

VALENCIA COUNTY BOARD OF COMMISSIONERS

REGULAR MEETING

DECEMBER 4, 2000

The Meeting was called to order by Chairman Alicia Aguilar at 9:15 A.M. She stated that Commissioner Pando had been called to a family emergency and was also advised Commissioner Giron would not be in attendance.

| 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

Valencia County Clerk Kandy Cordova read the Agenda for Executive Session. Commissioner Padilla made a motion to approve the Agenda and go into Executive Session which was seconded by Commissioner Baca. Motion carried.

Chairman Aguilar stated that they had been unable to complete the business of the Executive Session and would return at a later time. Commissioner Padilla made a motion to return to the Regular Meeting from Executive Session which was seconded by Commissioner Baca. Motion carried.

PLEDGE OF ALLEGIANCE

Mr. Leonard Garcia of Meadowlake led the Pledge of Allegiance.

APPROVAL OF AGENDA

Valencia County Clerk Kandy Cordova read the Agenda for the Regular Meeting. Chairman Aguilar stated that the continuation of the Executive Session would be added as Item k. Commissioner Baca made a motion to approve the Agenda with a second by Commissioner Padilla. Motion carried.

APPROVAL OF MINUTES

Commissioner Padilla made a motion to approve the Minutes of November 13, 2000, Special Meeting, Canvass 2000 General Election and the Minutes of November 20, 2000, Regular Meeting. His motion was seconded by Commissioner Baca. Motion carried.

PUBLIC REQUESTS

Mrs. Lily McNabb of Bosque Farms addressed the Commission in support of a Petition she is circulating to put enough nurses in nursing homes. She stated the Petition will be submitted to the U. S. Congress. Commissioners congratulated her for her efforts and stated they believed it was a worthwhile endeavor.

ACTION ITEMS

a) Requesting Signatures to Update Valencia County Zone Maps

Mr. Michael McCartney submitted a list of zone changes that have been approved and also the ones that were denied. He stated that at a previous meeting Commissioner Pando had inquired about one in regards to Tim Peters and that is still the correct zoning for that particular area so that has been clarified. Chairman Aguilar inquired of County Attorney Thomas Garde as to the necessity for a motion even if the items have been previously approved and he responded that a motion would be appropriate. Commissioner Baca made a motion to approve the update on the maps and signatures of the Commissioners. This motion was seconded by Commissioner Padilla. Motion carried. (Exhibit A)

b)Amend Zone Maps from C1 to C2/Naresh Majithia

Mr. Michael McCartney submitted an application from Mr. Majithia to amend the Zone Map from C1 to C2 for the purpose of upgrading a convenience store to include a gas station. He stated that the Zoning Commission had recommended approval as well as Mr. Ruben Chavez. Mr. Majithia spoke in his own behalf as well as Mr. Leonard Garcia from the Meadowlake Association who stated the gas station would be of great assistance to the residents. Also speaking on Mr. Majithia's behalf was Mr. Dieter Hartenhoff also of Meadowlake. Chairman Aguilar made the motion to approve the amendment with a second by Commissioner Baca. Motion carried. (Exhibit B)

c) Request Dedication and Maintenance, Palo Duro and Carmel

Mr. Michael McCartney submitted a request for approval of the dedication and maintenance of Palo Duro and Carmel roads. Chairman Aguilar stated that since this is in her District she would take the recommendation of Mr. McCartney and move for approval. Her motion was seconded by Commissioner Padilla. Motion carried. (Exhibit C)

d) Inter Budget Transfer

Mr. Carlos Montoya submitted a request for an Inter-Budget Transfer from the County Zoning Department to Animal Control in the amount of \$750.00. Commissioner Padilla moved the approval of the Inter Budget Transfer Resolution No. 2000-55 with a second by Commissioner Baca. Motion carried. (Exhibit D)

Commissioner Padilla moved that the Commission convene as the Indigent Board. His motion was seconded by Commissioner Baca. Motion carried.

e) Amendment to Indigent Resolution

Mrs. Barbara Baker presented a Resolution Amendment (Exhibit E). She stated that as directed by the Commission she had contacted Mr. Vince Martinez of the Public Regulations Commission regarding the change she was requesting. County Attorney Thomas Garde stated that the request may be appropriate but he advised that another Resolution should reflect any change in the tariff or any fees. He stated however that until the tariff is approved by Santa Fe there cannot be an increase. Chairman Aguilar stated that she understood the adjustment in the tariff would not be considered until January by the Public Regulations Commission. Commissioner Padilla moved to table the matter. Discussion continued regarding the mechanics of amending Resolution 2000-50. Commissioner Baca seconded the motion of Commissioner Padilla. Motion carried.

