VALENCIA COUNTY BOARD OF COMMISSIONERS

REGULAR MEETING

SEPTEMBER 20, 1999

M I N U T E S

The Regular Meeting of September 20, 1999 was called to order by Chairman Alicia Aguilar at 4:30 PM.

PRESENT	ABSENT
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	
Kandy Cordova, County Clerk	
Press and Public	

EXECUTIVE SESSION

County Clerk Kandy Cordova read the agenda of the Executive Session. Commissioner Frank Pando asked to discuss a "Fair Day". He said several employees have called him requesting ½ day off to attend the New Mexico State Fair. Commissioner Eloy Giron requested that this item be discussed in Executive Session with the Personnel Director. Chairman Aguilar asked that the Adult Detention Administrator come into the Executive Session for an update on personnel issues and potential litigation. Commissioner Pando said he has had calls from the haulers regarding the $500,000.00 performance bond. He said he believes it needs to be discussed. Chairman Aguilar said it will be discussed under Item D (Solid Waste Contract/Hauling Permit Discussion).

Commissioner Eloy Giron made a motion to approve the items for discussion in Executive Session and to go into Executive Session. Commissioner Frank Pando seconded the motion. Motion carried.

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

County Manager James Fernandez said the following items were discussed during the Executive Session:

NEW HIRE: Tyrone Terrell
RESIGNATION: Shawn Coulter
Discussion of the Hearing Officer's decision with regards to Susie Tosh. The Hearing Officer upheld the County's decision to terminate Susie Tosh.
We were given direction to enter into negotiation with the individual that applied for the Animal Control Director's position.

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

County Attorney Tom Garde said, "During the Executive Session we discussed the current litigation between the Village of Los Lunas and the County of Valencia. We also discussed the pending lawsuit with regards to the County of Valencia and the Bonito Land & Livestock. No action was taken on either item."

Chairman Alicia Aguilar said, "In Executive Session, Edwin Esquibel, administrator of the Adult Detention Facility approached the Commission and addressed some personnel and some adult detention issues."

INTRODUCTION OF COUNTY ELECTED OFFICIALS & STAFF

Chairman Alicia Aguilar introduced Commissioner Frank Pando, Commissioner Eloy Giron, Commissioner Al Padilla, Commissioner Helen Baca and herself. She also introduced County Manager James Fernandez, Business Manager Carlos Montoya, Barbara Garcia, County Attorney Tom Garde, County Clerk Kandy Cordova, Paula Weathersby, Captain Wes Mallory of the Sheriff's Department, P & Z Administrator Mike McCartney, County Planner Steven Chavez, Donna Olmsted of the Albuquerque Journal South and Kathy Saltzstein of the Valencia County News Bulletin.

PLEDGE OF ALLEGIANCE

Donna Olmsted led the Pledge of Allegiance.

APPROVAL OF AGENDA

County Clerk Kandy Cordova read the agenda as presented. County Manager James Fernandez said he would be doing the presentation for Juan Julian on item F (Request out-of-state Travel) and also for Beverly Gonzales on item H (Adopt Revised 1999 Property Tax Rates).

Chairman Alicia Aguilar requested under Item J (County Manager's Report) that a ½ day of Administrative Leave be added on.

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

APPROVAL OF MINUTES

The Minutes of September 7, 1999 were presented for Commission approval. Chairman Alicia Aguilar said on page 6, under Item D (Report on CSWA Meeting/Tri-Sec/Village of Los Lunas), we need to add the non-refundable down payment of $500,000.00. (Earnest Money) by September 30, 1999.

Commissioner Frank Pando made a motion to approve the Minutes of September 7, 1999 with the noted change. Commissioner Al Padilla seconded the motion. Motion carried.

Commissioner Eloy Giron abstained from voting since he was absent from the September 7, 1999 meeting.

PUBLIC REQUESTS

Shawna Perea informed the Commission of a speed problem on La Ladera Road in Peralta. She said the road is very dangerous since it has been paved. Chairman Aguilar said at the last meeting, the Commission directed the County Manager to go out for RFP to hire Engineering Services. They will be able to hire an engineer to go out and address the traffic situations and come back and let them know the problems that need to be addressed.

