

VALENCIA COUNTY BOARD OF COMMISSIONERS

REGULAR MEETING

APRIL 19, 1999

MINUTES

The Regular Meeting of April 19, 1999 was called to order by Chairperson Alicia Aguilar at 3:55 PM.

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

Commissioner Eloy Giron arrived late for the meeting.

EXECUTIVE SESSION

County Clerk Kandy Cordova read the agenda for the Executive Session. Commissioner Frank Pando asked to change Item C (Collaborative Action Team Update) to Item A and Item A (Request to Amend Zone Maps, Continuation of Hearing, Unzoned to SP, Gravel & Mining Operation, Max Kiehne, Unzoned to OD) to Item C.

Commissioner Al Padilla made a motion to approve the agenda with the suggested change. Commissioner Helen Baca seconded the motion. Motion carried.

Commissioner Helen Baca made a motion to go into Executive Session. Commissioner Al Padilla seconded the motion. Motion carried.

Commissioner Frank Pando made a motion to return from Executive Session. Commissioner Eloy Giron seconded the motion. Motion carried.

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

NEW HIRES:	Corrine Porter
EXTENDED LEAVE WITHOUT PAY:	Robert Griggs
STATUSCHANGE/SALARY	Rod E. Johnson
ADJUSTMENT:	
STATUS CHANGE/PROB. TO NON-PROBATIONARY:	Ralph Baca

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

County Attorney Tom Garde stated, "During the Executive Session we discussed the pending litigation with regards to the Dorotik Lawsuit. We also discussed the situation with regards to the Van Tol Property. No action was taken. We also discussed land acquisition and again no action was taken on that."

INTRODUCTION OF COUNTY ELECTED OFFICIALS & STAFF

Chairman Alicia Aguilar introduced Commissioner Helen Baca, Commissioner Frank Pando, Commissioner Eloy Giron, Commissioner Al Padilla, County Attorney Tom Garde, County Clerk Kandy Cordova, Sheriff Juan Julian, Carol Anaya, Carlos Montoya, County Manager James Fernandez, Mike McCartney, Mary Ann Gonzales, County Planner Steven Chavez, Paula Weathersby, Brian Buddenhagen and Arley Sanchez.

PLEDGE OF ALLEGIANCE

Paula Weathersby led the Pledge of Allegiance.

APPROVAL OF AGENDA

County Clerk Kandy Cordova read the agenda as presented. Commissioner Eloy Giron said Eldridge Miller and Mike Mechenbier would like to address the Commission under Public Requests. County Manager James Fernandez asked to delete Item C (Collaborative Action Team Update) and requested to be placed on the agenda of the May 3, 1999 Meeting. County Attorney Tom Garde said, "With regards to Item A (Request to Amend Zone Maps) we would ask that this item be tabled. We have not yet received the analysis done by the State Highway Transportation Dept. and as such we don't have that information to present to the Commission."

Ray Garcia and Leonard Garcia asked to address the Commission.

Commissioner Frank Pando made a motion to accept the agenda as amended. Commissioner Al Padilla seconded the motion. Motion carried.

APPROVAL OF MINUTES

The Minutes of April 5, 1999 were presented for Commission approval. Commissioner Eloy Giron made a motion to approve the Minutes of April 5, 1999. Commissioner Helen Baca seconded the motion. Motion carried.

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

Eldridge Miller stated he is a retired dairyman. He ran a dairy in Tome for 30 years. He sold his cows five years ago, but he still has the dairy farm. The farm has been in his family for more than 50 years. He said he understands that at this time, with the County zoning that he is no longer allowed to have cows on his farm. He believes this is a problem with County zoning. He has checked with the Zoning Dept. and his property is zoned RR. He was in the dairy business for 25 years before the County had zoning. He was zoned Rural Residential even though there was a 200 cow dairy operating at the time. He said he was told that his cows were grandfathered in and that was good while he was milking the cows, however now he is told that he cannot put the cows back in. He believes that anyone that works with agriculture needs to stand up and be counted. This not only applies to him; it applies to anyone who has livestock. The alfalfa growers in the County need to be concerned. Without cattle, there will be no market for their hay. The people in agriculture need to be brought up to date and have the zoning explained to them. They need to know what the remedies are. He asked if he was being denied the right to go back into the business that he grew up in. If that is right, he said "That is an injustice." He was made aware of this about two weeks ago because of the turmoil that exists in the County because someone attempted to purchase a facility that had problems. He begged the County to rectify this problem. He said he has neighbors that have moved in by him and on one of his boundaries, there is a house with the stovepipe protruding over into his property. There is another house that the septic system is actually under his fence, another house where the fence had to be removed to plaster the wall. That is how close they are to him and now he can't put cows back on his 40-acre farm.