f)Indigent Report and Appeals

Mrs. Baker presented Indigent Appeal of Sigifredo Cerecerer and recommended approval. Commissioner Padilla moved for approval with a second by Commissioner Baca. Motion carried. Mrs. Baker then recommended the approval of the Appeals of Anthony Atler and Joe C. Benavidez. Commissioner Padilla made a motion to approve the Appeals with a second by Commissioner Baca. Motion carried. (Exhibit E) Mrs. Baker then submitted the Indigent Claims from October 26, 2000 to November 21, 2000 for a total amount of \$185,535.29 and requested approval of \$87,681.71 and denial of \$97,853.58. Commissioner Padilla moved for approval with a second by Commissioner Baca. Motion carried. (Exhibit E)

Commissioner Baca moved to reconvene as the Board of County Commissioners with a second by Commissioner Padilla. Motion carried.

g)Reject all proposals received regarding RFP #132

Mrs. Monica Mireles requested rejection of all proposals received regarding CDBG pre-construction plans for Valencia Counseling Services. She stated that only one bid was received and other firms have expressed their interest but needed additional time. Commissioner Padilla moved approval of the request with a second by Commissioner Baca. Motion carried.

h)Request Approval of In State Travel

Sheriff Juan Julian requested approval for In State Travel for Detective Floyd Montoya to assist the Mora County Sheriff in setting up their evidence room. (Exhibit F) Commissioner Baca moved for approval with a second by Commissioner Padilla. Motion carried.

i)Manager's Report

County Manager James Fernandez submitted to the Commission Findings and Conclusions of the November 17th, 2000 hearing on the lot splits of Antonio and Adela Garcia for signature. County Attorney Thomas Garde stated that the Findings reflect the substance of this Commission's decision that occurred at that meeting. He stated that what is reflected is a history of the Romero request since 1996. He stated further that the document reflects that based on the Motion of the Commission, they are bound to the action taken in 1996. He stated that it is merely for the purpose of completing the record in this case. (Exhibit G). Chairman Aguilar stated further that there is no change in status on the property. Mr. Garde acknowledged that this was correct and stated that that is reflected in Paragraph 8. Commissioner Padilla made a motion to approve the Findings and Conclusions with a second by Commissioner Baca. Motion carried.

County Manager James Fernandez requested approval for In-State travel for departments to attend the Mid-Winter Legislative Conference in Santa Fe on January 23rd and 24th, 2001, with departments limited to two individuals per department. Commissioner Padilla moved for approval with a second by Commissioner Baca. Motion carried.

County Manager James Fernandez submitted a copy of a letter from the Boys and Girls Club of Valencia County requesting the use of space at the El Cerro Community Center for informational purposes.

County Manager James Fernandez submitted a copy of a Memorandum to Fire Marshal John Cherry regarding a memorial service for Terry Baber on December 9th. Commissioners expressed their sympathy and recounted his contributions to Valencia County. They discussed an appropriate Resolution for approval at the next meeting.

j)Warrants

Mr. Carlos Montoya submitted warrants issued on December 1, 2000 covering Warrant #63467 through #63557 totaling \$157,569.12 and Warrant #63436 through #63466 totaling \$1,926,643.27. (On file in the Office of the County Clerk). (Exhibits H and I) Commissioner Padilla moved for approval with a second by Commissioner Baca. Motion carried

k)Executive Session continuation.

Commissioner Padilla moved to return to Executive Session with a second by Commissioner Baca. Motion carried.

Commissioner Padilla moved to return to the Regular Meeting from Executive Session with a second by Commissioner Baca. Motion carried.

Mrs. Carol Anaya reported the following New Hires, pending physicals, drug and alcohol testing, Jamie Rodgers, Cops II, Part-time; Donald Derrick, Cops II, Full-time; Gemma Roselli, return from leave; Barbara Baker, salary increase of \$1.00 per hour; four hours administrative leave for all County employees, and discussion on a one-time merit increase for all County employees. Commisioner Padilla moved for approval of Mrs. Anaya's report with a second by Commissioner Baca. Motion carried.

NEXT MEETING

The next Regular Meeting of the Valencia County Board of County Commission will be held on December 18, 2000 at 9:00 AM in the County Commission Room at the Valencia County Courthouse.

ADJOURNMENT

Commissioner Baca moved for Adjournment with a second by Commissioner Padilla. Motion carried.

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

S. T. FRANK PANDO, MEMBER

ELOY GIRON, MEMBER

**ss/
HELEN BACA, MEMBER**

ATTEST: ss/

KANDY CORDOVA, COUNTY CLERK

DATE: December 18, 2000

For an official signed copy of these minutes and attachments see Book 38 Page 143.