

VALENCIA COUNTY BOARD OF COMMISSIONERS

REGULAR MEETING

MARCH 8, 1999

M I N U T E S

The Regular Meeting of March 8, 1999 was called to order by Chairperson Alicia Aguilar at 9:10 AM.

PRESENT

Alicia Aguilar, Chairperson
Aurelio H. Padilla, Vice-Chairman
Helen Baca, Commissioner
Eloy G. Giron, Commissioner
S. T. Frank Pando, Commissioner
James Fernandez, County Manager
Thomas Garde, County Attorney
Kandy Cordova, County Clerk
Press and Public

ABSENT

EXECUTIVE SESSION

County Clerk Kandy Cordova read the agenda for the Executive Session. Commissioner Eloy Giron requested that under Contract's, the Solidwaste Contract be added. The County Attorney stated, "I don't know, I guess what we could do is deal with it in Executive Session. Basically there is a public hearing on that today, it may be prudent to discuss some of the contract so that we are not speaking out of turn." Commissioner Frank Pando made a motion to approve the agenda for the Executive Session with the addition of the Solidwaste Contract. Commissioner Eloy Giron seconded the motion. Motion carried.

Commissioner Al Padilla made a motion to go into Executive Session. Commissioner Frank Pando seconded the motion. Motion carried with Commissioner's Baca, Pando, Giron, Padilla and Aguilar voting yes.

Commissioner Frank Pando made a motion to return from the Executive Session to the Regular Meeting of the Valencia County Commission. Commissioner Eloy Giron seconded the motion. Motion carried.

Carol Anaya stated during the Executive Session, discussion was held on the following:

NEW HIRES: (Part-time) Lucille Stape
(Temporary) Tiffany Gurule
(Seasonal) Gemma R. Maestas
END OF SEASONAL: Cassandra Torres
POSITION/STATUS CHANGE/SALARY ADJ.: Todd Perea
SALARY ADJUSTMENT: Paula Weathersby

Commissioner Al Padilla made a motion to ratify action taken during the Executive Session. Commissioner Frank Pando seconded the motion. Motion carried.

County Manager James Fernandez stated during the Executive Session discussion was held on merit increases as well as the Professional Services Contracts for Architectural Services and Community Monitoring.

Chairman Aguilar said the contracts for the Community Service Monitor's were submitted and the two individuals recommended from the Magistrate Court was Emiliano Sanchez for Los Lunas Magistrate Court and Larry Standard for the Belen Court. **(See Exhibit A)**

The County Manager said under the Professional Architectural Services Contract, discussion was held on some additional revisions. They will be working with the County Attorney and Nims, Calvani.

Tom Garde stated, "With regards to pending litigation, what I request is that due to the discussion that was held in Executive Session, we were not able to get around to "Pending Litigation", so I would ask that this matter be placed under Item Q on the agenda."

Chairman Aguilar said, "Land Acquisition" will also be discussed under Item Q, Executive Session.

INTRODUCTION OF COUNTY ELECTED OFFICIALS & STAFF

Chairperson Alicia Aguilar introduced the County Commissioner's, Frank Pando, Eloy Giron, Al Padilla, Helen Baca and herself, County Attorney Tom Garde, County Clerk Kandy Cordova, Paula Weathersby, Sheriff Juan Julian, Personnel Director Carol Anaya, Business Manager Carlos Montoya, County Manager James Fernandez, Monica Mireles, Planning & Zoning Administrator Mike McCartney, Brian Buddenhagen from the News Bulletin and Arley Sanchez from the Journal.

PLEDGE OF ALLEGIANCE

Tom Garde led the Pledge of Allegiance.

APPROVAL OF AGENDA

County Clerk Kandy Cordova read the agenda as presented. Chairman Aguilar said an Executive Session would be added as Item Q for discussion pending litigation and land acquisition. Mike McCartney asked to delete Item G (Amendment of Valencia County Zoning Ordinance 87-3/Permanent Foundations). Chairman Aguilar said on the advice of the County Attorney, Item F (Propose Moratorium on Telecommunications Facilities) will need to be deleted. Mrs. Aguilar said under Public Requests, there will be Elsie Miller, Dorothy Duncan, Victoria Holland, Commissioner Giron, Commissioner Pando, Chairman Aguilar and Sheriff Juan Julian.

Commissioner Frank Pando made a motion to approve the agenda with the additions and deletions. Commissioner Helen Baca seconded the motion. Motion carried.

APPROVAL OF MINUTES

The Minutes of the February 22, 1999, Regular Meeting were presented for Commission approval. Commissioner Eloy Giron made a motion to approve the Minutes of February 22, 1999. Commissioner Al Padilla seconded the motion. Motion carried.

PUBLIC REQUESTS: At the Discretion of the Chairman, For Information Only.

Elsie Miller requested support from the Commission to place traffic lights at the intersection of Highway 47 and Molina Road. She said there are wrecks there all of the time and she fears someone is going to be killed.

Commissioner Eloy Giron said this is a boundary between District One and District Five. He said he received calls on this back in October. They directed the County Manager to contact the State Highway Dept. and request a study on that area or to get a traffic light placed there. It becomes very congested during the school hours in the morning and the afternoon as well as during the commute home from work.

Chairman Alicia Aguilar stated that area is getting ready to be widened to five lanes by the State Highway Dept. There have been hearings that have been held. At one of the hearings, this issue was brought up and they will be addressing Molina Road as well as Peralta Blvd. The County has no jurisdiction over State Roads.

Tom Garde said, "State Law prohibits the County from doing anything on State Land. There is a procedure through an engineering study, it can be done. The only road we can affect is Molina Road and we have already put up a stop sign. We have no control over the State. All we can do is make recommendations to them."

Commissioner Eloy Giron said during the previous administration, they requested that the State look into this issue. He said, "It would be my recommendation to have Mr. Fernandez look into that and see where it is at, get their name and number and respond back to them."

Chairman Aguilar said, "Let's invite someone from the Highway Dept. to come and give an update on all of the 47 widening, which would address this issue plus where else are they planning on putting lights, street lights and a time frame. That way we will all be updated on everything and when the public hearings are going to take place."

Commissioner Frank Pando said this intersection is very dangerous. There is a school right there. He said he is in favor of pursuing this and trying to get something done as soon as possible.

John Cherry said he attended a meeting last Friday and it was disclosed that Molina & Highway 47 will get a full-fledged stop light. It is in the planning of the widening project.

Dorothy Duncan said she lives on La Ladera about 300 feet from the traffic light on the south end of the loop. The large trucks are coming down the hill using their "Jake Brakes". It is unbearable at her house. They are using these brakes going in all four directions.