Mike Mechenbier said none of the people were aware of this issue until the situation with the Van Tol Dairy came up. In the agriculture business, he said they were all fine until they became more of an urban environment. He believes many of the newcomers view people in agriculture as a nuisance. He moved down here 15 years ago because Bernalillo County squeezed them out. They own three ranches and farm approximately 500 acres in the valley. They are being encroached upon. He said they employ approximately 27 people and that supports 27 families. The tax base stays down here. Many of the newcomers commute between here and Albuquerque. Their shopping is done in Albuquerque. Their paychecks come out of Albuquerque. Farm Credit, Norwest Bank and PCS is here tonight. They are the only financial lending institutions that welcome the farmers and ranchers. The way the existing zoning laws read, they have no interest in lending in the agricultural community down here any longer. They have no collateral for their loans. They have no place to borrow money to stay in operation. This is a farming community and an agricultural community. He requested that the Commission support them in their endeavors. One of his concerns is if they move their livestock out of the community for a six month period and a neighbor moves in next door that doesn't like flies, they can come before the Commission and say it is zoned Rural Residential. If they pasture livestock during the winter for a period of time, they've lost their zoning. This is a problem that is going to put a strain on the people in agriculture down here. He said they have some real good operations down here and they are not a nuisance and he asked for the support of the County Commission.

Chairman Alicia Aguilar stated, "Thank you for coming, it is really important when you do have a concern that you come before the Commission. I also feel that this Commission is very involved in protecting the ruralness of our community, protecting the agriculture lands of this community and in doing so, Mr. Mechenbier was talking about our existing Zoning Ordinance and we do have a moratorium in effect until August 15th. The reason for that is that we are going back and we are saying over the past 10 or 20 years when the zoning ordinance has been in effect since 1987, there are some issues that have changed. The ordinance has not been amended and as a result of doing this, there has not been a comprehensive plan in this county. A year and a half ago, this Commission hired a Planner, Steven Chavez to work and as a priority to work and prepare a comprehensive plan. In doing a comprehensive plan, it protects the ruralness. It will address the agricultural lands; it will address the identity of the community, not only in the valley but the mesa throughout the county. Part of that also and I talked to Mr. Miller and also to Mr. Mechenbier and Mr. Wood from Farms Credit Services and I would encourage that there be a committee of dairymen and agricultural ranchers who can meet with Mr. Chavez and give your input because then there are criteria's and your voice is heard and it is addressed in the comprehensive plan. As it is now, it is true that if you have a nonconforming use and it is totally abandoned for six months, there is a chance of it reverting back to whatever the county has zoned it."

We're also talking about a use where you own a farm and it has been agricultural and you have seasonal cattle and you have a change in it and you still own it, it is still considered a farm and it

is still considered agricultural. The county is not taking the position of going and enforcing and taking it."

Mike McCartney said it only applies to dairies.

Chairman Aguilar said, "I do encourage you to form a committee and Mr. Woods is aware of this. That way all of these issues can be addressed."

Commissioner Eloy Giron asked for a show of hands from the audience in support of this issue and in support of Mr. Mechenbier. Almost all hands were raised.

Chairman Aguilar said she grew up on a farm in Las Nutrias in Socorro County and she understands the importance of this issue.

Commissioner Al Padilla said he also understands the importance of the issue. He said he hates to see any changes. He agrees with the recommendation of Chairman Aguilar regarding the forming of a committee. He said he knows they will be able to work something out to protect the farmland.

Sheriff Juan Julian said he would like to serve on the committee because he is very interested in the problem.

Chairman Alicia Aguilar said, "I think there are two issues at hand here and one is the zoning ordinance and the other is the Van Tol Dairy that Mr. Mechenbier is attempting to purchase. I think it is important for the public to know that it is in bankruptcy and Bankruptcy Court is the one that is addressing this. It will be going before a Federal Judge. That is really where it's at."

