

VALENCIA COUNTY BOARD OF COMMISSIONERS

REGULAR MEETING

JUNE 5, 2000

MINUTES

The Meeting was called to order by Chairman Alicia Aguilar on June 5, 2000.

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 greeted the Commissioners and indicated a new addition to her staff, Corrine G. Sedillo who will begin training to take the position of Chief Deputy Paula Weathersby. She then read the agenda of the Executive Session. Chairwoman Aguilar then inquired as to additions, deletions or changes. Motion for Executive Session by Commissioner Pando, Seconded by Commissioner Giron. Motion approved unanimously.

Motion to return from Executive Session by Commissioner Pando, Seconded by Commissioner Baca. Motion carried.

Carol Anaya reported discussion in Executive Session included the following personnel items:

1. **New Hires:** Leo Madrid, Rudy Hernandez, Melanie Carrillo
2. **Temporary Hires;** Tiffany Fuller, Nicholas Torres.
3. **Return from Leave of Absence:** Matt Carrasco
4. **Probationary to Non Probationary w/(salary adjustment):** David Gutierrez, John Elledge
5. **Appointment of County Clerk’s Chief Deputy,** effective date, July 1, 2000: Corrine G. Sedillo.

Commissioner Pando made a motion to ratify action taken during the Executive Session, seconded by Commissioner Giron. Approved. Chairwoman Aguilar noted that they were also going to discuss pending potential litigation, land acquisition and the Adult Detention Facility but that these three items would be moved to the end of the Agenda where Executive Session will be continued.

PLEDGE OF ALLEGIANCE

Sheriff Juan D. Julian led the Pledge of Allegiance.

APPROVAL OF AGENDA

County Clerk Kandy Cordova read the Agenda as presented. Chairwoman Aguilar stated a request by Commissioner Pando to add Item O, a continuation of the Executive Session. Motion for approval of Agenda made by Commissioner Giron with addition of item O, Seconded by Commissioner Pando. Motion approved as amended.

APPROVAL OF MINUTES

The Minutes of the May 15th Regular Meeting, the Minutes of the May 23rd Special Budget Meeting, the Minutes of the May 31st Special Meeting on the Adult Detention Facility and the May 31st Emergency Meeting on the Fireworks Ban, were presented for Commission approval. The motion to Approve was made by Commissioner Pando, seconded by Commissioner Giron, to approve the four (4) sets of Minutes. Motion carried.

PUBLIC REQUESTS

Mike Dziuk asked about the fireworks ban. County Attorney Thomas Garde responded, “ I spoke with Mr. Scanlon last Thursday or Friday with regards to his concern. This Commission has another meeting scheduled the 17th, if in fact there needs to be changed it can be addressed at that meeting. I did review one Section that basically set out the fact that counties and municipalities cannot regulate some items and I think that is the Section that he has been referring to and so if in fact there is some concern with regards to this Commission’s decision what I will do is contact or be in touch with the County Manager, and set this matter on the Agenda for the 17th. The sales on the fireworks do not commence until the 24th. ” The Chairman corrected the date of the meeting as June 19th, 2000. Mr. Garde continued, “So, if in fact there needs to be some change in the Proclamation we can address it at that meeting.”

Robert Ruvino addressed the Commission regarding two items of concern, what happened to the Valencia County cleanup campaign and two, is there a Master Plan for Valencia County and if so is it public record. Chairwoman Aguilar responded that the groundwork for a comprehensive plan has been initiated and that a steering committee exists which meets on a regular basis now working on a transportation plan. She advised that he should contact the County Planner Stephen Chavez who would notify him of the next meeting, which are public in nature.

His next concern was the cleanup committee and he addressed items of specific concern. Chairwoman Aguilar explained the current policy and the resources of the County, particularly Tierra Bonita and community service workers.

Sherry Hayborn addressed the commission regarding a conditional use permit for her property at 15 Carrejo Road, Los Chavez. Mike McCartney responded to the County's participation in the resolution of the concern.

Annette Howard addressed the commission regarding her concern of the road situation in Peralta. Commissioner Pando gave her an update on his understanding of the status of construction. Chairwoman Aguilar gave Ms. Howard the name of the engineering firm and directed the County Manager's Office to furnish to her the telephone number for her direct Inquiry.

