers age 60+ and people with disabilities in accordance with State of New Mexico Aging and Long Term Services Department Service plans and annual funding agreements; and,

WHEREAS, the legal and fiduciary governance of the Valencia County Older Americans Program is vested within the County of Valencia; and,

WHEREAS, the Valencia County Manager is responsible for ensuring high quality oversight, ethical and responsible decision-making, accountability and transparency in all matters pertaining to the Valencia County Older Americans Program; and,

WHEREAS, the Valencia County Older Americans Program Director is responsible for the day to day management of the program and for ensuring efficient operations and adherence to the provisions of the federal Older Americans Act, as administered by the New Mexico Aging and Long Term Services Department; and,

WHEREAS, the administrative headquarters for the Valencia County Older Americans Program is located at the Belen Senior Center, at 715 S. Main Street, Belen, New Mexico, 87002; and,

WHEREAS, Title III(C) congregate meals and other senior activities are provided at the following sites:

- Belen Senior Center, located at 715 S. Main Street, Belen, New Mexico, 87002
- Bosque Farms Community Center, located at 1190 N. Bosque Farms Loop, Bosque Farms, NM 87068
- Del Rio Senior Center, located at 351 Rio Communities Boulevard, Belen, NM 87002
- Fred Luna Senior Center, located at 197 Don Pasqual Road, Los Lunas, NM 87031
- Meadow Lake Community Center, located at 100 Cuero Lane, Los Lunas, NM 87031

WHEREAS, the Board of County Commissioners places a high value on public input and ongoing communication with community constituents and Valencia County Older Americans Program participants; and,

WHEREAS, the Board of County Commissioners and the Older Americans Program Director rely on information provided by volunteer advisory groups on matters pertaining to the needs, concerns, and interest of older adults in Valencia County for strengthen program operations and for continuous improvement; and,

WHEREAS, Non-Metro Area Agency on Aging (AAA) Standards & Policy Manual Revised 12/2015 (AAA Manual) at Section V (500) sets forth the requirement for an older American's advisor council stating that "Providers/Vendors must ensure that eligible consumers have input into the operations of the programs. This may be accomplished through City Councils, County Commissions, etc. However, because City Councils and County Commissions do not focus exclusively on Senior Citizens' issues and programs, the Non-Metro AAA requires Providers/Vendors to form Advisory Councils; and,

WHEREAS, the AAA Manual at Section 5 states that "[a]dvisory Councils should be formed with no less than three (3) members and no more than fifteen (15) members, depending upon the size of the Provider/Vendor agency. At least one-half (50%) of the membership of each Provider/Vendor Advisory Council must be older individuals, with Providers/Vendors attempting to include eligible consumers, especially older individuals with the greatest economic and social need. The remaining membership may be composed of representatives of older individuals, local elected officials and the general public."; and,

WHEREAS, the Board of County Commissioners has for many years appointed a Valencia County Older Americans Advisory Council to better serve the County's inhabitants, however the Council has not been formally established; and,

WHEREAS, the purpose of this resolution is to formally and officially establish the Valencia County Older Americans Advisory Council.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF VALENCIA that the Valencia County Older Americans Program Advisory Council is hereby established:

VALENCIA COUNTY OLDER AMERICANS ADVISORY COUNCIL

Section 1. Name:

The advisory group shall be called the Valencia County Older Americans Program Advisory Council.

Section 2. Vision:

The collective vision of Valencia County the State of New Mexico Aging & Long Term Services Department and of the Valencia County Older Americans Program Advisory Council is Lifelong Independence and Healthy Aging.

Section 3. Mission:

The collective mission of Valencia County and the State of New Mexico Aging and Long Term Services Department is to provide accessible, integrated services to older adults, adults with disabilities, and caregivers to assist them in maintaining their independence, dignity, autonomy, health, safety, and economic well-being, thereby empowering them to live on their own terms in their own communities as productively as possible.

Section 4. Advisory Council Establishment & Purpose:

The Valencia County Older Americans Program Advisory Council is established by the Board of County Commissioners of Valencia County and its purpose is to serve as a liaison between Valencia County officials and the participants of the Valencia County Older Americans Program for securing consumer input.

Section 5. Roles and Responsibilities:

The Valencia County Older Americans Program Advisory Council shall utilize the leadership and skills of its members to advise the Board of County Commissioners and the Older Americans Program Director as follows:

- A. Assist in identifying the needs, and problems of individuals age 60+ and people with disabilities and assist in developing the goals and objectives.
- B. Assist in prioritizing needs and identifying financial, human, and physical resources to meet consumer needs.
- C. Provide input into the development of a comprehensive four-year plan.
- D. Assist in conducting public hearings and training presentations.
- E. Engage in community outreach and represent the interest of Older Americans Program participants to local officials and leaders.
- F. Advocate for federal, state, local and private funding to support programs and services for older Americans in Valencia County.
- G. Participate fully by meeting regularly.

- H. Perform those tasks assigned by the Board of County Commissioners, County Manager or the Older Americans Program Director.
- I. Maintain meeting minutes.
- J. Abide by the terms of the Government Conduct Act NMSA 1978 Section 10-16-1 et. seq. and conduct meetings in accordance with the highest ethical and moral responsiveness.
- K. Maintain communications with the Board of County Commissioners furnish approved minutes of Committee meetings, and provide any reports as needed or requested.
- L. The Council is an advisory Board and does not have policy making authority or personnel oversight.
- M. Prepare By-laws that define the mission of the Advisory Council, its authority, responsibility, role and limitations, as well as the relationship and line of communication between the Advisory Council, program staff and the County.