Commissioner Frank Pando said there is a real problem in the area where Mrs. Perea lives. He said it takes a lot of community participation to solve these problems.

Commissioner Eloy Giron said he has received calls with the same complaint. He asked if there was a time frame on when they would be meeting with the engineer. The County Manager said the RFP for the engineering services closes on the 23rd and at that time they will be reviewing the proposals and come to the October 4th meeting with a recommendation.

Mike McCartney said on September 14th, the Valencia County Planning and Zoning Commission held their monthly meeting. There was a request for a conditional use permit for a residential care facility and also a variance for the number of children to be housed there. It was approved unanimously. Commissioner Pando was at the meeting and he requested that the information be presented to the Commission. Planning and Zoning Commission Chairman Herman Tabet also requested that the information be presented to the County Commission. Mr. McCartney then introduced Stephen Crawford, Mike Mechenbier and Laura Farris.

Stephen Crawford said they requested approval from the Planning and Zoning Commission for a children's home on a rural residential zoned piece of land. It is at the south end of Edeal Road. The project is a dream of Mr. & Mrs. Mechenbier. It is a service that they want to provide to build a home and have it be a place where children who are orphans can be raised to adulthood in a permanent rural setting. They will be able to learn about farming and ranching. Hopefully there will be children growing up in this home and learning many of the things that Valencia County takes pride in.

Mike Mechenbier said this would be a children's home with a permanent environment that will take children in on a family basis. They will take an individual child or if there is more than one child in the family they will take them all instead of breaking them up. The location is in the direct vicinity of his home and will provide corrals, arenas, stables where the children will be able to participate in 4-H at their own facility. The home will be run by a group of Franciscan Nun's from Ohio. The home will be run by a private foundation and they will not be soliciting money from the State.

Chairman Alicia Aguilar requested the audience to join her in giving Mr. Mechenbier a hand of applause. He is trying to give back to the community. She said she believes this is a wonderful project.

Laura Farris said she is the Secretary-Treasurer of Mike's private foundation, which is called Los Ninos. For the past seven years they have helped families in need through Mr. Mechenbier's donations. They have helped with rental assistance, utilities, baby goods, clothes, food, and automotive assistance, whatever a family might need. This project is an extension of his desire to give back to the community that has been so supportive of him. Ms. Farris said she is a foster parent and they are looking forward to giving children a safe place to live. She said she is a foster parent and it is sad to see the way foster children are bounced around. They hope this will be a place where they can have a permanent home for as long as they need it.

Commissioner Eloy Giron asked how many children they would be able to keep at this home. Laura Farris said they are limited by State Licensing. They are limited, they believe to 15 per home. They are checking into the matter. The Planning and Zoning gave approval for 36 contingent upon whatever the State says.

Mike Mechenbier said there is a Rio Puerco road that services a ranch. There are four families that live on the ranch. The road also services the marble quarry, the McKinley Ranch and the Sais Ranch. There are several families out there. He said in the past, they have been able to call the County to get some grading done to make the road passable. He requested direction on how to proceed to get the road graded so that the children can come to school.

Chairman Alicia Aguilar said she and Mr. Fernandez would be meeting with Risk Management to address all roads. They will be reporting back to the Commission on this.

ACTION ITEMS

(A) HOSPITAL COMMITTEE REPORT

Commissioner Frank Pando said at the October 19, 1998 meeting the Commission approved the formation of a Steering Committee to develop a comprehensive proposal for a County-owned, contract-operated general hospital. The Steering Committee's charge is to help the County Commission plan its implementation of legislative actions. The Steering Committee has the authority to establish sub-committees to deal with specific subjects such as site preparation, finance, management, infrastructure and public information. The committee is comprised of Commissioner Pando who serves as Chairman, Dr. Manuel Gamez, Diana Y. DeBaca, John Cherry, George Hobbes, Richard Jaramillo, Richard Klapper, Dr. Roland Sanchez, Dr. Alice Letteney, Pavlos Panagopolous and Suzette Lindmuth.

The Steering Committee has been meeting on a monthly basis since February 17, 1999. The Committee has heard presentations from ARC Health, Quorum, Presbyterian and various other management companies. Commissioner Pando has made site visits to hospitals in the communities of Taos, Las Vegas and Portales.