Victoria Holland stated she is the Executive Director of La Vida Felicidad, Inc. and they lease their property from the General Service Division of the State of New Mexico. She said their property is right across the ditch bank from the Los Lunas Hospital & Training School. They have made numerous improvements to the property. They just built an 1800 sq. foot addition to the property. Their facility is now approximately 6000 square feet. They provide services for families and children with special needs. There are no fees for the services. The home care for the frail and elderly is funded through Children, Youth and Families. They have to re-write proposals every year to keep their funding. They use the swimming pool at the Training School as well as the gym. The adults plan their own activities and cook their snacks. They are out in the community a lot.

La Vida Felicidad, Inc. started in 1983 with the Early Childhood Program. It started with special funding through the State Legislature. This program has expanded and sometimes there are 100 children participating. They get Dept. of Health funding or Medicaid. Ms. Holland said with this program, they have a toddler group, speech therapy, occupational therapy, physical therapy and their service coordinators help the families access community resources and state resources for the children.

Mrs. Holland invited the Commission to come and see their facility. She said they are very proud of what they do in Valencia County.

Chairman Alicia Aguilar thanked Mrs. Holland for making the Commission aware of this program. Their building is on State owned property and at this time they do not have a lease and are existing without one, but it is a major concern for them. Chairman Aguilar wanted to make this part of the record, that it is not only county buildings or schools that have a need for the buildings at the Los Lunas Hospital & Training School.

Mrs. Aguilar said she has also learned that First Choice is on state owned property and their lease expires within the next year. The Little League Fields are also on state owned property and their lease expires within the next year.

Sheriff Juan Julian said the Sheriff's Department is going to try and hold an auction some time in April. They will accept items from any department within Valencia County if they want to put some of their things up for auction. They will need to notify the County Manager and the Personnel Director so that it can be removed from their inventory.

Commissioner Frank Pando said he took a trip to Las Vegas and Taos last week to check two hospitals there. He said he found out that if you want a hospital, there would definitely have to be a tax increase. It will have to be on property tax or gross receipts tax or maybe both. He said the only way a hospital will work here is if it is supported by the community and by the doctors. The response he has had so far is that the people here will not support a hospital. They believe they are too close to Albuquerque. An executive meeting is going to be held on March 17, 1999, at 6:30 PM in the County Commission Room. He is not asking the public to attend at this time, but if they want to they can. He is going to have maybe two more meetings and then bring a report to the County Commission. He invited some of the administrator's from Las Vegas to attend the meeting. He asked if the County could pay their expenses.

Chairman Aguilar requested that Commissioner Pando get together with the County Manager to discuss this issue.

Commissioner Eloy Giron said he met with the residents of MeadowLake at the Community Center a week ago. They are going to have a Town Meeting, with all of the Commissioner's invited, the State Senator's and Representative's are invited and it will be held on March 10, 1999 at 6:00 PM at the Community Center. They will be addressing the impact of the traffic in MeadowLake and District 5.

James Fernandez said they sent notification of the meeting to the legislator's and they answered back that they would be unable to attend the meeting because they will still be in session.

Commissioner Pando said he was going to attend the meeting. The other Commissioner's were undecided on whether they would be able to attend. Commissioner Giron said they invited the County Manager, the County Attorney and the Sheriff was also invited.

Chairman Alicia Aguilar said, "At the last meeting, Task Force Chairman David Chavez came before this Commission to report on the Task Force that was formed in November to look into the Hospital & Training School. At that time I asked the Task Force if they would please hold up for a couple of weeks until we went to Santa Fe to get clarification and clear direction as to what is going on with the State. I did go to Santa Fe last Thursday. Mr. Fernandez went with me, there was representation from the Los Lunas Schools, the Village of Los Lunas, the Mayor of Bosque Farms, the City of Belen, Mary Lou Chavez represented the UNM Valencia Campus, Senator Michael Sanchez, Representative Fred Luna, Representative Dave Vickers and Cabinet Secretary Beffort. Secretary Beffort reported to us again for clarification and he mentioned that he does not want the entities to be planning state properties. That is his job. He wants the County to be involved in a countywide comprehensive plan, but to have the cooperation, the input, and the dialog of all of the entities. He went on to state that he wants to know about infrastructure, the proposed bridge that is going across the river. He wants to know about growth management, where the population is and tie the school sites in with where the population is going. He went further on to say that we should not be looking at State properties in our planning and that whatever we do, when we are done with our planning, we go to the State and see if there are properties available for us that we would be able to use. There would be no guarantees that they will even hold the State properties for us. They want a comprehensive plan."

"There is also an update on a House-bill that was before the legislature this year and that was House-bill #474 whereby the legislature was trying to transfer or provide long term lease for the Alternative School and Los Lunas Schools. This would be from General Services to the Los Lunas Schools. The Chairman of that committee is James G. Taylor, a representative from Bernalillo County. One of the questions when the House-bill went before the Government and Urban Affairs Committee, the bill was tabled, they are asking the State to address the following question regarding the New Mexico Constitutions requirements for operating a hospital, "can the property be constitutionally used for other purposes, other than a rental or lease basis upon the termination of a constitutional use of the Los Lunas Hospital & Training School?" There is a constitutional issue there. The other issue that I brought up that was a concern to me was, we have the Health Dept. there and we also have the Probation and Parole. We have a \$1.00 per year lease for each building, but we have been billed \$4.25 a foot for utilities and maintenance. The County has received a bill of \$23,000.00 for utilities and maintenance for one building, \$16,000.00 for the utilities and maintenance on the other building and I understand the Los Lunas Schools has also received billing for utilities and maintenance at \$4.25 per foot. That was another issue that I felt needed to be addressed before the Task Force could proceed. It was decided at that meeting that now that everyone has clarification that the Task Force should be disbanded and the recommendation of the legislator's and Secretary Beffort is that in doing planning for the entire county, that is should be the Mayor's, the Chairman of the Commission, the President of the School Boards should be part of a committee that would provide input, that would work with the existing steering committee that the county has, that we have been working on for about a year. That seems to be the direction that it is going to take. Mayor Carl Allen has agreed to act as Chairman of that committee. As we get more information we will be reporting to the public."