ACTION ITEMS

(A) APPROVAL OF THE MATERNAL CHILD HEALTH ROSTER FOR 2000/2001

Leona Woelk, Health Coordinator for Valencia County, addressed the Commission on needs assessment and presents the MCH roster for approval. Approved on motion of Commissioner Giron with a second by Commissioner Padilla. The Program was highly praised by all the Commissioners.. (See Exhibit A)

(B) ACCEPTANCE OF QUARTERLY REPORT FOR TIERRA BONITA/January - April

Robin VerEecke (Tierra Bonita) addressed the Commission regarding acceptance of the quarterly report, which was accepted on motion of Commissioner Padilla and seconded by Commissioner Baca. Unanimous approval.. (See Exhibit B)

(C) REQUEST APPROVAL OF OLDER AMERICAN PROGRAM POLITICAL POLICY

Mary Ann Gonzales (Older American Program) addressed the Commission for approval of the OAP's Political Policy. After inquiries from Commissioners and response by Ms. Gonzales the Policy was approved on Motion of Commissioner Giron with second by Commissioner Padilla Chairwoman Aguilar clarified the document as Resolution 2000-30. County Clerk Kandy Cordova further clarified document as a Policy. Motion amended to clarify distinction of action as a Policy. Unanimously approved. (See Exhibit C)

(D) REQUEST APPROVAL OF RESOLUTION

Lease Purchase of Rescue Ambulance for Valencia El Cerro Fire Dept.

John Cherry addressed the Commission regarding Lease Purchase of the Rescue Ambulance for Valencia El Cerro fire Department, Resolution 2000-30. Valencia County Attorney Tom Garde reviewed the Resolution with Commissioners. After inquiries from Commissioners, motion to approve from Commissioner Giron with second by Commissioner Pando. Motion carried. (See Exhibit D)

(E) AWARD BIDS

Bid #515/2000 Property Tax Bill

Valencia County Treasurer Diana Martinez-Coplen recommends to the Commission approval of Bids 515 and 516 for the purchase of property tax bills and lockbox services. Motion to approve by Commissioner Pando, Seconded by Commissioner Giron.

Attorney Garde Interjects recommendation to award each bid separately. Commissioner Pando amends motion to award bid to Inc. Impressions, second by Commissioner Giron. Motion carried.

Bid #516/Lookbox Service

Chairwoman Aguilar calls for second motion on second bid. Commissioner Pando makes the Motion, seconded by Commissioner Padilla. Motion carries to approve Bid 516. (See Exhibit E for both bids)

(F) COMMISSION/COMMITTEE DEPARTMENTAL REPORTS

Chairwoman Aguilar stated, "I wish to update you on a meeting with Dennis Foltz. We had a meeting with Mr. Foltz, some of his planners, myself, Mr. Fernandez, Ruben Chavez, Steven Chavez, on the subject of MPO and extension of boundaries being requested as far as Valencia County, to ask if we would agree to allow the MPO area boundaries to be extended to Valencia County and therefore we would be under COG and at that meeting, after getting all the information and after discussion, I took the liberty of saying that at this time we do not agree that the MPO boundary should be extended. Part of it is that with the Census being counted we leave the option open that we would qualify for our own MPO. The MPO that was established was established a couple of decades ago for Bernalillo County and the benefits are for funding for really the metropolitan area and I was concerned that we may also be caught up in regulation from water to air shed, air quality regulation and we would not have any say so on that. So I mentioned to them that at this point we want to just be up dated and more fully informed and if the decision comes up we can always make it at that time, we're not losing any time".

Commissioner Pando responds, expresses appreciation to the Chair and the County staff for their diligence on such a matter of importance to the unique and special needs of Valencia County. Chairwoman requests consensus to have administration send a letter to the COG. Commissioners indicate approval.

Chairwoman Aguilar advises Commission that State ED appointed the City of Albuquerque and Bernalillo County to do the air quality standards for Valencia County and voices her disapproval and requests support of Commissioners to have administration send State ED a letter to this effect and get us an update. Commissioners indicate approval.

(G) REQUEST THOMAS ROAD TO BE ON PAVING LIST

Mike McCartney addresses Commission on Thomas Road and responds to inquiries from Commissioners. Chairwoman Aguilar makes clarification on Policy to be placed on the list.