Ray Garcia said he has known Eldridge Miller all of his life. This issue is very distressing to him. He is President of the Tome Neighborhood Association and they are very concerned about the valley being torn up and turned into another Albuquerque. He said this is the exact thing as Lobo Valley Acres that is being put up in Tome. First it is the subdivision, Lobo Valley Acres and then it is a bridge that is going to cross right through Tome. He said from their prospective, they want the cows to come home.

Commissioner Frank Pando said he also farms in the county and he is also on the side of the farmers and ranchers.

Leonard Garcia said he is not addressing the Commission on agricultural issues even though he owns livestock. He spoke again about the trucks that are traveling through his community of Meadowlake. He presented two pictures of trucks with no license plates on the trailers that they are pulling.

A lady from the audience said the county has been miss-zoned. That is why there are problems. Chairman Aguilar said, The County is now aware of that and is attempting to correct it. We do have a moratorium in place so that we are looking at what is agricultural, where are the businesses, as far as the dairy's and the farms so that we can correct it. There will be public meetings. There will be an opportunity for public input. There will be new zoning within the County to address what is really there."

Steven Chavez stated, "Over the course of the last eight months or so, we have developed a steering committee on comprehensive planning. The Steering Committee is comprised of about 24 members from the community, from the developers, the State Agencies and there are a couple of ranchers involved in that steering committee. One of the main focuses of the steering committee and this is something that we've been dealing with for the passed three or four months is developing a zoning district for farm lands, for agricultural use. We recognized early on that the agricultural lands were miss-zoned. Some of the reasons why it was miss-zoned, when we did our historical analysis and looked back it appeared that many of the ranchers at the time and the farmers and the members of the agricultural community wanted the ability to cash out. What we're trying to do is develop a process that is flexible and allows you to cash out when you need to, but it protects you from some of the issues with the Farm Bureau and the banks at the same time. Doing that requires the revisions that we're taking up now. This is an issue that we've been working on. There are no easy answers right now, but we are focusing on it heavily and we invite you to attend our meetings. We meet once a month. We don't give notice to the general public, but if you call me I can include you in there. We don't want it to bog down; it is a very detailed process. There is a problem with the non-conforming use in the zoning ordinance. If it is abandoned, it ceases. It hasn't been applied to the farmers at all to my knowledge. It hasn't been used. Section 24 really was for other types of uses. It was not to make agricultural uses go away. The intent of the ordinance as a whole is to preserve the agricultural community. The number one goal in 1986 when this was adopted was to preserve the rural agricultural community. The number one goal in the new comprehensive plan is to preserve the rural agricultural community, so we are focusing on it and you are invited to help us with some of these issues and some of the legal issues as well."

A gentleman from the audience said Mr. Chavez said all they had to do was call him and he would tell them when they could meet with him. He said he called all day today to find out what time this meeting was going to be held and he was told, "I don't know." They told him everyone was out of the office and for him to call back.

Eldridge Miller said his concern is that there are no farmers and ranchers on this committee. There are several livestock people who don't own millions of acres. They are talking about the people who live in the Rio Grande Valley. He said there needs to be people on the committee that make their living farming and have cattle here in the area.

Chairman Aguilar said, "Mr. Woods will be getting together with Mr. Chavez and I encourage that three or four others get together at the same time and address this. I think with Mr. Woods position with the lending and the financial, he didn't want to wait six months from now. He wanted to be able to meet Steven within the next week to start addressing some of these issues."

Jim Smith asked for clarification on the moratorium. Mike McCartney said the moratorium is on amendments to zone maps as well as any new subdivision. It was affective 2-15-99 and expires 8-15th with a possible 90-day extension at the discretion of this Board.

Michael Lundmark said some of his land was zoned rural residential and some of it agricultural preservation. He was never notified that his property was being arbitrarily zoned by somebody who he never had contact with. He said there were restrictions on the land that was zoned agricultural preservation and there were no restrictions on the land that was zoned rural residential. When the zoning took place, it was done indiscriminantly without the consent and knowledge of many of the property owners. Many of them have put their life savings into their property. Mr. Lundmark said, "My question to the Commission is, I need to know what flexibility is. There are two farms setting next to each other, one farmer retires and one continues to farm. Flexibility means cashing out and subdividing 40 acres into 40-acre parcels. Forty families move in against one farmer and all of a sudden they don't like flies and they don't like the smell of manure and they don't like the irrigation water. If that is flexibility for the farmer that exists here, then some how I've got the definition backwards. This needs to be taken into account and people that produce jobs and tax dollars and our cows are being taxed and producing tax dollars for this county, need to be appreciated more by the people that are moving in here and subdividing. Many are developers from outside the county."