Chairman Aguilar said, "I would also like to read a Memo and it goes back to 1988 when the three entities, Los Lunas, the County and the Los Lunas Schools met in Santa Fe the first time. We were talking about properties for the schools and the county. I asked Mr. Les Swindle to fax me in writing, clarification as to what the State intended. This is dated January 27, 1998. It says, "Dear Mrs. Aguilar, I am writing to confirm our conversation in Mr. Luna's office yesterday. Property Control is not prepared to allow additional use of the former training center buildings by Valencia County, Village of Los Lunas or the Los Lunas Public Schools until we can evaluate the use of the property based on master plans for these entities. Further, any use of the vacant land parcels owned by the State will not be considered until the masterplan is reviewed. All of those entities, school, village and county must complete their process as a pre-requisite to action by my division. We are not looking for a masterplan of the training center from these bodies. We will plan the use of the site, but we want to tailor our plan to provide support to each of the above." I think in reading this memo and the purpose of reading it is so that the public will know that is why I asked the committee to be placed on hold. I wanted to make an informed decision. That is what I'm doing. Thank you."

ACTION ITEMS

(A) PROHIBIT THE USE OF ENGINE BRAKES(JAKE BRAKES)

Commissioner Eloy Giron said, "I am going to request that we go to the public with public hearings regarding the use of engine brakes, not just Jake Brakes and the reason I'm asking for this is, I have received numerous calls, not just from the MeadowLake area, but from the Valencia Peralta and even Bosque Farms area on these vehicles that are hauling the gravel and heavy equipment north and south through these roads. The engine brakes have been an annoyance to the public. Right now I'd like to make a motion that we request to go to publish a public hearing regarding the use of engine brakes. That's in form of a motion."

Commissioner Frank Pando said, "I will second the motion, but I would like to ask Tom Garde, I understand that there has to be an engineering study done?"

Chairman Aguilar said to vote on the motion first. She said, "Commissioner Giron has made a motion to prohibit jake brakes in all of Valencia County?" Commissioner Giron said, "Let's just go exactly as the motion said and during the public hearings, we can go ahead and narrow it into districts or all of Valencia County."

Commissioner Giron said, "I'd like to go to publish for public hearings regarding the use of engine brakes. I'd hate to start announcing that we're just going to enforce it in MeadowLake or just on Peralta Blvd. or Valencia Road. That's why I made the motion that way. During the public hearings we can address which areas will be affected."

Commissioner Frank Pando said, "I am going to withdraw my second, because the only way I will second the motion is if it affects the whole County. If it doesn't affect the County, I don't think it will do any good."

Chairman Aguilar said, "The motion dies for lack of a second."

Commissioner Eloy Giron said, "I'd like to restate my motion and request to go to publish for public hearings regarding the use of engine brakes for Valencia County."

Chairman Aguilar asked the County Attorney for clarification on the motion. She said, "That is the same motion, with an addition. I know you cannot restate the same motion. Clarification, Robert's Rules of Order, please?"

Tom Garde said, "The original motion was the use of Jake brakes period and then the second motion was adding, "for Valencia County".

Commissioner Frank Pando seconded the motion.

Commissioner Frank Pando said, "It is my understanding, correct me if I'm wrong, Tom, does there have to be an engineer's study done before this can be done?" Tom Garde said, "The concern that I would have is that what we are doing is basically making a restriction on vehicles that are defecting compliance with the Department of Transportation. There is statutory authority that requires it. If the County is to limit speed limits, the County has to have an engineering study with regards to why that is appropriate. This would fall in the same category. I believe if the County is to restrict the use of engine brakes or Jake brakes, or if the county is to consider any speed limit restrictions, all of this would have to basically come before this Commission with a study so that this Commission can have expert testimony with regards to why it would be necessary to insure such restrictions. We are dealing with D. O. T. compliance regulations. It would be imperative for this Commission to have such a study done."

Chairman Alicia Aguilar said, "I'm a little confused because I'm not sure we are regulating Jake brakes because of the noise or what we are doing. My understanding, as far as a tractor-trailer, you have brakes and you have Jake brakes and you have the brakes and the Jake brakes that control the tractor and then you have the regular brakes that control the tractor and they control the trailer. Without the Jake brakes, if you just prohibit that and you are using the brakes themselves, they can lock. If they lock, it is like a truck skidding on ice. There is a reason for it. The noise comes from the modification of the exhaust pipes. When they come from the factory, there is no noise out of the Jake brakes. Either the truck owners or someone has modified the exhaust pipes to make the noise. I think we are a little bit confused. People are saying, all right, don't modify it and we wouldn't have the noise because there is a safety issue. The safety comes from the brakes and the Jake brakes. Before we prohibit or start saying you can't use one, there is a safety issue here. I think we need more information. If it is the noise, then let's look at the noise. I'm a little bit confused with the motion that says prohibit them totally and what the liability will be for the County."

John Cherry said the Fire Departments does utilize engine brakes. He said, "Engine brakes are the brakes that the engine does do the braking for you, but it is quiet. Jake brakes is another term most commonly used on Cummings Diesels. It is an exhaust type brake and it makes a loud noise."

Commissioner Giron asked the County Attorney if these issues shouldn't be discussed during the public hearings. The County Attorney said this would all have to come out.

Commissioner Frank Pando said there are many communities around the State that do prohibit "Jake Brakes". They have signs posted.

Chairman Aguilar said there is also the issue of going up or coming down MeadowLake Road where you have a slope. You have a hill coming down.

Steven Chavez said the engineering study is basically to provide an analysis of whether we can prohibit the use of Jake Brakes on a certain sloped area. The engineer study would be site specific.

Chairman Aguilar said she agrees with the County Attorney that they should contact the Department of Transportation to see what laws are there and what information is bound by the State before the County goes into a study and expends monies.

Tom Garde said, "We could check regulations, but State Statute is real clear that without expert testimony the County is restricted in adopting an ordinance that would be more restrictive than the Department of Transportation."

Sheriff Juan Julian said the use of engine brakes and Jake Brakes is already set by state law. He said he did not think the County needs an ordinance to enforce State Law. They do have a noise suppressor where you don't have to hear the Jake Brake. Maybe they need to look at that. Some of the trucks have a switch that you turn off or on. The Law is already in effect, it just needs to be enforced.

Commissioner Eloy Giron said he checked up on that and the only way the County could enforce the State Statute is for the County to create an ordinance to enforce it. That is the way the State Statute reads.

Sheriff Julian said any law enforcement officer could enforce State Law within the County. He said when he was a New Mexico State Policeman he requested the Commission set a speed limit in Valencia County.

Chairman Aguilar said the reason this is on the agenda is because of the noise. Commissioner Frank Pando said it would be worth holding the public hearings so that the truckers will be aware of the problem.

Chairman Alicia Aguilar said, "Instead of going to publish to prohibit engine brakes in Valencia County, I'd like to see it more as just a public hearing whereby there maybe particular areas that we may need to prohibit, I'm concerned about just making it a blanket restriction in all of Valencia County."