Section 6. Council Composition:

Valencia County Older Americans Program Advisory Council shall consist of community volunteers who are interested in furthering the objectives of the Older Americans Act of 1965 as amended and in furthering the collective vision and mission of County of Valencia and the State of New Mexico Aging & Long-Term Services Department.

Section 7. Council Member Selection Criteria:

The following is the criteria to be use for nominating, appointing members and alternates to the Valencia County Older Americans Program Advisory Council:

- A. Interest/familiarization in Valencia County Older Americans Program mission and purpose.
- B. Demonstrated leadership skills.
- C. Ability to participate constructively in the give-and-take discussion of policy and program matter.
- D. Represent fairly the needs of individuals 60+ and people with disabilities and not favor special interests inside or outside the Advisory Council.
- E. Willingness to devote time to the Advisory Council
- F. Commitment to representing the needs of the individuals age 60+ and people with disabilities.
- G. Ability to function as a group member.

Section 8. Membership:

The Valencia County Older Americans Program Advisory Council membership consists of 5 voting members. At least one-half (50%) of the membership must be older individuals. Members shall be selected as follows (as memorialized on appendix "A"):

- A. One delegate shall be appointed, and one alternate may be appointed, by each member of the Valencia County Commission.
- B. One as *ex-officio* member with no power to vote, and one alternate, shall be a sitting member of the Board of County Commissioners of Valencia County.
- C. The Older Americans Program Director, County Manager, Finance Director and Grants Manager shall serve as *ex-officio* members but have no power to vote.

Section 9. Approval & Commencement of Council Membership:

- A. Council membership shall not commence until their appointment is approved by a majority vote of the Board of County Commissioners of Valencia County.
- B. The Board of County Commissioners may, in its sole discretion, approve the appointment of the Valencia County Older Americans Advisory Council membership at the annual Valencia County Re-Organizational Meeting or as otherwise required.
- C. The Board of County Commissioners may request an annual waiver from the State of New Mexico of the Advisory Council requirement if the intended purpose of an Advisory Council is not being fulfilled and if the County government can demonstrate that a proven mechanism of securing consumer input into the program.

Section 10. Term of Membership and Removal:

- A. The term of appointment to the Advisory Council shall be one year.
- B. Members of the Advisory Council must participate fully in their work by meeting regularly.
- C. Members who fail to attend 3 regularly scheduled meetings in a calendar year shall be deemed to have resigned their position on the Advisory Council.
- D. All members of the Advisory Council serve at the pleasure of the Board of County Commissioners and may be removed at any time by a majority vote of the County Commission.

Section 11. Executive Leadership:

The Advisory Council may elect officers as set forth in the Council's Bylaws.

Section 12. Meetings:

- A. The Council shall meet at least monthly and at additional times or places as required.
- B. Special meetings may be called by the Board of County Commissioners or the Older Americans Program Director.
- C. The Meetings of the Council shall not be subject to the requirements of the Open Meetings Act because it is an advisory committee only; it does not create policy; and its recommendations are not binding or final. *See*, NM Attorney General OMA Guide Version 2015 at pages 8-9. However, the following open meeting rules shall be followed to allow for transparency and public participation:
 - i. All meetings of the Council shall be open to the public, the Council may not exclude any persons from the meetings or hold closed session.
 - ii. Notice of Council meetings shall be posted on the Valencia County web site at least 72 hours prior to the meeting, the notice will consist of a copy of the draft agenda.
 - iii. A quorum shall be required to hold a meeting, a quorum shall be a majority of the membership of the Council.

Section 13. Bylaws and Rules:

The Valencia County Older Americans Program Advisory Council shall adopt by-laws to aid in the accomplishment of its mission and may adopt rules and/or procedures for the conduct of its business that do not conflict with this Resolution. The Bylaws must be approved by the Valencia County Commission and they must incorporate the provisions of this Resolution. In the event this Resolution and the By-laws conflict, this Resolution shall control.

Section 14. Repeal of Previous Resolutions, Orders and Actions:

Resolutions 2018-16, 2020-21 and 2020-30 and any and all other Resolutions, Orders and/or Actions establishing a Valencia County Older Americans Program Advisory Council are hereby repealed and replaced with the adoption of this Resolution.

PASSED, AND APPROVED AND ADOPTED THIS 5th DAY OF AUGUST, 2020.

BOARD OF COUNTY COMMISSIONERS

Jhonathan Aragon

Jhonathan Aragon, Chair, District V

Gerard Saiz, District I

Tom Mraz

Tom Mraz, District II

David A. Hyder

David A. Hyder, District III

Charles D. Eaton

Charles D. Eaton, District IV

Attest:

Peggy Carabajal

Peggy Carabajal, County Clerk

Appendix "A"

Voting Membership

No	Member Name	Alternate Name	Appointed By	Term Ends	BOCC Approval Date	Older Individual Y/N
1.			Gerard Saiz, District I	12/31/20		
2.			Tom Mraz, District II	12/31/20		
3.			David A. Hyder, District III	12/31/20		
4.			Charles D. Eaton, District IV	12/31/20		
5.			Jhonathan Aragon, District V	12/31/20		

Current *Ex Officio* Membership (Non-Voting)

12.	County Manager	Daniel P. Monette
13.	OAP Director	Nancy Jo Gonzales
14.	Finance Director	Loretta Trujillo
15.	Grants Manager	