Lawrence Sanchez said the idea of forming a group that can meet with Mr. Chavez should be taken to heart. He said he would like to form a good Agricultural group that could meet with Mr. Chavez and anybody out there that is making these decisions in planning for the future of this community. They definitely need to have input into whatever is being made out of this county. He said he would like to be on the committee.

Chairman Alicia Aguilar recommended that Mr. Sanchez give his phone number and individuals can call him if they want to be a part of this group. She said she would like to see a farmer and a dairyman on the committee.

Commissioner Eloy Giron said, "Frank Holguin from the County Extension Office has acquired some money from New Mexico State and has brought his own planner in and he is addressing some of the agricultural problems. I know he has contacted Mr. Chavez. Without reinventing part of the wheel, we can go ahead and get on his coattails. Mr. Holguin has addressed portions of the Valencia County Ag problems and some of the people were focused on a new facility, but he is addressing all of the problems in Valencia County."

Chairman Aguilar said, "I beg to differ with you Commissioner Giron, but I think the situation that we have here, Mr. Holguin is involved with 4-H in a different agricultural, I want to see the preservation of our agricultural lands and I want to see the existing agricultural identified so that we can move forward and have that information to address in the zoning ordinance and in the comprehensive plan to assure us that there is preservation of these lands and also that the farmers, the dairymen, the people themselves have a voice in it. I think it is great to have Mr. Holguin, but I feel a different committee is important."

Lawrence Sanchez said they would ask Frank Holguin to join the committee, however he agreed with Chairman Aguilar that he comes from a different angle altogether. He said they are agriculture producers and Mr. Holguin is not an agriculture producer. He said Mr. Holguin is very knowledgeable in agriculture.

Chairman Aguilar said, "If someone could give of their time, five of you stand up. Who would like to serve on this committee? Randy Wood, Jose Otero, Eldridge Miller, Karen Jarrett, Marcel Reynolds, Mike Mechenbier, Lawrence Sanchez, Juan Julian and Michael Lundmark. Are you all happy with that committee? Now we have representation and as a last comment, thank you for coming."

Mike Mechenbier asked for a count of the people who were in the audience regarding this issue.

Commissioner Frank Pando said, "In all fairness, in 1987 the Zoning Ordinance was enacted and it makes me feel real good to see all of you people here, but like you are here today, you need to stay active. That has been a problem for a long time and unless it hits you in the backyard, nobody cares. We all need to get together and start taking care of our own affairs here."

Chairman Aguilar said, "As we prepare for a zoning ordinance and zone changes, it is not a decision that this Commission is going to make without going out for public hearings and making the public aware of. You will be informed about what we're doing before it ever gets adopted or amended."

Chad Wood said he had friends in Bosque Farms and they built an arena and bucking shoots to have kids come in and practice bull riding. The zoning committee shut them down because they said it was residential. He said it needs to be changed, the name Bosque Farms says it all, that says animals." Chairman Aguilar asked if this was in the Village of Bosque Farms. She encouraged him to call Carl Allen, the Mayor of Bosque Farms. The County has no authority in the Village. The young man said the county was brought into it. He said everyone eats meat. If there is no cattle how can you raise beef.

Jose Otero said he is the representative for the Middle Rio Grande Conservancy District. He congratulated the people who showed up in support of Mr. Mechenbier and Eldridge Miller. He said he is happy to hear Mr. Pando and Mr. Padilla say they support the issue that is being discussed tonight. It is important to stay active and let their concerns be heard and that they take action any time the politicians or representatives try to erode the property rights. He said, "This is what is happening right here, the erosion of property. It came into being in 1987. Nobody knew about it. I didn't know about it. I want to congratulate you for giving us an opportunity to voice our concerns and for expressing your support."

Bruce Watson said item A was tabled because the analysis of the roadway was still under consideration. He said he understood the State Land Commission was considering four routes for the trucks. He asked if there was anything to be known about that.