Chairman Aguilar called for a vote on Commissioner Giron's motion to publish public hearings on prohibiting engine brakes in Valencia County. Commissioner Frank Pando voted yes. Commissioner Eloy Giron voted yes. Commissioner Al Padilla voted no. Commissioner Helen Baca voted no and Commissioner Alicia Aguilar voted no. Motion died.

Chairman Alicia Aguilar said, "As Chairman, I would like to make a motion or I would like to direct administration to get together with the attorney and come back to us with information about State Law. Bring us some clarification that if we want to prohibit Jake Brakes on certain streets, what type of publication would we need. What are the requirements? What is the responsibility of the County?"

(B) PUBLIC HEARING: SOLID WASTE (30 Minutes)

Chairman Alicia Aguilar said, "This is on the agenda because the SolidWaste Contract that we now have in the County has one exclusive hauler and it expires in September of this year. There is also an ordinance that ties the hauling in Valencia County to one exclusive hauler. The Commission would like to hear from the public and give us information, give us complaints and make us aware of what you like or you don't like."

Discussion was held on recycling, free days at Transfer Station, pickup of items left out of containers, mandatory trash pickup and the Tri-Sect Landfill and its uses and special pickups. Those participating were: Leonard Garcia, Michael Romo, Charles Apodaca, Bill Campbell, Mike McCartney, John Cherry, Carlos Montoya, James Fernandez and Christina McGraw.

Chairman Alicia Aguilar said, "The County did attend the Central SolidWaste Authority Meeting. The effort of getting information on an authority that would involve Bosque Farms, Los Lunas, Belen and the County has started. I would direct administration, with the consensus of the Commission, if we could have a Special Meeting with Waste Management to address the Tri-Sect Landfill and secondly I would also like for Los Lunas, Belen, Bosque Farms and Isleta to be invited to that meeting and at the same time invite the representatives from the Central SolidWaste Authority. That is a different group from these other entities."

Chairman Aguilar said, "I would like to take this opportunity to commend our new County Manager. The public may not know that the Solidwaste, the Transfer Station and all of that was under the Road Dept. and upon review, our County Manager has separated that so that it is now under Mr. Montoya. When the calls are coming in, Mr. Montoya is already familiar with ED Regulations. He can address the Transfer Station and he can help us with all of these other issues that are coming up. I think that is a wonderful suggestion from administration. Thank you both."

(B) PROCLAMATION/Habitat for Humanity

Johnny McDonald presented a Proclamation for Commission approval. Mr. McDonald is the President for Habitat. This is a Proclamation in support and appreciation of Habitat for Humanity of Valencia County, Inc. and the many volunteers from the colleges participating in the Collegiate Challenge: Spring Break '99 and AmeriCorps NCCC program. The schools participating are: Villanova, Texas Lutheran, North Dakota State, DeSimone Family, Northern Arizona University, Dallas Baptist, Central Connecticut State and St. Benedict's/St. John's College.

The Proclamation further states that the Valencia County Board of Commissioners encourage and urge all Valencia County residents to participate with our local Habitat for Humanity affiliate in volunteering and supporting this worthwhile project for the betterment of the Valencia County community.

Commissioner Al Padilla made a motion to approve the Proclamation. Commissioner Helen Baca seconded the motion. Motion carried. **(See Exhibit B)**

(D) REQUEST PERMISSION TO CLOSE ROADS FOR GAS LINE REPAIR

This item will not be heard. Bruce Meyerson did not attend the meeting.

(E) REQUEST PERMISSION TO DISTRIBUTE TRANSFER STATION PASSES

Robin VerEecke said, "These passes were made up and during the time I was dealing with Waste Management because each year for our Bag-a-Thon they would donate roll-off for a specific sites for the larger cleanups that we have. I asked for a trailer and dumping to be donated by the company from the Conejo Transfer Station in order to have April 24th be a free day for Valencia County residents. The County was unable to do it because of the expense involved. Friday afternoon I heard and Mr. Montoya found out that they were able to do that for us. Instead of a pass request, I would like to ask for Saturday, April 24th to be a free day to the residents of the County because of the extra trailer and dumping that have been donated by Waste Management. This is for residential use only, not for commercial."

Commissioner Frank Pando made a motion to approve April 24, 1999 as a "Free Day" for Valencia County residents at the Conejo Transfer Station. Commissioner Helen Baca seconded the motion. Motion carried.

(F) PROPOSE MORATORIUM ON TELECOMMUNICATIONS FACILITIES

This Item was deleted from the agenda.

**(G) AMENDMENT OF VALENCIA COUNTY ZONING ORDINANCE 87-3
Permanent Foundations**

This Item was deleted from the agenda.

(H) REQUEST TO PLACE SHAWN COURT ON LIST FOR PAVING

Mike McCartney presented petitions requesting that Shawn Court be placed on the list for paving. Shawn Court is located in District 1. You go west on Morris Road to Shawn Court.

Commissioner Frank Pando made a motion to place Shawn Court on the list for paving. Commissioner Helen Baca seconded the motion. Motion carried. **(See Exhibit C)**

(I) PRELIMINARY PLAT APPROVAL/Tome Vista Subdivision

Mike McCartney said this is a request for preliminary plat approval for Tome Vista Subdivision. The developer is Tome Vista LLC. It is approximately 130 acres and will include 610 units. Bill Campbell will make a presentation.

Bill Campbell presented a video of the proposed subdivision. Discussion was held on the lighting. Chairman Aguilar said we haven't addressed street lighting and when this subdivision came up she was under the impression that it was the Planner and the Planning and Zoning Administrator that requested this information and wanted to look at the subdivision and put lighting in there so that there has already been communication between the developer and Planning and Zoning and the Planner.

Steven Chavez said he and Mike McCartney had discussed lighting with Gaylord Campbell and the original proposal was for approximately 60 lights and it has been reduced down to 40. He said he has talked to PNM regarding the lighting. He said it would be approximately \$4.00 to \$6.00 per month for the lighting.

Discussion was held on putting in a playground and adding sister roads to relieve the traffic on El Cerro Mission Road. Commissioner Frank Pando said when the State Highway Dept. does a traffic study; they only do studies on the State Roads. He thinks this is something that needs to be addressed.

Chairman Aguilar said, "The arterial or the corridors going onto Highway 47 and the growth going on, on the East Mesa are already being addressed. That will be taken care of as far as not all of the traffic coming down MeadowLake Road."