Commissioner Pando said, "We are at the point right now that we need to know which way to go. We need to know if you want to continue with it. We are the ones that got involved in it in the first place. I realize it will place a big burden on the County, but either we do it or we don't do it. It is the consensus that this is something that is desperately needed. It is hard for families to travel from Jarales or elsewhere to travel to Albuquerque at 2 or 3 o' clock in the morning with a sick baby. There is a definite need for it. I need to know what you people want to do with this and I would like to have Dr. Gamez speak on it and I would like to turn it over to the consultant from Lubbock, Texas. They are currently building and managing the hospital in Portales."

David Jordan, Director of New Mexico operations for Coventry Health Group, based in Lovington, New Mexico gave a presentation on what a hospital district is, how to form a hospital district and the benefit of a hospital district. He said, "Hospital District" was created as a political subdivision in the State of New Mexico in 1978. The actual people who wrote the law are Joe Carson, an attorney in Artesia and Gene Samberson who is an attorney in Lovington. The first hospital districts consisted of NorLea Hospital District, which is for Northern Lea County, Jal Hospital District also in Lea County and for Artesia Hospital District. Those are the three districts that were formed with the new law. Hospital District gives an avenue to provide health care with several mechanisms; (a) you have local control, the control in your district and your facility is with the people in your county. A Corporation away from here does not run it. The district itself is defined in many ways. One method is defined by the local school districts, you can have like the Belen School District, and the Los Lunas School District and that would be your Hospital District. It can also be defined as countywide or it can be part of two counties'. The funding mechanism for hospital districts, there is actually a primary and a secondary, and the primary is to the ad valorem taxes. County's that are Type A county's can tax up to 6.5 worth of mills. All other county's in the State of New Mexico is 4.25 for mills. The secondary method of financing a hospital district is through a gross receipt tax enacted by the County Commission through a Joint Powers Agreement given to the district. It is very unusual to do it that way. Most districts have the ad valorem. The Board of Trustees is first appointed or can be elected by the populus and they serve different terms. There are two members that have two-year terms, two members having a four-year term and one member has a five-year term. After that it is for five years and they are elected by the populous. Hospital Districts are good avenues to provide hospital care. It gives you the funding to do the health care for individuals. It also sets positive medical needs for the community because you have the local provider's providing health care in your local hospital. You don't have to drive to Albuquerque or go to another area. You can do it local. That is very important for families."

"That is really a district in a nutshell. There are lots of details on how you get started with a district."

Chairman Aguilar asked if this would mean that the county would build the hospital, the county would own it and then they would hire someone to operate it. Mr. Jordon said a hospital district is separate from the county. It is it's own political subdivision. The district, the Board of Trustees runs the hospital. The county is not responsible financially for the hospital. The district itself is responsible. Chairman Aguilar asked who would pay for the election. Mr. Jordan said, "By law the county pays for the election. The process is that you have to have a petition within the districts that you define. If the district is the entire Valencia County, then that is what needs to be on the petition. On the petition you naturally want to have as many voters as you can. By law it states that you have to have at least 10% or greater signatures on the petition than you had as voters in the last Governor's Election. Once you obtain the signatures, they have to be verified by the County Clerk." Chairman Aguilar asked where would Belen, Los Lunas and Bosque Farms fall as far as their share of the cost and is the county involved in going out for the financing. Mr. Jordan said, "No, the financing would be with the Board of Trustees of the newly formed district. All the County Commission has to do is the petition to get it started. After the petition they call for a resolution to elect board members of the district. From that point on, the Board of Trustees take care of all of the operations."

Tom Garde said, "I am not familiar with the Statute. It sounds like what the procedure is, that first of all there has to be a petition and basically the petition must be from registered voters. Until such time as that is accomplished, I don't know where the county would fit in. It sounds like the Board of Trustees would become the overseer of the entire project."

Commissioner Frank Pando said, "This is State Statute #44. You go out to the public and get a petition for 10% of the voters and at the same time you also have an election for five board members that run at large or by district. Once you elect these five people, they are in charge. They are a separate board that is empowered by the voters to go out and solicit funds. If they go out for a mill levy or gross receipts, it takes the burden off of you."