Chairman Aguilar said the item was tabled because all of the information was not in. It will be discussed at the next meeting.

ACTION ITEMS

(A) REQUEST TO AMEND ZONE MAPS/Continuation of Hearing Unzoned to SP/Gravel & Mining Operation, Max Kiehne Unzoned to OD

This item was tabled.

(B) NEW MEXICO MANUFACTURED HOUSING ASSOCIATION

Mike McCartney introduced Mark Duran. He is the Chief Executive Officer of the New Mexico Manufactured Housing Association.

Mark Duran said he was very glad that the controversy tonight did not concern manufactured housing. The Manufactured Housing Industry in this country has literally exploded. They now represent 50% of the manufactured housing market in New Mexico and approximately 30% in this country. They have always been a product for first time homebuyers and they have also been a product for senior citizens buyers. He said what has changed the market dramatically is the fact that now people are choosing manufactured homes over site-built homes. There were some areas where the industry was not keeping up with the demand for the product. Those areas were in industry regulations, regulating the retailers as to what they could and could not do in regards to manufactured housing. He said they admit that problem and have done several things to address the problems that have faced their industry. He said, "I can't tell you how many times I've walked into Planning and Zoning Meetings or talked to Planning and Zoning Officers and the first thing they said is, I really don't mind you guys, but here's what I really don't like. I left work on Friday and there was no home over there, I came back to work on Monday and there was a home over there. I can't find the retailer and I can't find the buyer, so now I have to work as a social worker with the owners of the home to deal with their issues as well as the issues that we have at Planning and Zoning and the County or City law." They have recently passed a regulation that was controversial within the industry that now requires the installer of the manufactured home to first insure that all the permits have been received and taken out and that all Planning and Zoning Ordinances have been adhered to or be subject to the loss of their license. They believe it will alleviate a lot of the problems. They worked with New Mexico Taxation and Revenue Dept. to develop a new property tax code in regards to manufactured housing that lays out the conditions by which the manufactured home can be considered real property. The key element is the fact that manufactured homes have to be placed on a permanent foundation. A law was passed in the last legislative session and signed by Governor Johnson that modernizes the definition of manufactured home to say that it needs to be placed on a permanent foundation. When the homes are placed on a permanent foundation, they can be considered real property. They have decided that this is the best thing for their product and the best thing for consumer confidence. It also alleviates the problems between the industry and the Planning and Zoning officials. They have put together a training program for their set-up people. It is an accredited program through Albuquerque TVI. Senate Bill 330 disallowed cities or county's from requiring homes to be placed in a pit site. He said he hopes they will have a better relationship with cities and county's across the State.

(C) COLLABORATIVE ACTION TEAM UPDATE

This Item was deleted.

(D) SUMMER RECREATION PROGRAM/Joint Powers Agreement

Michael Jaramillo presented a Joint Powers Agreement between the Board of Education of the Los Lunas Public School District, the Village of Los Lunas, the Village of Bosque Farms and Valencia County. The purpose of the agreement is to provide financial support for a joint 1999 summer recreation program for the benefit of the children and youth of the Los Lunas School District, Village of Los Lunas and the Village of Bosque Farms to be conducted through the use of public parks, swimming pool, playgrounds and other recreational facilities owned or operated and located within the respective jurisdiction of the parties.

The contribution of the county will be \$4,000.00.

Commissioner Eloy Giron made a motion to approve the Joint Powers Agreement for the 1999 Summer Recreation Program in the amount of \$4,000.00. Commissioner Frank Pando seconded the motion. Motion carried. **(See Exhibit A)**

Chairman Alicia Aguilar introduced Representative David Vickers.

(E) SENIOR OLYMPICS UPDATE

Benito Serna requested funds for the Senior Olympics. He said Bosque Farms is supposed to let him know in the next couple of days if they will contribute to the Senior Olympics. He is going to the Village of Los Lunas on Thursday. County Manager James Fernandez said they contacted the Dept. of Finance and were told this could be done by transferring \$2,000.00 from the Older American Fund and they would approve the transfer.

Commissioner Al Padilla made a motion to allow the transfer of \$2,000.00 to help the Senior Olympics. Commissioner Frank Pando seconded the motion. Motion carried.