Steven Chavez said, "The traffic impact analysis that was given to me was dated late December of 98. I believe portions of it have been revised. I haven't looked at the revisions closely enough to give you an intelligent response. The traffic impact analysis basically shows the very significant impact on the State Road and I think that impact can be carried over to County Roads. The State indicates approximately 5,700 new vehicle trips will be generated on the State Roads. I think that we can state with some accuracy that our county roads near there, especially Sand Hill Road and El Cerro Mission Road will be substantially increased as well. The fact analysis that I read doesn't go into detail as to what they used for a base study. The level of services at the existing time when the impact analysis was made, apparently that has been addressed. I haven't seen it, so I don't know. Perhaps Mr. Campbell can address that. The New Mexico State Highway Dept. did have some questions as well as I did regarding the methodology. I haven't seen the methodology yet, but I'm fairly confident that it is acceptable. Apparently they used the C.O.G. analysis. That is the one that is predominantly used. I have reservations regarding specifically some of the response letters that were received and some of the cross communications regarding the impact on that. I can't give you an intelligent response because I haven't looked at it and I really need to, specifically the New Mexico State Highway and Transportation Dept. letter dated the first of February of this year, I just received today."

"What I am concerned with is, in that letter, the writer indicated that there is a share of cost for improvements. I am not so sure where that was coming from. I would like to explore that because I think that some of those improvements should be shared. I called the State this morning and I tried to speak with the Section Officer, Cathy Trujillo and she hasn't returned my call yet. I would like to explore that. I think we really need to explore not necessarily impact fees, but sharing

costs for some of these improvements. If the State is looking at that, we should look at that as well. I think also the letter dated the 24th of February 1999, from the State Highway & Transportation Dept. has a similar tone. Apparently in that letter they indicated that the State would be seeking some sort of analysis on impact fees from the state level. Whether or not they can do that I don't know, I haven't looked at the statutes regarding that yet. I strongly suggest that we make our recommendations to the State as to what needs to be done. These impacts cross over to the County, we all know that. There is not a lot more that I can tell you regarding the road impacts other than what the State has looked at. There was a meeting that was held between the State Highway Dept. engineers and the engineers of this enterprise and we were not invited. I'm a little concerned with that. I wish and I know that Mr. Campbell didn't know that we wanted to be there. He had no indication. I had no indication that a meeting was going to be held. It was a lack of communication. I think we need to sit down and review it again. I haven't looked at it as closely as I would have liked to. The questions that I have haven't been answered regarding the impact of the roads."

Chairman Alicia Aguilar said, "It is my understanding that we are addressing this subdivision and we should be looking at what is existing. We have a moratorium in place and that is when impact fees and implementation measures will be addressed. For us, this subdivider made application for preliminary plat approval and I'm looking at what is existing, what is in place and make sure that we have consistency and fairness with the other developers that have come before us, so that we are not using the Campbell's as the one and saying, "Alright we've changed our mind to address all of these issues and I think they are important to be addressed, but are we being a little premature?" Steven Chavez said, "If you took what I said to mean that I would like to assess impact fees on this proposal, I am not trying to do that. I don't think we can legally, nor do I think that is fair. What I'd like to do is talk to the developers and see if we can negotiate improvements with the developers in lieu of impact fees that may be developed in the future for the County. I don't think that is unfair. This is a very large subdivision. The impact on the East Mesa is substantial. The impact on the County roads is substantial. There are right-of-ways that are going to be needed to be taken by the County to make improvements in the future on North El Cerro Loop. That is going to have to be improved substantially. On El Cerro Mission, that is a county road and it is going to have to be improved. I'm not saying that we need to assess impact fees, I would like to explore other negotiation processes that are not unfair and that we could have done in the past with other large developers." Chairman Aguilar said, "I support that and agree with you, but I'm not sure the discussion should be taking place with the preliminary plat approval and the subdivider. " Mr. Chavez said, "I just wanted to let you know that I would like to get some direction from the Commission in the next couple of weeks. I haven't had time to spend on this proposal as I would like to and I apologize to the Commission and to the developers. I just haven't been able to sit down and take a good look at everything. I've looked at the roads and the traffic impact analysis, but I still have some concerns. I think I need to sit down with the engineers from the State and discuss some of these things with them, along with the developers. I haven't been in any meetings with the developers or the State engineers where they had to discuss this project. I still have questions and I am just letting you know that those questions are unresolved."

Mike McCartney said, "Based on what has transpired here today, I would like to thank Gaylord and Bill both, they have worked very close with us. I don't think, without the proper notification from the State Highway Dept. that you can give Preliminary Plat approval. What you can do is follow in the Subdivision Regulations, Section 4.4.5 and announce today that at the next hearing of your choice that you will make a decision provided that they have the necessary information."

Steven Chavez said, "4.4.5 is basically a procedure for the Commission that allows you to defer any approval for 30 days. You have to notify the developers today and the public today when the 30 days expires and when the next hearing will be held within the 30 day period."

Chairman Alicia Aguilar said, "What we're saying today to comply with the statute that you quoted, you're telling me that there is an adverse opinion from one of the State Agencies and that we are now allowing them 30 additional days to contact that State Agency and resolve or come back and take care of that adverse opinion." Steven Chavez said, "Not only is there an adverse opinion on record from a State Agency, it is not necessarily adverse, but there are some questions regarding..." Chairman Aguilar said, "I'm looking at what the State Subdivision Regulations state and what we have and it is, "if there is an adverse opinion from a State Agency, isn't that how it is written?" Mr. Chavez said, "That is correct." Mrs. Aguilar said, "So, we are saying there is an adverse opinion. We have a question." Mr. Chavez said all it does is delay any recommendation from this body, regardless of whether it is adverse or non-adverse. He said, "From my prospective, I think that is necessary because I didn't have the time to put into this proposal as I could have. I apologize." Mrs. Aguilar said, "I guess what I'm asking is, if we are going to delay, can you tell me specifically what State Agency and what we're asking for so that we have record." Mr. Chavez said, "What we're asking for right now is, to meet with the State Highway Dept. engineers and discuss with them the proposal, the road impact and whether or not their concerns are met and whether or not our concerns are met. I think our concern ducktails on their concerns. I recommend to the Commission that you defer approval until the 30 day period expires."

Mr. Campbell said, "The subdivision application was made December 19th so we have been working on this quite diligently ever since then. It was not an adverse opinion from the Highway Dept. What they were asking for was some additional analysis. That additional analysis will be completed for them by the end of March. It will be submitted to them for their review. "

Mike McCartney said, "I think some of the terminology has been used incorrectly. It is not an adverse opinion or an adverse reflection on what they have done. It is a request for more information. The way the Ordinance reads, until you receive a positive recommendation, Bill referred

to December 19th and here we are in March, some of the subdivisions were submitted in June and did not receive approval until January. The time frame is based on the response from the State Agencies. A request for more information is received and it is forwarded to the developer, therefore they respond to the particular agency and therefore you wait for another 30 days for a response from them."