Commissioner Al Padilla asked Mr. Jordan if they preferred property taxes to gross receipts tax. Mr. Jordan said the mechanism for the primary funding for a hospital district is the ad valorem taxes. He said, "As a secondary method of financing, you can do the gross receipts tax. That is

conducted by the County Commissioners and through a Joint Powers Agreement that money for operation and construction of a hospital is granted over to the hospital district."

There was more discussion held on the presentation by Mr. Jordan.

Chairman Alicia Aguilar said, "You are asking for several things tonight and it seems to me we need to slow down and go to Belen, Los Lunas and Bosque Farms and ask for their financial support in this. If they need to support a hospital, they need to support an equal share if there is going to be an election. I think we also need the assurance of voter registration petitions because then we know the commitment is there to proceed. Anything else as far as the board or proceeding seems to be a little premature."

Commissioner Pando said, "I completely agree with you. I don't think this gentleman came in here to get any type of commitment from anyone. This was just to be presented for information to the entire Commission and to the general public. We also have a commitment from Los Lunas, Belen and Bosque Farms, however Bosque Farms refused to give us any financial commitment."

Dr. Gamez said there were a couple of groups that have shown interest in the area. Presbyterian is one of the groups that have shown interest. They were trying to present information to the Commission and this represents one of the avenues.

Commissioner Pando thanked the three gentlemen for making the trip to Los Lunas to attend the meeting.

County Clerk Kandy Cordova said she would be glad to present a cost analysis on the different types of elections if that would be helpful to the Commission.

(B) COMMUNITY REPORT/El Cerro Mission

Clay Mansfield was again absent from the meeting.

(C) CSWA/Tri-Sect/Village of Los Lunas

Peter Fernandez stated at your last meeting, the Commission tabled the item of acquisition of the landfill.

The negotiated price to acquire Tri-Sec in the amount of $4,150,36l.00 with a down payment of $500,000.00 (Earnest Money) by September 30, 1999. Authority members would repay the remainder of the balance due with revenue bonds financed with the environmental gross receipts.

Discussion was held.

Commissioner Frank Pando made a motion to not join the Central Solid Waste Authority and the purchase of Tri-Sect Landfill. Commissioner Al Padilla seconded the motion. Motion carried.

(D) SOLID WASTE CONTRACT/Hauling Permit Discussion

County Attorney Tom Garde presented a draft of an application for a hauling permit. It reflects the type of permit concerning residential, commercial, recycling and roll-off. There is also a solid waste agreement or contract, which sets out the perimeter of what would be required of a hauler, what would be required as far as services that the hauler would have to provide to the citizens of this County. It also provides for the maximum rates that the operator would be allowed to charge customers together with the appropriate assurances that would be required to be provided to the County prior to the issuance of a permit.

Discussion was held on the following items:

Four bags in addition to the polycarts, this is in the Ordinance itself. (3.3.3.1)

Reporting Requirements: (3.11) Contractor shall provide County, through its authorized agent, quarterly reports commencing on the 15th of January 2000 as to number of customers and submit enforcement fees to the County on that date and quarterly thereafter.

Enforcement Fees: (5.1) Shall pay to the County on a monthly basis commencing on the 15th day of _____, 1999.

Insurance (6.2) Chairman Aguilar was called by Tabet Insurance and made aware that they cannot have $2,000,000 uninsured motorist. It doesn't exist.

Assurances of Performance (6.3) $500,000 Performance Bond. Wanted to talk to the haulers to see if they could get a Surety Bond or a Letter of Credit from the bank. There is a hardship in acquiring a Performance Bond in that amount. This is part of the Ordinance. Needs to be changed by requesting permission to publish an amendment to the Ordinance.

Commissioner Al Padilla made a motion to table this item until the October 4, 1999 meeting. Commissioner Helen Baca seconded the motion. Motion carried.

(E) PLANNING AND ZONING REPORT

Steven Chavez said the Steering Committee on Planning has had four meetings in the last four months to discuss the land use element, which has been drafted. One of the sticky points has been the future land use map. He said, "We are trying to fine tune that map for the County. It has been sticky in spots because of the preplatted lands. Some of them are outside of the areas that we would like to see developed. The zoning ordinance that we have been working on the last 9 months is complete. We've taken it to the Board of the Planning and Zoning Commission and they hope to get through it at their next meeting. We placed our first publication notice in the News Bulletin this passed Saturday and the second notice will come out this Wednesday for the first hearing on the ordinance. All of you have a copy of the zoning ordinance. Please review it for the October 4th meeting."