(F) AWARD OF BIDS:

Bid #493 Dairy, Bid #494 Meat, Fish, Poultry, Bid #495 Food-Non Foods

Mary Ann Gonzales presented Bid #493, #494 and #495 for Commission approval. The recommendation is for the bids to go per line item for the lowest price or best quality and quantity.

Commissioner Frank Pando made a motion to approve the award of bid to go per line item to the lowest price or best quality and quantity. Commissioner Eloy Giron seconded the motion. Motion carried. **(See Exhibit B)**

(G) REQUEST PERMISSION TO PUBLISH AMEND./PERSONNEL ORDINANCE NO. 93-03

Section 9.4 Overtime Pay

Carol Anaya requested permission to publish an amendment to the Personnel Ordinance, Section 9.4 OVER-TIME PAY. It presently states as follows: The rate shall be one and one-half (1 1/2) times regular pay for each hour of over-time and such payment shall be made only in cases when a non-exempt employee works over forty (40) actual work hours in a normal work week. The proposed amendment reads as follows: The rate shall be one and one-half (1 1/2) times regular pay for each hour of over-time and such payment shall be made only in cases when a non-exempt employee works over eighty (80) actual work hours in a normal pay period.

Commissioner Eloy Giron made a motion to allow the publication of the proposed amendment to the Personnel Ordinance. Commissioner Helen Baca seconded the motion. Motion carried. **(See Exhibit C)**

(H) BELEN HEALTH DEPARTMENT

Rosie Clifford said she is here to make an update on the Belen Health Department. They had asked to have their facility updated or to be able to move to a more appropriate space. They need more square footage and it needs to be cut up differently than the way it is now. The present contract is now up for renewal. She presented a letter to the Commission. **(See Exhibit D)** The letter is from Mayor Ronnie M. Torres of the City of Belen. They are offering to the County, the use of the old city police building on a long-term lease (15 - 20 years) for a very low monthly lease payment (approximately \$200.00 month). Mrs. Clifford said this is a hard deal to turn down. The location is very good, as they believe they need to be in the downtown area of Belen.

Chairman Alicia Aguilar said, "About three weeks ago Commissioner Padilla, Mr. Fernandez and myself met with Mayor Torres in Belen about this building and the offer they were given us. We asked him to have Mrs. Clifford look at the building to see if it was something that they would even have an interest in. The second step was, if there was an interest, for the city to put it in writing what the rent would be. I would like to see the County look at the building and see what it would cost to renovate or bring the building up to standards to accommodate the Public Health Dept. There seems to be a lot of space there and they could also expand on their program, training rooms, in addition to that there is the building upstairs that has outside access that the county could also utilize for storage and additional space. That's what was told to us."

The County Manager said there has not been any dollar amount discussed as to the renovations and what the County might entail if they should renovate.

Chairman Aguilar said in order to address the proposed facility, the County would probably have to get an architect to look at it.

Commissioner Pando asked if the County would be leasing the whole building or just a portion of it. Mrs. Clifford said it was her understanding that they would be taking most of the first floor. It is roughly 5000 feet. The County Manager asked if the letter indicated that the lease would be for \$200.00 per month plus utilities. Chairman Aguilar said it does not address utilities. Mrs. Clifford said the Public Health Dept. has always paid their own utilities.

Liz Gabaldon said she met with Mrs. Clifford and Tom Duran who represents the Health Dept. for the State of New Mexico. She advised them that she was open to bringing in an architect on her own and looking at the specific needs of the Health Dept. She said she has land to the East of the present structure and going forth with exactly what she needed, proposed cost because they are in the construction business. She said Mr. Lynch was not able to attend the meeting tonight, but the proposal is done and could be addressed at the next Commission Meeting.

Chairman Alicia Aguilar said in all fairness she believes the Commission should look at that option. She asked, "Commissioner's can we authorize the County Manager to contact the architect, Mr. Friedman and look at this building?"

Chairman Alicia Aguilar made a motion to give administration permission to contact John Friedman to look at the City of Belen building and come back to us in a couple of weeks about costs and the necessary renovation for the Health Dept. Commissioner Frank Pando seconded the motion. Motion carried. Commissioner Eloy Giron voted no.