Attorney Tom Garde: Reviews legalities of Policy. Continuation of Commission discussion. Comments of McCartney. Commissioner Pando mentions two instances of problems in Commissioner Aguilar and Commissioner Padilla's Districts.

Commissioner Padilla comments and requests clarification on policy. Chairwoman Aguilar responds. Chairwoman Aguilar moves Thomas Road to be placed on the list for paving. Motion seconded by Commissioner Giron. Motion carries.

(H) REQUEST DEDICATION & MAINTENANCE OF ROADS

Chairwoman Aguilar addresses fellow commissioners on the request for dedication and maintenance of Roads (Constancia Road, Emilia Road and Piedra Road) McCartney states on Piedra Court. McCartney advises Commission on status and recommends approval. Motion by Aguilar, second by Padilla. Motion carries.

(I) APPROVAL OF OUT OF STATE TRAVEL TO NACO CONFERENCE

County Clerk Kandy Cordova requested permission for out of state travel to attend the NACO Conference in Charlotte, NC from July 14th through July 18, 2000.

Commissioner Al Padilla made a motion to approve the out of state travel. Commissioner Eloy Giron seconded the motion. Motion carried.

(J) APPROVE THE PROPOSED VALENCIA COUNTY TRAVEL POLICY

Chairwoman Aguilar addresses Proposed County Travel Policy. County Manager James Fernandez addresses Commission to review the proposed policy. Policy was circulated to all elected officials, appointed officials and department supervisors asking for input and recommendations. Fernandez said they received no comments from any department. Commissioner Padilla moves for approval of motion with a second from Commissioner Baca.

Sheriff Juan Julian addresses the Commission on policy previously discussed and requests that Policy be tabled until next meeting. County Manager expresses surprise at request and offers to meet with any interested party. Sheriff addresses concerns of his department. Comments by County Clerk Kandy Cordova and inquiries by Commissioner Giron and Pando. Motion carries.

Mr. Fernandez clarifies the amounts in the policy are per State statute. **(See Exhibit F)**

(K) APPROVAL OF SERVICE AGREEMENTS

Village of Los Lunas/Prisoners at Valencia County Detention Center

Chairwoman Aguilar addresses next item on Agenda, Service Agreements. Village of Lunas prisoners at Valencia County Detention Center; Village of Bosque Farms Dispatch & Prisoners at Valencia County Detention Center. Inquires from County Attorney of items can be addressed as one to which he replies, yes. Commissioner Pando moves for approval, second by Commissioner Giron. Motion carries. **(See Exhibit G for both Service Agreements)**

Cooperative Wildlife Services Program/Valencia County

The County Manager presented Cooperative Wildlife Services Agreement with Valencia County for Commission approval. This is a reimbursable item.

Commissioner Frank Pando made a motion to approve the agreement. Commissioner Eloy Giron seconded the motion. Motion carried. **(See Exhibit H)**

(L) COUNTY MANAGER'S REPORT

County Manager James Fernandez presented the MRGCOG Focus 2050 Regional Plan and read a letter into the record. Chairwoman Aguilar states for record that as a representative for Valencia County she voted against the 2050 Regional Plan. She further stated that it was approved by the Board of Directors but felt that when it came to Valencia County she disagreed with us following some else's plan. They should be following our plan and that was her explanation to them. Comments by Commissioners Pando, Padilla. **(See copy of Focus 2050 Regional Plan on file in Clerk's Office, with attached letter.)**

Next item: Update task orders, road projects requests made by County Commissioners. County Manager Fernandez stated that his office has requested update on task orders from engineers and furnishes report to Commissioners. (Firehouse Road, Mesa Road mentioned)(Also Valencia, Peralta and Molina). Fernandez addresses speed humps. Commissioner Pando requests information at next meeting. Commissioner Giron comments on petition on speed humps.

County Manager Fernandez notes Commissioner Padilla had also inquired about speed humps on Federico. Commissioner Padilla requests memo. Chairwoman Aguilar inquires as to striping on Mesa Road to which County Manager Fernandez responds. Continued discussion on striping contracts.