"We've completed our workshops with the Planning and Zoning Commission. We've had three workshops over the course of the last three months. All of the Commissioners attended except one Commissioner. We thought they were very successful workshops. They have been educated in the new trends of zoning laws that are out there throughout the country specifically New Mexico. We've gone over variances and all of the requirements, as well as conditional uses. They already

know this pretty well, but I think it helped to refresh their memories. The FEMA draft ordinance that we received from the Federal Government, we're going over now and I have begun a comparative analysis with that ordinance and our existing ordinance as well as the section in the new zoning ordinance that deals with flooding. I hope to have the comparative analysis done within the next four or five days. As far as the Subdivision Regulations, I don't think we are going to be able to get to the Subdivision Regulations before the moratorium is lifted on the 15th of November. We haven't had time, we've dealt so much with the zoning ordinance, and as you know it is a huge over haul. I did speak with the Attorney General's Office and some of the other agencies. There is a lengthy notification requirement for adopting a new subdivision regulation because of State Law. We have to provide them with copies 30 days before we take it to public hearing and they have to make comments on it including the Attorney General's Office. We won't be able to do that in time. The good news is, in our review of the Subdivision Regulations there are some very minor problems; it is a good regulation. It's a good gatekeeper, it provides the review necessary and it just needed some minor adjustments and some tweaking if you will. We can do that any time, even after the moratorium has been lifted."

Commissioner Frank Pando commended Steven Chavez for the work done on the new Ordinance. Steven Chavez said there is a committee that has worked on the ordinance and they have given it a thumbs up with some minor changes to be done at public hearing.

Michael Wright, project manager for Pacific Western Technologies in Albuquerque said they are currently under contract to perform rural addressing and mapping services for the County to establish the data bases necessary to do effective emergency response and Pacific Western is teaming with a company called Miller Management Services. The company has extensive experience in the process of rural addressing. It is a very complex process of interviews, surveying and mapping and data base assimilation.

Mr. Wright introduced Mr. C. W. Tillman. Mr. Tillman thanked the Commission for their support in this project. He also thanked Steven Chavez, Richard Chavez and the Valencia County Sheriff's Dept. for their assistance. He said they would also be working with Frank Otero from the County Assessor's Office. He said they go out and drive every road and use a GPS receiver and computer in the vehicle. It places the roads directly into a computer system. They then place the houses and take certain information, such as the description of the house, resident information etc. They have driven over 50% of the roads in the County and will be finishing up by the beginning of next week. They will then get started on the verification of some of the resident data. They work with the utility companies to get names and addresses. When the GPS data and resident information, they compile it into a database. They print maps for the postal service to look over and approve. They work with the Fire, Police and Ambulance Districts and draw up boundaries for each. They work with the Fire Chiefs to settle all of the boundary disputes that they might have. They will create an emergency service boundary. That is a specific number that tells a common police, fire and ambulance district and helps route the calls and create an address guide. They have spoken with Belen, Village of Los Lunas and Bosque Farms on behalf of their company and provided a contract to collect the resident information and the structure location. They have proposed getting the structure location and letting them get the resident information. They have discussed the option of allowing them the use of the GPS equipment that the County has purchased. It would let them collect the data and structure points and in return for the use of the equipment, they would provide the data back to the County to be assimilated into your GIS product. You would have better information, as far as if someone were responding to something in town, you would be able to see the structure location on the map.

Chairman Alicia Aguilar said, "On the GIS Project, for the record and just understanding for all Commissioners, if the municipalities chose to use our equipment, we would probably need a Joint Powers Agreement." Steven Chavez said, "That is correct. When we got this grant, it was a quarter million dollar grant to do this project. When we developed the contract, we determined with the State there was going to be enough money to go around for the unincorporated lands. Los Lunas received some money too. I believe it was about $18,000.00 to do their part. That was not enough for them to do that in the city. Now we are investigating options and that is one of the options to allow them to use our equipment to cut down on their cost. We need to negotiate this."