Chairman Aguilar said, "I want clarification, I would like for the Commissioners and the developers to understand, what information is it that we're asking for." Steven Chavez said, "I think the way the regulation is stated, they are not only waiting for a response from State Agencies, but the County as a public agency can make a response, whether it be adverse or positive. We need their analysis in order to make an analysis on the county roads."

Chairman Aguilar said, "I don't want to argue, you probably know the Reg.'s better than I do, but all of this information was supposed to be looked at before it came to us. If you have a request or you needed additional information presented to us, I realize that you are really busy and this is not meant to be taken in a negative manner, but you are very busy and if you didn't have time to get it, maybe it shouldn't have been on the agenda. I'm sorry, the problem I have in delaying this is telling me what they are asking for. It bothers me to have someone come before us for a Preliminary Plat approval. We're asking them to come in with something. Next meeting it is going to be something else. Let's have the preliminary meeting. It has to have a decision or it has to be advertised that a decision will be made at a certain date. Let's make sure that within that time frame that they know what they are supposed to provide to us."

County Attorney Tom Garde said, "It appears that this application may be premature, in that the State Highway Dept. has not completed its review of the document. I would hesitate to recommend to this Board that you would grant Preliminary Plat approval with conditions at this point because we don't know what the conditions are. Until staff comes up with some conditions, the developer is in an unfair situation because he doesn't know what the conditions are, nor does the Commission."

Mike McCartney read Section 4.4.5 from the Subdivision Regulations. It says, "Action--- Within thirty (30) days of the public hearing, the Board of County Commissioners shall approve, approve with conditions, or disapprove the preliminary plat at a public meeting, the date, time, and place of which shall be announced publicly at the conclusion of the public hearing."

Tom Garde said, "A concern I would have is are we going to be ready to proceed in two weeks?"

Chairman Aguilar entertained a motion to continue this hearing until 10:00 AM on April 5, 1999, to address the opinions of the Highway Dept. and traffic analysis; in addition to that she would like to see the County have a meeting with the Highway Dept. and the developers. If there is a meeting to be held, the County should definitely be a part of it.

Chairman Al Padilla made a motion to continue this hearing to the April 5, 1999, Meeting with an update to be made on March 22, 1999. Chairman Alicia Aguilar seconded the motion. Motion carried.

(J) REQUEST TEMPORARY BAN ON OPEN BURNING

Valencia County Fire Marshal John Cherry presented a Resolution for Commission approval regarding a temporary ban on open burning.

County Attorney Tom Garde stated, "The concern that I have legally is that this resolution would have no affect on anyone. The only way we could in fact enforce such a ban would be through an ordinance. A resolution goes to the resolve of this Commission, but it would in fact have no bearing on any individual."

John Cherry said he did understand that, but since this was temporary, he thought it could be done this way. There are State Statutes in effect that would affect penalties. A resolution would not carry weight with a penalty clause.

Chairman Alicia Aguilar said the Commission had discussed the possibility of working with other entities and doing a "Public Aware Campaign" because with the agricultural lands, it is important that they burn their fields.

John Cherry said they are doing controlled burning for farmers and residents, however the volunteer fire departments are very short handed.

Commissioner Frank Pando said maybe they could use the news media to write a story so the public will be aware of the seriousness of this issue.

Chairman Alicia Aguilar said she would like to follow Counsel's advice and make the public aware of the dry conditions and solicit their help in limiting open burning. She said maybe they could solicit the help of the Middle Rio Grande Conservancy District, E.I.D., Soil Conservation District and other agencies.

(K) AWARD OF BID #489, TANKER

Valencia County Fire Marshal John Cherry presented Award of Bid #489 for a Fire Truck Tanker for the Los Chavez Fire Dept. Five bids were received. It is the recommendation of the Fire Marshal to award the bid to Monarch Equipment, Inc. in the amount of \$94,840.00.

Chairman Alicia Aguilar made a motion to award the bid to Monarch Equipment Inc. in the amount of \$94,840.00. Commissioner Helen Baca seconded the motion. Motion carried. **(See Exhibit D)**

(L) COUNTY PLANNER'S REPORT

County Planner Steven Chavez said the major items he has been working on is the draft of chapter's one and two for the Comprehensive Plan. The Comprehensive Plan will include seven chapters, substitute chapters and then one introductory chapter. The first chapter will be the introductory chapter. It will be considered lengthy by the steering committee. They will begin to review Chapter Two on Wednesday at their meeting. This will be a turning point for the committee

and for Valencia County. It is the land use only, which is the foundation for the entire comprehensive plan. It includes the land use element, the goals, the policies and the objectives. The objectives are probably the most controversial. The objectives are step by step guidelines for achieving the goals. He hopes to go to a public hearing on the land use element by the end of April. When the land use element is completed, they will begin the other elements and they should fall into place quickly. It took about seven months to get the analysis and the statistics for the land use element.

The G.I.S. Project bid opening was Friday, March 5th at 4:30 PM. Mr. Fernandez, Mr. Montoya and Mr. Chavez reviewed the bids. There are a number of very competitive and interesting bidders. The initial review of the fee proposal looks like it can be done under the grant from the State. It looks like they can have a working product sometime within the next year.

The New Mexico - 47 Project, Tome Hill Rd. to State Road 263, Mr. Chavez said he met with the State Engineers two weeks ago in a day-long conference. They discussed storm water drainage and retention. There is an interesting problem because of the flat topography and the high ground water table on Highway 47; there are a number of extremely difficult issues to resolve regarding drainage. Their consultant's have come up with six drainage options. They are in the process of reviewing those now. Mr. Chavez said it was his understanding that they go with the cheapest alternative regardless of whether it is best for the County. He will have a matrix of the six alternatives for the Commission to look at. Each alternative comes from a different area of the country. There is one that is traditionally used in the State for high ground water table and flat topography problems. There are quite a few others from different parts of the country. Some of them will have to be reviewed for attractive nuisance issues of whether the County will be legally susceptible to a lawsuit. The ponding for these sites are very large. They are going to need a lot of space. There will be some of the same issues on the second phase of the project. Their plans are to widen Highway 47 all the way down to the county line.

There was discussion held on the elevation of the highway.

Steven Chavez said regarding the zoning amendments, he has finished reviewing the statutes and what is required. He drafted a structure that he sent to Mr. McCartney to look at. They are going to meet on Friday to recommend changes. He has looked at other ordinances from other surrounding counties. He is going to meet with the Council of Government to discuss some of the issues. The hottest issue right now is the performance standards for industrial use zone. He said he will have a rough proposal within the next three weeks.

