

VALENCIA COUNTY BOARD OF COMMISSIONERS

EMERGENCY MEETING

MAY 31, 2000

M I N U T E S

The Emergency Meeting of May 31, 2000 was called to order by Chairman Alicia Aguilar at 11:05 AM.

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	

APPROVAL OF AGENDA

Chairman Alicia Aguilar said the only item on the agenda is a request for a complete ban on the sale and use of fireworks in Valencia County by the Fire Marshal.

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

ACTION ITEMS

(A) COMPLETE BAN ON SALE AND USE OF FIREWORKS IN VALENCIA COUNTY

Valencia County Fire Marshal John Cherry said due to the extreme weather conditions, he is asking for a complete ban on the sale and use of fireworks in Valencia County. He said the State Statute states in order to impose a ban; it must be done twenty days prior to the sale date. According to the statute there is criteria that must be met, such as a survey from the National Weather Services as to the extreme drought and documentation from the National Forestry.

Mr. Cherry presented maps from the National Weather and Forestry Service. The first map is from BLM New Mexico Wildland Fire Information and they are listing New Mexico as an extreme condition, the second one is from the National Forestry and they are listing our area as very high danger areas, the next two maps are from the National Weather Service showing the Palmer Index. A Palmer Index is the index that is used to measure the amount of moisture within vegetation itself. They show an extreme condition.

There is a statement from the Fire Chiefs of Valencia County requesting that the Board of Commissioners adopt a proclamation banning all firework sales in the unincorporated areas of Valencia County due to extreme drought conditions and fire hazards. All of the Fire Chiefs, but two signed it. Frank Barka was working and John Cherry is on vacation, but they both agree with the Proclamation. There is also an editorial from a local newspaper, as well as the Fireworks Ordinance that has a clause in it that under extreme conditions a ban can be enacted. They also included a copy of the statute.

The Proclamation can go into effect on today's date for thirty days. If the extreme and serious conditions persist past the thirty days, it can be extended past the thirty days.

Commissioner Eloy Giron said he asked the County Attorney if the ban could be lifted if we received sufficient rainfall before the end of the thirty days and he said if we get adequate rainfall, the Commission could get a recommendation from the Fire Marshal to lift the ban.

Discussion was held on this issue. Those participating were Steve Parkhurst of American Promotional Events, fireworks wholesale and retail firm, Eddie Massengale, T. J. Wardlow and Greg Birchfield.

It was determined that Belen and Los Lunas are also working on documentation to ban fireworks. Bosque Farms already banned fireworks in the Village. Wayne Gallegos, Emergency Coordinator said, "I feel we would be negligent and being aware of it would be gross negligence if we didn't do something about it. If we were not here today to do something about it, you need to get rid of us as officials."

Commissioner Eloy Giron made a motion to approve the Proclamation for a ban on the sale and use of all fireworks in Valencia County and on the advise of the County Attorney, if we do get any rains, the ban can be lifted. This is an emergency at this time and this is to protect the health, safety and welfare of the residents. Commissioner Helen Baca seconded the motion. Motion carried. **(See Exhibit A)**

John Cherry said since April 1, 2000 to the present date, fire has damaged approximately 330 acres of wild land and private lands with a cost of suppression in the range of \$473,000.00.

With constant patrol of the Valencia County area, bosques and private areas with the New Mexico State Forestry, Valencia County Fire Departments the cost has increased to \$650,000.00.

Valencia County volunteer firemen, 60 members that have attended the fires have logged 1440 hours devoted to these fires.

#### **ADJOURNMENT**

Commissioner Eloy Giron made a motion to adjourn the May 31, 2000, Emergency 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 May 31, 2000, Emergency 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: June 5, 2000**

**For an official copy of these minutes and attachments see Commission Book 37 Page 286**