Mike McCartney presented a Valencia County Planning and Zoning Dept. Report to the Commission. It gives a break down of the number of subdivisions that have been approved since 1997 and the number of lots that have been created. It also shows the number of subdivisions that are still pending. It shows the required process when submitting a subdivision application. The report shows the number of applications for amendments to zone maps and what they were for. It shows the process of making an application to amend the zone maps. There is a Conditional Use Permit Report and the process of making an application. It shows a Variance Report and what must be included in the application. There is a Lot Split Report that includes the number of lot splits for the last three years and the process for making an application to do a lot split. There is a Business License Registration Report and the qualifications and process for obtaining a Business License. There is a Road Dedication, Naming and Request for Paving Report and what the process for acquiring these items are. There is a report on Sign Permits. There is a section that shows all of the amendments to the Valencia County Zoning Ordinance, Statistics for the Zoning Officer, a report on Rural Addressing and a Planning and Zoning Financial Report. **(See Exhibit A)**

Chairman Alicia Aguilar commended Mr. McCartney for the Planning and Zoning Report. Commissioner Al Padilla said the report is very well done. Commissioner Frank Pando said he would like to see a report from all departments.

(F) OUT OF STATE TRAVEL

County Manager James Fernandez requested permission for out-of-state travel to attend the National Sheriff's Association Training on First Responders on Weapons of Mass Destruction. It will

be held in Norman, Oklahoma on October 13th and 14th at an estimated cost of $370.00. He also requested out-of-state travel to Reno, Nevada to attend the Western States Sheriff's Association Conference on October 21st at an estimated cost of $397.00. The money is in the Sheriff's budget.

Commissioner Eloy Giron made a motion to approve the out-of-state travel for the Sheriff. Commissioner Frank Pando seconded the motion. Motion carried.

(G) AWARD BID/VANS/Older American Program

Mary Ann Gonzales presented Bid #498 for a 15-passenger van and a 7 passenger mini van. Mrs. Gonzales recommended the bid be awarded to Bob Turner's Ford Country who was the lowest bidder.

Commissioner Frank Pando made a motion to approve Mary Ann Gonzales' recommendation and award the bid to Bob Turner's Ford Country. Commissioner Al Padilla seconded the motion. Motion carried. **(See Exhibit B)**

(H) ADOPT REVISED 1999 PROPERTY TAX RATES

County Manager James Fernandez stated, "In your packet you should have a copy of a letter from County Assessor Beverly Gonzales indicating that she was going to be given an Amendment to the 1999 Tax Rates from the Department of Finance and Administration. After submitting Mrs. Gonzales' request, she was notified by the Property Tax Division of the State to hold off on accepting any additional property tax rates for a period of two weeks. It looks like the Assessor's Office will not be receiving revised tax rates until the end of this month. To make you aware of how that affects the time schedule, the State is supposed to submit property tax rates for adoption by the County by September 1st of each year. They are running one month behind. It is unclear as to how that will affect the schedule in terms of property tax schedules and property tax bills. Indications are that those items will probably run late. When Mrs. Gonzales receives those tax rates, the items will have to be brought before you for your adoption within five days. If she has them to us prior to our October 4th meeting, we will try to incorporate them into that meeting. If nothing else, you will have to have a special meeting for the adoption of the property tax rates."

(I) PUBLIC HEARING/Resolution Infrastructure Capital Improvement Plan

County Manager James Fernandez presented Resolution 99-43, the revised ICIP Plan (Infrastructure Capital Improvement Plan) for 2000 - 2004 for Commission approval. This is a resolution adopting an infrastructure capital improvement plan. This report is intended as a vehicle to set comprehensive policy directions for capital investment in Valencia County over the next five years. The ICIP is intended as general assessment of the state of capital investment currently as well as an assessment of those larger capital projects minimally necessary for the next five years. Valencia County is currently implementing the ICIP planning procedure into the County's budget and planning process. Capital budget planning will be accomplished concurrently with the planning of the annual general operating budget.

Mr. Fernandez thanked Steven Chavez for all of the work he put in on this document. He also thanked the Data Processing Staff, Larry Mervine and Lawrence Kaneshiro for their assistance in getting this done.

