

VALENCIA COUNTY BOARD OF COMMISSIONERS

SPECIAL MEETING

July 2, 2001

Chairman Alicia Aguilar called the Meeting to order at 4:09 P.M.

PRESENT	ABSENT
Alicia Aguilar, Chairman	
	Aurelio H. Padilla, Vice-Chairman
S. T. Frank Pando, Member	
Gary Daves, Member	
Helen Baca, Member	
James Fernandez, County Manager	
Thomas Garde, County Attorney	
Tina Gallegos, County Clerk	
Press and Public	

Approval of Agenda

Commissioner Pando asked that under personnel matters, to bring in the attorneys on the legal ramifications of lawsuits. At the last meeting, Commissioner Pando was directed by Tom Garde, County Attorney that he couldn't bring that in because it was not on the agenda but asked that it be part of the agenda today. Commissioner Pando made a motion to amend the agenda. Commissioner Baca seconded the motion. Commissioner Baca voted yes. Commissioner Daves voted yes. Commissioner Pando voted yes. Motion carried.

Pledge of Allegiance was led by Commissioner Pando.

Executive Session

Commissioner Pando made a motion to go into executive session. Commissioner Baca seconded the motion. Commissioner Pando voted yes. Commissioner Daves voted yes. Commissioner Baca voted yes. Motion carried.

Commissioner Daves asked that the County Manager and Personnel Manager remain for executive session. Commissioner Pando voted yes. Commissioner Daves voted yes. Commissioner Baca voted yes. Motion carried.

Commissioner Pando made a motion to return to regular session. Commissioner Baca seconded the motion. Commissioner Pando voted yes. Commissioner Daves voted yes. Commissioner Baca voted yes. Motion carried.

Commission Chair Aguilar reported that in executive session the Commission met with the following people: James Fernandez County Manager, Carol Anaya Personnel Manager, Lester Nixon and Dan Stock two representatives from the Association of Counties, and Henry Narvarex the Attorney who was hired by the Association of Counties in the matter with Mike McCartney.

Mr. Narvarex reported that during executive session, no decisions were made by the Commission. The matters discussed included a petition for grand jury alleging criminal animal abuse in Valencia County. The Association of Counties advised the Commission that they will review this matter and get back to the Commission by the end of July with their further thoughts on the subject. The other matter involved employee Michael McCartney. The Association of Counties advised the Commission that they have accepted the claim and have taken over the claim. The notice of tort claim was reviewed, and the two potential lawsuits mentioned in that notice of tort claim were discussed. It was also discussed that the hearing officer in the administrative grievance procedure has rendered a decision, which upholds the termination of Michael McCartney from employment. Commission Chair Aguilar said basically the Association of Counties has taken over this claim so the Commission cannot take any action even if they wanted to, and there's a personnel ordinance that Mr. Narvarex referred to. Mr. Narvarex said that it is his understanding that the County Ordinance states that employees who are terminated for disciplinary reasons are not eligible for re-hire. The Association of Counties has taken over the handling of the claim. Commissioner Pando said the Commission was advised to keep hands off and stay away. Mr. Narvarex said the Association of Counties will take over the handling of the claim and will maintain communication with the County through its administration.

Adjournment

Commissioner Daves made a motion to adjourn. Commissioner Pando seconded the motion. Motion carried. Meeting adjourned at 6:12 P.M.

The next Regular Meeting of the Valencia County Board of County Commission will be held on July 3, 2001 at 10:00 A.M. with Executive Session at 9:00 A.M. in the County Commission Room at the Valencia County Courthouse.

NOTE: All proposals, documents, items, etc., pertaining to items on the agenda of the, July 2, 2001 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**

AURELIO H. PADILLA, VICE-CHAIRMAN

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

**ss/
GARY DAVES, MEMBER**

**ss/
HELEN BACA, MEMBER**

ATTEST: ss/

TINA GALLEGOS, COUNTY CLERK

DATE: July 17, 2001

For an official signed copy of these minutes and attachments see Book 41 Page 327.