Chairwoman Aguilar updates Commission on her meeting with Cathy Chavez (YDI) and Steve Lucero on youth employment. Commissioner Pando comments on phone inquiries on the extension service, 5000 or whatever it was that was requested. He recommended to the Extension Service that they go to the other

governmental entities for funding because of the great disparity in our budgets. Chairwoman Aguilar reports meeting with Bob Strong and Kevin Eats with Molzen Corbin regarding the drainage problem at the Fire Department. Mr. Fernandez was at that meeting and the engineer enlightened them that it is a problem of such magnitude that they were asked to prepare a cost estimate and bring back information to us.

(M) APPROVAL OF RESOLUTION INTRA/INTER BUDGET TRANSFERS

Carlos Montoya presented Resolution 2000-31 for Commission approval. It is a Resolution for Intra/Inter Budget Transfers. Motion for approval by Commissioner Giron, second by Commissioner Baca. Motion carries. **(See Exhibit I)**

(N) WARRANTS

Carlos Montoya presented the warrants for Commission approval Commissioner Pando moves for the approval of warrants as presented. Inquiry by Commissioner Padilla on Check #34. Chairwoman asks for second, given by Commissioner Padilla. Montoya reviews history of charges paid by Check #34. Inquiry by Commissioner Padilla on warrant to Harry Evans and Elaine Gabaldon on Page 2. Commissioner Pando inquires on amounts paid to VIA for storage of machines, whether it is monthly or yearly. Montoya responds that the amount paid is monthly. Discussion ensues on payment for this storage. Chairwoman Aguilar states she and the County Manager were there and the amount was just to create the contract and that the amount was \$10.00 a month. County Manager Fernandez states that to his best recollection the \$10.00 a month was on a yearly basis. Chairwoman Aguilar requests further information on contract for the Commission from Commissioner Pando. County Attorney Tom Garde, in response to an inquiry from Chairwoman Aguilar states that he had sent a request to Mr. Phillips regarding a survey authorized by the previous County Manager and the survey was completed quite some time ago and this billing is for payment of the survey back in 1998. On further discussion, Attorney Garde advises the matter can be discussed in Executive Session. Motion to approve carries.

Chairwoman Aguilar requests update from County Manager on the haulers and compliance.

(O) EXECUTIVE SESSION

Motion by Commissioner Pando to discuss Adult Detention Facility, land acquisition, pending, and potential litigation. Second by Commissioner Giron. Motion carries. .

Chairwoman Aguilar announces return from Executive Session and requests motion. Commissioner Giron makes motion for return from Executive Session, second by Commissioner Pando. Motion carries.

Mr. Garde states the Commission discussed status of the King-Williams and Sant Tana lawsuits. He said they discussed the status of the Twin Mountain lawsuit, the Proclamation on the fireworks ban, litigation concerning the Bonito case and lastly they discussed potential litigation with regard to the Burben Road in Valencia. Mr. Garde advised no action was taken on those items.

Mr. Fernandez advised that on the matter of land acquisition regarding property just west of the Courthouse, the Apodaca-Jarner property, subject to the availability of funds and that no action was taken.

Chairwoman Aguilar advised that on the matter of the Adult Detention Facility, personnel matters were discussed and they had requested Mr. Esquibel to come into the Executive Session. There is direction that will be given to Administration to provide additional information and the Commission will be calling a Special Meeting for June 12th at 8:30 AM to discuss adult detention and also to discuss the fireworks ban proclamation. She requests motion to effect that this is all that was discussed in Executive Session. Motion by Commissioner Giron, Second by Commissioner Pando. Motion carries.

County Manager advises Canvass Meeting Friday, June 9th at 10:00 AM. She entertains motion for adjournment. Motion to adjourn by Commissioner Pando, second by Commissioner Giron. Motion carries.

NEXT MEETING

The next Regular Meeting of the Valencia County Board of County Commission will be held on June 19, 2000 at 6:00 PM in the County Commission Room at the Valencia County Courthouse. Executive Session will begin at 4:30 PM.

ADJOURNMENT

Commissioner Frank Pando made a motion to adjourn the June 5, 2000, Regular Meeting of the Valencia County Board of County Commissioners. Commissioner Eloy Giron seconded the motion. Motion carried.

NOTE: All proposals, documents, items, etc., pertaining to items on the agenda of the June 5, 2000, Regular Meeting (presented to the Board of County Commissioners) are attached in consecutive order as stated in these minutes.
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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 19, 2000

For an official copy of these minutes and attachments see Commission Book 37 Page 300