The subdivision review, there are only three subdivisions left in the pipeline that fall before the moratorium, Tome Vista, Lobo Valley Acres and Spellman Estates.

They will try to have the zoning district maps within the next six months. Mr. Fernandez, Mr. Frank Otero and Mr. Chavez have met with the mapping department and also with the Council of Government mapping department. They discussed how they could link the zoning amendments that were made over the past ten years and match those to the Assessor's parcel based maps. They are going to put those on digitized maps so they can have a legally accurate zoning district map that is current. They are working on how to do that. Mr. Fernandez indicated that he would allow Jennifer Hawkes to assist in making that link.

James Fernandez commended County Assessor Beverly Dominguez Gonzales for the assistance she has given them. It is making the process easier.

(M) COUNTY MANAGER'S REPORT

County Manager James Fernandez stated, "Within your packet you should have a copy of a Memorandum that was sent to you requesting the possible roads that you would like paved. I'm ready to collect that information from you."

Commissioner Eloy Giron said he had a whole list of roads in his district that he would like to have paved. He said he would like to see what the projected budget might be for the road paving projects. There were some roads that were chip sealed a couple of years ago and he would like to see those projects completed. That would help him make a better determination on which roads to be done.

The County Manager said preliminary indications show that there will be roughly about \$600,000.00 as a budget for this depending upon what needs to be put into these specific roads or range from approximately \$75,000.00 per mile.

On February 24th and 25th the safety audit was conducted. They are in the process of compiling the final results. Individual letters have gone out to each of the individual departments on what deficiencies they need to correct. They are looking at a two-week to a 30-day correction period.

Mr. Fernandez said they received a call from Charles Diebold. He wants to schedule a F.E.M.A. video for the Commission to view. Chairman Aguilar has viewed the video. He would like to set this up for the remainder of the Commission to view. The video is a 25-minute presentation.

County Attorney Tom Garde suggested that the video be made available to each Commissioner to view. With their schedules, it would be difficult to set up a meeting with all of them.

Chairman Alicia Aguilar said she has seen the video. Mr. Diebold has been very committed in bringing the information forward. We might want to contact the Federal Emergency Management Assistance and get an update on the preliminary maps and where we are at with the latest appeal that was done about six months ago.

Mrs. Aguilar said she would be willing to contact F.E.M.A. and provide the County Manager with the information. The information can be coordinated with what Mr. Diebold has.

The County Manager said they are setting up a Data Processing Workshop to deal with the Y2K problem as well as looking at computerizing some of the departments that need to computerize and haven't been. They are also trying to hook up each of the departments into the mainframe. That is one of the goals that they have been working on.

Mr. Fernandez said, "We would like to come before you and request permission to go out for an RFP for engineering services, specifically on a needed basis to look at the possibility of enacting

impact fees with our landfill closure and any other engineering problems that will be coming up with specific weight limitations on roads or Jake brakes, if that would be a possibility?"

Chairman Alicia Aguilar said she would have a question on this. She said, "We're doing engineering, an RFP for engineering for implementation of impact fees and we still have not adopted impact fees or implementation measures. Are we putting the cart before the horse?" James Fernandez said, "Basically what we wanted to do was to go out so we could have that in place and we wouldn't have to play catch-up and we have an immediate need to deal with the landfill closure. That would be the first item." Mrs. Aguilar asked, "Can we separate it then and have a vote for the landfill closure instead of lumping it all together?"

Commissioner Eloy Giron asked Mr. Fernandez if this could include the conversation that they had last week on engineering services.

James Fernandez said, "We talked about weight limitations on roads, items such as that. Any ordinances that might impact any of our road systems." Commissioner Giron said, "I think Mr. Fernandez, right now, needs some tools to be able to do his job right now. I think this Commission needs to support him on the request for proposal for engineering services. I understand that it is real vague right now. Daylight is burning and Mr. Fernandez needs some of those tools to address some of these issues."

Chairman Aguilar said, "I'm in support of administration, Commissioner Giron maybe you can enlighten me in going for engineering services. What are we asking for? Engineering Services is a very broad description." Commissioner Giron said the conversation they had the other day was, they told him they needed some engineering services to address some of these issues.

James Fernandez said, "The initial discussion was the implementation of the 'Jake Brake Ordinance'. That was one of the items that we indicated that there were engineering studies that had to take place, but since our conversation this morning, it has basically changed."

Commissioner Frank Pando had some questions regarding why Valencia County seems unable to pass laws when other communities have them in effect. The County Manager said, initially, in their meeting they were trying to deal with the landfill, they might come back with additional information on the other items.

Chairman Aguilar said, "My understanding is we have invited the Association of Counties, the Highway Department and the attorney's to address road issues, everything from speed bumps to rail guards to even blading private roads. I think that this would be a question to address to them. I'm saying on the engineering, I agree that there is a need, but this meeting with the Association of Counties is being held within the next week."

County Manager James Fernandez reminded the Commissioners that they have a road workshop set up for the 15th of this month at 9:00 AM to deal with road issues specifically with the Road Dept. staff and then at 2:00 PM, the New Mexico Association of Counties and their attorney's as well as the Planning and Zoning Dept. and the Sheriff's Office.

Commissioner Frank Pando said these are great things, but they don't solve the problems of the County. He said, "We need to solve our problems, not the problems of the State."

Chairman Aguilar said, "Commissioner Pando, the Association of Counties and their attorney's are addressing our problems, making sure that we have policies, making sure that we have procedures in place and all of these questions that can be asked of them."

Mrs. Aguilar said, "Getting back to the request for the RFP for engineering, what request are we asking for today?" James Fernandez said, "We're asking for specifically to go out for RFP's for engineering services for our landfill closure on an as needed basis. Chairman Aguilar said, "Mr. Montoya and Mr. Fernandez did meet with E.D. regarding the closure of the landfill. I was always under the impression from the previous administration and the previous Commissioners that this had been taken care of, that there were sample water samples, soil samples that had already been done, to find out in the last 30 to 45 days that there has been nothing done since 1995. Mr. Montoya and Mr. Fernandez proceeded to contact E.D. and get specifics on what it will take to comply with E.D. on the landfill closure in the South. There was a letter that was provided; they have spelled out the six or seven items we would be going out for RFP's to address those specific items so that the landfill closure can be in compliance. What we are asking for is to go out for bid, and there might be five different companies that apply. We will address it once the RFP's come in."