Commissioner Al Padilla made a motion to approve Resolution 99-43. Commissioner Eloy Giron seconded the motion. Motion carried. **(See Exhibit C)**

(J) COUNTY MANAGER'S REPORT

County Manager James Fernandez reported on the following items:

Road Highway Contracts

Three copies of Cooperative Agreements between the New Mexico State Highway and Transportation Dept. and the County of Valencia that were received and signed by this Commission in terms of road projects that the County will be looking at for the fiscal year 1999-2000.

The first project is CAP-3-00 (413). The funding for this project will be $173,304.00 from the State Highway Dept. The County's share at 25% will be $57,768.00 for a total cost of $231,072.00. This money is for paving and road maintenance only.

The second project is SB-7761 (973). The State's share of this is $130,000.00. The County's share at 25% matching is $43,332.33 for a total project cost of $173,333.33.

The last project is SP-3-00 (903). The State's share of this project is $81,928.73. The 25% match on the County's part is 427,309.58 for a total project cost of $109,238.31.

Memo Regarding Highland Meadows Building Permits

County Manager James Fernandez said this memo is intended to clarify Valencia County's position regarding building permit requests at Highland Meadows. It was sent certified mail to Fran Woods, Robert Samuels, Buddy Major and Cliff Hammond. Mr. Fernandez proceeded to read the memo.

CDBG - GRANTS

County Manager James Fernandez said he received notification from the Department of Finance and Administration on the CDBG process that will begin today. There will be two workshops that will brief applicants on the regulations and application procedures. The workshops will be held on Sept. 30th in Santa Fe and on October 1st in Las Cruces. There is also a time schedule as to what has to be done for a specific CDBG Grant in order for it to be considered. The last item would be a continuation of the best way to come up with the CDBG Grant and what makes them more likely to be adopted.

GRANT

Copy of a letter and a copy of two warrants that were issued to the County on a couple of items, the first being a grant given to the County in the amount of $24,750.00 from the Emergency Medical Services Fund Act. This is for the purchase of a Type I 2wd Transport/Rescue for the Valencia/El Cerro Fire Department. The second item that funding was received for was from the Emergency medical Services Fund Act. It was for the procurement of Automatic Transport Ventilators on behalf of the countywide services in the amount of $7,920.00. This is for information only to show what money has been received from the State.

JOINT POWERS AGREEMENT/Village of Los Lunas/Animal Control

Received a signed Joint Powers Agreement for animal control with the Village of Los Lunas. It was sent back to the County for revisions. The revisions had been sent to the County Attorney for his review. He deemed them appropriate and acceptable to the County.

Commissioner Eloy Giron made a motion to approve the Joint Powers Agreement with the Village of Los Lunas on animal control. Commissioner Helen Baca seconded the motion. Motion carried.

MIDDLE RIO GRANDE COUNCIL OF GOVERNMENTS

The County Manager said in your packet there is a memo from the Middle Rio Grande Council of Governments requesting that the County determine who their representatives will be for the Transportation Advisory Committee. The previous representatives were Commissioner Giron and Helen Cole from the Road Dept.

Commissioner Frank Pando made a motion to allow Eloy Giron and Helen Cole to remain on the Transportation Advisory Committee. Commissioner Al Padilla seconded the motion. Motion carried.

LETTERS TO CONGRESSIONAL DELEGATION

The County Manager said Administration was directed to send letters to the Congressional Delegation to explore the possibility of receiving funding on a federal level for the closure of the landfill. A letter was sent to Senator Jeff Bingaman, Senator Pete Domenici, Congressman Joe Skeen and Congresswoman Heather Wilson. He said they received a call from Senator Bingaman's Office requesting additional information and wanting to work with the County on the possibility of finding federal funding for the closure of the landfill. **(See Exhibit D for all items presented by the County Manager)**

The County Manager said on September 29th at 4:30 PM, Valencia County has been asked to notify the Commission members that the National Association of HomeBuilders will be holding a meeting in Rio Rancho to discuss economic development.

The audit of the streetlights in Valencia County has begun. Anne Jojola of the Planning and Zoning Dept. has been working with PNM. They have identified some potential problems. This should take another week. The utility bills for the County should be reduced because of this process.

There was a problem with the phone lines in the new P & Z Building. They should be out tomorrow to attempt the instillation of the phone lines. The movement of the department will be contingent upon those phone lines being placed in the building.