Commissioner Eloy Giron asked Mrs. Clifford, "When the County does hire an architect to go ahead and make those upgrades, do you have it in your budget to help us out with that bill?" Mrs. Clifford said no they did not. They do well to pay their utilities, as they do not prepare a budget.

(I) COUNTY MANAGER'S REPORT

County Manager James Fernandez reported on the following:

- An update on the El Cerro Mission Community Center, the mobilization, sitework, concrete
- Formwork, concrete placement and frame carpentry are 100% complete in the amount of \$129,565. The remaining amount to be paid is \$140,335. The architect said they are ahead of schedule and should be completed by June 1st.
- Commissioner Aguilar requested information on the cost of upgrading the kitchen from a regular kitchen to a commercial kitchen; the architect is working on the figures and they have not been brought in to us.
- We received notification from the Commission Affiliate about a meeting for the Commission that will take place on April 23rd in Albuquerque. It was determined that a representative would be sent to the meeting.
- Contacted an engineer on the closure of the landfill, the first meeting between the engineer and the State Environmental Dept. will take place on the 21st.

- Chairman Aguilar thanked the County Manager and Carlos Montoya for working on this issue. She said, "We learned about the old landfill and the closure had not been completed and testing had not been done for about five years. You and Mr. Montoya responded in getting together with the Environmental Dept. and finding out what it takes to comply with closure regulations and developing dialog with Ed and I think it is going very well that Valencia County will meet compliance with Environmental Dept. very shortly."
- Commissioner Frank Pando asked what needs to be done if the County decides to open a convenience center in the southern part of the county. The County Manager said it was his understanding that if you try to open this as a convenience center you would actually have a trailer those individuals would be placing trash in. Commissioner Pando requested that this issue be looked into. He thinks it is something that needs to be looked at.
- The County Manager said the Transfer Station is open to the public from 8:00 AM to 5:30 PM seven days per week.
- On April 15th, Carlos Montoya and the County Manager attended the State Highway Meeting in Las Cruces. They were made aware that the State Highway Commission has an infrastructure bank that is available and provides loans to county's and cities to build roads and road projects. The County can borrow money from this infrastructure bank at an interest rate of between 6 and 7%. They also found out that the Highway Commission has additional funding from their mapping program that the county can apply for. The County wasn't aware of this and this funding closed in February. Any money acquired through the mapping funds can also be used as repayment of a loan.
- The Highway Commission will be meeting in Belen on July 15th and again in October in Socorro. While in Law Cruces, they entertained the idea of having Valencia County host the State Highway Commission in the future. The County will put in a proposal for hosting one of their meetings. Steve Harris will be on the agenda of the May 17th meeting to update the Commission on road projects in Valencia County.
- Spoke with the County Fire Marshal regarding a ban on fireworks. The county cannot put a ban into place until 20 days prior to the 4th of July by State Statute. He will be monitoring the dry conditions in the County as to whether he will be proposing a ban.
- Last Friday, the County Manager attended a Collaborative Action Team meeting at Ann Parish School. The team tries to get involved in the community on the East Mesa in dealing with policing issues, trash issues, they have a mentoring program and they are trying to develop a parenting class, they are trying to develop a clothing bank. Yolanda Denny will be coming before the Commission on May 3rd to make a slide presentation. It was brought up that once the El Cerro Mission Community Center is completed, they are looking at the possibility that the State Health Dept. might have an outreach program for the W.I.C. Program.
- The Construction Project: Construction of the entryway will be done in two weeks. It is expected to take three to four weeks to complete. The front entrance of the courthouse will be closed completely. The public will need to be made aware that they will need to use the side entrances. The South parking lot will be cordoned off as a construction site. The courtroom construction that will take over the personnel department is scheduled to start the first week in May. It is expected to take two weeks. Construction of the courtyard area will not take place until after the main entrance is completed.
- Commissioner Eloy Giron asked if the contractors accepted the bids that were awarded. Mr. Fernandez said they were all accepted.
- The Middle Rio Grande Leadership Conference Forum that takes place monthly has been rescheduled to April 30th. It will take place in Albuquerque at Hoffmantown Baptist Church.
- The budget process has started for next year. Carlos Montoya and staff have been meeting with the individual departments. Preliminary estimates indicate that the budget will increase approximately \$500,000. to \$700,000. over last year based on the requests that have been received from the individual departments. Mr. Fernandez requested that a closed workshop be scheduled with the Commission to discuss personnel changes that need to take place, changes in members of personnel and prioritizing what is important to the Commission. He would like to schedule this workshop as soon as possible off-site so that all of the attention would be focused on this one issue. They will try to schedule the workshop on a Monday or a Tuesday.
- They are in the process of updating the listing of all Boards that the County has any representation on. A final list will be ready by May 3rd.
- The Solidwaste Contract Workshop is scheduled for April 26, 1999 at 9:00 AM. At the request of the County Attorney, copies of Solidwaste Contracts are being received from other county's that are similar to us.
- The Central Solidwaste Authority Meeting is April 28, 1999 at 10:00 AM at the Village of Los Lunas.
- On Friday April 16th, Mr. Fernandez and Chairman Aguilar met with the Older American Advisory Council in terms of how that program operates and what some of the needs are.
- This is Secretary's Week and the County Manager expressed a special Thank You to Monica Mireles, his administrative secretary for all the work she does.