Carlos Montoya said when they asked for an RFP for engineering services it was just like a retainerhip. It doesn't mean we have to pay them monthly. It means just when we use their services, like traffic studies, whether it is on impact fees, it is still the assessed fee that they would charge us. Mr. Fernandez and I have already given an engineering firm the data for the landfill to review it for us and bring back their recommendation on it.

Chairman Aguilar said, "We can't award it though, this was more for information only so that now that we know you've obtained the information, there still has to be an RFP."

Carlos Montoya said if it is anything under \$20,000.00 in professional services, it does not have to go out for RFP. Chairman Aguilar said, "It started off as engineering services with the Jake brakes and all that and then because of today's meeting all of that has changed so we're addressing each item individually." Carlos Montoya said, "We already have somebody working on the closure of the landfill." Chairman Aguilar said, "We can't have anyone on board right now, till you come back to the Commission and bring the information to us and discuss with us what is it that they are going to be doing and a cost and get approval from the Commission."

James Fernandez said, "We had initial meetings with Molzon & Corbin and provided them with an initial listing of items that E.I.D. wanted addressed. We have an agreement with them to provide us some initial information as to what it might cost to proceed to get these items corrected. We are still going to need engineering services at a later date to correct these problems. The initial item that we have with them is to give us some preliminary cost as to what these might be, but in terms of full-blown engineering, we have entered an agreement with them."

County Attorney Tom Garde said, "Basically the Memo that was presented was under pending litigation so I don't feel free to discuss that."

Chairman Alicia Aguilar recommended that this issue be taken into Executive Session for clarification.

James Fernandez reminded the Commission that the Middle Rio Grande Regional Leadership Forum will be holding a meeting on the 11th at the Horizon Country Club from 10 to 2.

On the 10th, Carlos Montoya and Mr. Fernandez will attempt to meet with Tom Swisstack to deal with the Juvenile Detention billing.

Mr. Fernandez said they have been approached from Ann Parish School District that they are going to be holding a St. Patrick's Day Festival. They have invited the Commissioner's to attend from 11:00 to 1:30. Mr. Fernandez said he would pass more information on to the Commission as he gets it.

Chairman Alicia Aguilar said they received a Memo from the Adult Detention Administrator in January with a copy of the Policies and Procedures that needed to be approved and he would be making a presentation to the Commission the end of February or March. She asked if they would be getting those soon. The County Manager said he would check with Mr. Esquibel on this issue.

The County Attorney said he met with Mr. Esquibel a couple of weeks ago and the draft was submitted to the Association of Counties and he may not have received a response from them yet.

County Clerk Kandy Cordova asked Mr. Fernandez when the bids would be open for the remodeling of the old Health Dept. Mr. Fernandez said bid #490, which was the remodeling of several sections of the Courthouse, will open tomorrow at 2:00 PM.

(N) REQUEST PERMISSION TO SEEK RFP'S/Trash Hauling Disposal

Carlos Montoya requested permission to seek RFP's for the transport of 100 cubic yard transfer trailers with walking floors from the Conejo Transfer Station to the Rio Rancho Sanitary Landfill, empty the trailers and return to the transfer station. The trucks must have wet lines.

Chairman Alicia Aguilar asked if garbage collection was exempt from the sole source or Procurement Code. Tom Garde said, "No it is not." Chairman Aguilar said, "In addressing this and let's say we go with someone else other than Waste Management our action will not trigger the breach of contract clause in the contract that would result in litigation a few months before the contract expires." Tom Garde said, "I reviewed the existing contract and the existing contract pertains to residence. It does not pertain to County. I am concerned that we are setting a site specific in this RFP. Carlos came up with the language (a permitted landfill). It may be that the Rio Rancho site may be the most economical, but I think if we are to set a site specific on the proposal, I think we're looking for problems."

Commissioner Frank Pando made a motion to allow permission to seek RFP's for hauling trash to a permitted landfill from April 7, 1999 through August 30, 1999. Commissioner Helen Baca seconded the motion. Motion carried. **(See Exhibit E)**

(O) RESOLUTION/INTRA BUDGETARY TRANSFERS

Carlos Montoya presented Resolution 99-09 for Commission approval. It is to cover the remodeling project that is to take place. One is for the remodeling of the Health Dept., the Personnel Office into a third Courtroom, taking down the windows at the front of the building and to landscape the front of the building.

Commissioner Helen Baca made a motion to approve Resolution 99-09. Commissioner Al Padilla seconded the motion. Motion carried. **(See Exhibit F)**

(P) WARRANTS

Carlos Montoya presented the Warrants for Commission approval. Mr. Montoya asked to add a warrant for the rental of a van for the Older American Program in the amount of \$1,420.00 for one month. Commissioner Frank Pando made a motion to approve the warrants. Commissioner Helen Baca seconded the motion. Motion carried.

(Q) EXECUTIVE SESSION

Commissioner Al Padilla made a motion to go into Executive Session. Commissioner Frank Pando seconded the motion. Motion carried with Commissioner's Pando, Giron, Padilla, Aguilar and Baca voting yes.

Tom Garde said discussion was held on the Kevin Yarborough case, the Sanchez case, the Socorro Co-op, Bur Ben Road and MeadowLake Road. No action was taken on any of the items.

Chairman Alicia Aguilar said, "Under Land Acquisition, direction was given to the County Manager to make an offer on some property east of the Courthouse and administration is to get together with the attorney to settle terms, price and anything else."

Chairman Aguilar said discussion was also held on the existing purchase agreement on the property east of the Courthouse and direction was given to administration to extend that purchase agreement.

NEXT MEETING

The next Regular Meeting of the Valencia County Board of County Commission will be held on March 22, 1999 at 4:00 PM in the County Commission Room at the Valencia County Courthouse.

ADJOURNMENT

Commissioner Frank Pando made a motion to adjourn the March 8, 1999, Regular Meeting of the Valencia County Board of County Commissioners. Commissioner Helen Baca seconded the motion. Motion carried.

NOTE: All proposals, documents, items, etc., pertaining to items on the agenda of the March 8, 1999, Special Meeting (presented to the Board of County Commissioners) are attached in consecutive order as stated in these minutes.

VALENCIA COUNTY BOARD OF COMMISSIONERS

SS

ALICIA AGUILAR, CHAIRPERSON

SS

AURELIO H. PADILLA, VICE-CHAIRMAN

SS

HELEN BACA, COMMISSIONER

SS

ELOY GIRON, COMMISSIONER

SS

S. T. FRANK PANDO, COMMISSIONER

ATTEST: ss

KANDY CORDOVA, COUNTY CLERK

DATE: March 22, 1999

For an official copy of these minutes and attachments see Commission Book 33 page 908