Commissioner Frank Pando requested that Administration contact Congresswoman Heather Wilson's office to get a copy of the bill she sponsored regarding political activity in the work place. When the bill is received, the information will be given to each department. so that everyone will be clear on what they can and cannot do.

The County Manager said the last item is the direction of the Commission regarding administrative leave of four hours for employees to attend the New Mexico State Fair.

Commissioner Frank Pando made a motion to allow the employee's 4 hours of administrative leave to attend the New Mexico State Fair. Commissioner Eloy Giron seconded the motion. Motion carried.

The County Manager said the County has been dealing with Pet Vista and Bray Associates on doing an appraisal on a potential site for a new animal control facility. They received the information and are in the process of getting the information to the Commissioners. Indications are that it will in the neighborhood of $100,000.00 and that figure does not include equipment. A report will be made at the next meeting.

(K) HAULING CONTRACT/CONEJO

Carlos Montoya requested approval of an extension of the hauling contract from the Conejo Transfer Station. The contract was with Waste Management and expired on August 30, 1999. Waste Management wants to increase the prices from $150.00 to $155.00 per round trip and $12.44

to $15.00 per ton. The staff recommends that the extension be approved with the increase in the prices. The contract will be from October 1, 1999 to September 30, 2000. The contract is a three-year contract with a renewable contract every year.

Commissioner Frank Pando made a motion to approve the extension of the hauling contract with Waste Management from the Conejo Transfer Station in the amount of $155.00 per round trip and $15.00 per ton and with the understanding that every year there will be a CPI adjustment. Commissioner Helen Baca seconded the motion. Motion carried. **(See Exhibit E)**

(L) REPORT ON TRAILERS/CONEJO

Carlos Montoya requested permission to go out to bid for two walking floor trailers for the Conejo Transfer Station. Currently they are renting two trailers from Waste Management at a cost of $500.00 per month per trailer. He said staff is requesting authorization to seek information on either a lease with purchase option or outright purchase of new or used trailers. It will require bids for acquisition. The estimated cost of new trailers is $53,000.00.

Commissioner Frank Pando made a motion to grant permission to go out to bid for two walking floor trailers for the Conejo Transfer Station. Commissioner Eloy Giron seconded the motion. Motion carried.

(M) AWARD BID/Road Graders

Carlos Montoya presented Bid #497 for two motor graders for the Road Dept. It is the recommendation of the staff that the bid be given to the lowest bidder.

Commissioner Eloy Giron made a motion to award the bid to Rust Tractor Co. in the amount of $1,399.00 per month. Commissioner Helen Baca seconded the motion. Motion carried. **(See Exhibit F)**

(N) EMERGENCY RESOLUTION/Jail

Carlos Montoya presented Resolution 99-44 for Commission approval. It is to make an emergency purchase of security cameras not to exceed $20,000.00 to increase security at the Valencia County Jail.

Commissioner Al Padilla made a motion to approve Resolution 99-44. Commissioner Eloy Giron seconded the motion. Motion carried. **(See Exhibit G)**

Commissioner Frank Pando made a motion to convene as the Indigent Board. Commissioner Eloy Giron seconded the motion. Motion carried.

Carlos Montoya said that due to the turnover in help in the Adult Detention Facility, there has been a lapse in getting the medical bills paid. Mr. Montoya said they are submitting a letter to the Chairman to get the bills paid out of the Indigent Fund instead of the General Fund. They are approximately $3,800.00.

Commissioner Eloy Giron made a motion to approve payment of the medical bills out of the Indigent Fund not to exceed $4,000.00. Commissioner Helen Baca seconded the motion. Motion carried. **(See Exhibit H)**

Commissioner Eloy Giron made a motion to reconvene as the Board of County Commission. Commissioner Al Padilla seconded the motion. Motion carried.

(O) WARRANTS

Carlos Montoya presented the Warrants for 9-4-99 to 9-17-99.

Commissioner Al Padilla made a motion to approve the Warrants for 9-4-99 to 9-17-99. Commissioner Eloy Giron seconded the motion. Motion carried.

NEXT MEETING

The next Regular Meeting of the Valencia County Board of County Commission will be held on October 4, 1999 at 10:00 AM with Executive Session at 8:30 AM in the County Commission Room at the Valencia County Courthouse.