The County Manager showed plans for the new jail.

Commissioner Frank Pando said there would be a meeting of the Hospital Committee on Wednesday at 6:30 PM in the County Commission Room. He said on Thursday and Friday, he, Commissioner Giron and Arley Sanchez will be going to Las Vegas and Taos to see their facilities.

(J) PROCLAMATION/National County Government Week

County Manager James Fernandez presented a Proclamation for Commission approval. It is a Proclamation asking that the Valencia County Board of Commissioners proclaim April 18th - 24th, 1999 as National County Government Week.

Commissioner Frank Pando made a motion to approve the Proclamation. Commissioner Helen Baca seconded the motion. Motion carried. **(See Exhibit E)**

Commissioner Al Padilla left the meeting.

Chairman Aguilar said, "This coming week is also National Volunteer Week. All of the volunteers in the County are basically unsung heroes, everything from the Older American on to just serving in organizations and giving their time. I would also like to say thank you to them in public."

(K) RESOLUTIONS

Carlos Montoya presented Resolutions 99-14, 99-15, 99-16, 99-17 and 99-18 for Commission approval. 99-14 is for Intra Budget Transfers, 99-15 is a Permanent Cash Transfer, 99-16 is a Permanent Cash Transfer, 99-17 is a Permanent Cash Transfer and Budget Increase, and 99-18 is a Budget Increase.

Commissioner Eloy Giron made a motion to approve Resolutions 99-14, 99-15, 99-16, 99-17 and 99-18. Commissioner Helen Baca seconded the motion. Motion carried. **(See Exhibit F)**

Carlos Montoya presented Resolution 99-19 for Commission approval. It is for the emergency repairs of the Courthouse Roof not to exceed \$25,000.

Commissioner Eloy Giron made a motion to approve Resolution 99-19. Commissioner Frank Pando seconded the motion. Motion carried. **(See Exhibit G)**

(L) WARRANTS

Carlos Montoya presented the Warrants for Commission approval.

Commissioner Eloy Giron made a motion to approve the warrants. Commissioner Frank Pando seconded the motion. Motion carried.

Carlos Montoya said Saturday, April 24th there will be a massive clean-up day in the County. He invited all of the residents to participate. The Conejo Transfer Station will be open to receive all of the trash. It will be from 8:00 AM to 5:00 PM.

Chairman Alicia Aguilar asked Mr. Montoya about the Juvenile Detention since they have not had a meeting regarding some bills. Mr. Montoya said, he discussed this with Mr. Fernandez and I am going to get a hold of Tom Swisstack because we need to get this issue straightened out before the budget is completed for the coming year.

NEXT MEETING

The next Regular Meeting of the Valencia County Board of County Commission will be held on May 3, 1999, at 9:00 AM in the County Commission Room at the Valencia County Courthouse.

ADJOURNMENT

Commissioner Eloy Giron made a motion to adjourn the April 19, 1999, Regular Meeting of the Valencia County Board of County Commissioners. Commissioner Frank Pando seconded the motion. Motion carried.

<p>NOTE: All proposals, documents, items, etc., pertaining to items on the agenda of the January 21, 1999, Special Meeting (presented to the Board of County Commissioners) are attached in consecutive order as stated in these minutes.</p>
--

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: May 3, 1999

For an official copy of these minutes and attachments see Commission Book 34 Page 102