

# VALENCIA COUNTY BOARD OF COMMISSIONERS

## SPECIAL CLOSED MEETING

July 27, 1998

### M I N U T E S

The Special Meeting of July 27, 1999 was called to order by Chairman Alicia Aguilar at 10:00 AM. The Pledge of Allegiance proceeded.

#### **PRESENT**

Alicia Aguilar, Chairman  
Aurelio H. Padilla, Vice-Chairman  
S. T. Frank Pando, Member  
Eloy Giron, Member  
Helen Baca, Member  
James Fernandez, County Manager  
Thomas Garde, County Attorney

#### **ABSENT**

Kandy Cordova, County Clerk

Press and Public

Also present were the following people: Tom Pollard from the New Mexico Finance Authority, Henry Narvaez and Brian Carleton of the Narvaez Law Firm, who are representing Valencia County through the New Mexico Association of Counties and Steve Copelman, Risk Manager from the New Mexico Association of Counties.

#### **PLEDGE OF ALLEGIANCE**

Monica Mireles led the Pledge of Allegiance.

Chairman Alicia Aguilar stated there are two items on the agenda under Executive Session. There is (A) Pending Litigation and (B) Acquisition of Land.

#### **EXECUTIVE SESSION**

Commissioner Al Padilla made a motion to go into Executive Session and the items mentioned would be all that will be discussed. Commissioner Eloy Giron seconded the motion. Motion carried.

##### **(A) PENDING LITIGATION**

**Garley vs. Valencia County**  
**Dorotik vs. Valencia County**

##### **(B) ACQUISITION OF LAND**

**Purchase of Tabet Property located east of Courthouse**

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

County Attorney Tom Garde stated, "With regards to our Closed Session, we discussed three items that are currently in litigation. The first item concerns the case of Garley vs. Valencia County. We heard from the attorney representing the County, Mr. Henry Narvaez and he discussed the status of the case and his strategy with regards to the resolution of the case."

"Secondly we discussed the pending lawsuit concerning Dorotik vs. the County of Valencia, again Mr. Narvaez together with Mr. Brian Carleton discussed with the County, the current status of the case and the strategies involving their pursuit of the case. With regards to both cases, no action was taken by this Commission."

"With regards to the litigation and land acquisition with regards to the Tabet Properties directly east of the Courthouse, we discussed options that the County has available to it. The County has given myself direction to pursue a legal resolution of the issues involved in that case. As I advised the Commission, we'll be filing this afternoon, a Notice of Appeal on the denial of the zone change and we will be seeking a Declaratory Judgement Decision in District Court with regards to the authority that the County has to build a County Jail."

Chairman Alicia Aguilar said, "Also discussed with Mr. Copelman, Risk Manager for the Association of Counties were the prisoners that we are housing for the municipalities and discussion was held about the lack of Joint Powers Agreements and also the number of prisoners that we're transporting and direction has been given to administration to place these municipalities on notice."

Commissioner Frank Pando made a motion that this was all that was discussed and ratified the discussions during the Executive Session. Commissioner Helen Baca seconded the motion. Motion carried.

## **ADJOURNMENT**

Commissioner Eloy Giron made a motion to adjourn the July 27, 1999, Special Meeting of the Valencia County Board of County Commissioners. Commissioner Frank Pando seconded motion. Motion carried.

**NOTE:** All proposals, documents, items, etc., pertaining to items on the agenda of the July 27, 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, CHAIRMAN**

**ss**  
**AURELIO H. PADILLA, VICE-CHAIRMAN**

**ss**  
**S. T. FRANK PANDO, MEMBER**

**ss**  
**ELOY GIRON, MEMBER**

**ss**  
**HELEN BACA, MEMBER**

**ATTEST: ss**

**KANDY CORDOVA, COUNTY CLERK**

**DATE: August 2, 1999**