

VALENCIA COUNTY BOARD OF COMMISSIONERS

REGULAR MEETING

AUGUST 7, 2001

The Meeting was called to order by Chairman Alicia Aguilar.

PRESENT	ABSENT
Alicia Aguilar, Chairman Items A-I	Items J-BB
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	

Executive Session

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

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

Carol Anaya, Personnel Manager, stated during executive session the following was discussed: new hires pending pre-employment physical drug & alcohol tests for Lillian Otero Part time Cashier/Secretary for Planning & Zoning, Johnny Mirabel Planning & Zoning Officer, Michael Maes Kennel Helper for Animal Control, Shannon Duncan Kennel Helper for Animal Control, Resignation of Michael Maes Kennel Helper, Shannon Duncan, rescinded hire of Tiffany Rodriguez Radio Dispatcher for the Sheriff’s Department, resignation of Billy Galimore Mechanic for the Road Department, and position & salary adjustment for Carlos Griego. Ms. Anaya asked the Commission to ratify what the County Manager and Human Resource Manager discussed with the County Commission in executive session. Commission Chair Aguilar made a motion to ratify and approve recommendations by staff. Commissioner Padilla seconded the motion. Commissioner Daves said they did have discussion as to the nature of their action in this case and said that under the ordinance, Administration has been delegated the authority to make these decisions. Commissioner Daves thinks it’s appropriate that the Commissioners are apprised at these and thinks it’s appropriate that it’s been the custom to acknowledge and ratify these actions after they’re discussed in the closed session. Commissioner Pando voted yes. Commissioner Daves voted yes. Commissioner Padilla voted yes. Commissioner Baca voted yes. Motion carried.

James Fernandez, County Manager, said that in executive session the topic of a Professional Services Contract for Steven Chavez was discussed with no action taken. A possible contract for Animal Control Supervisor was discussed and Administration did authorize to look into that possibility on a short-term basis. Commissioner Daves made a motion to support Mr. Fernandez’s recommendation to hire an Animal Control Supervisor on a contractual basis. Commissioner Pando seconded the motion. Commissioner Pando voted yes. Commissioner Daves voted yes. Commissioner Padilla voted yes. Commissioner Baca voted yes. Motion carried.

Tom Garde, County Attorney, said that during executive session he discussed the status of the Steven Romero lawsuit, status of the Steven Otero lawsuit, together with the zoning appeal involving Samuel Castillo. The Commission was advised of the status and no action was taken on any of these items. Commissioner Pando said there was discussion in regards to personnel including employees and staff of Valencia County, as there seems to be an issue of mistrust and abilities. Commissioner Pando feels the County has one of the best staff this County has ever had and feels there are very good and loyal employees in Valencia County. Commissioner Pando made a motion to give employees and staff a vote of confidence and support them in every endeavor they might have, as the County needs to start working as a unit rather than as individuals. Commissioner Padilla seconded the motion and agrees with Commissioner Pando. Commission Chair Aguilar feels that the County has always had excellent staff and doesn’t see a problem with any of the employees or individuals and doesn’t see that there has been any type of threat or danger in their employment status. Motion carried. Commissioner Padilla made a motion that nothing else was discussed in executive session. Commissioner Pando seconded the motion. Commissioner Baca voted yes. Commissioner Padilla voted yes. Commissioner Daves voted yes. Commissioner Pando voted yes. Motion carried.

Pledge of Allegiance was led by James Ashmore.

Approval of Agenda

James Fernandez, County Manager, asked to delete the second item on item U. Bob Davey asked to speak under public requests. Commissioner Daves made a motion to approve the agenda. Commissioner Pando seconded the motion. Motion carried.

Approval of Minutes

Commissioner Pando made a motion to approve minutes for July 6, 2001, July 10, 2001, and July 17, 2001. Commissioner Padilla seconded the motion. Motion carried.

Public Requests

Bob Davey from Rio Grande Utility Company, told the Commission that at the last meeting on July 17, 2001, the Commission heard an emotional presentation from a former President of the historic Tome/Adelino Neighborhood Association and a member of that organization in which they alleged that somehow the Rio Grande Utility Company was diverting overflow from this waste water treatment plant near the University of New Mexico Valencia Campus into the Cemetery at Tome. They used terms like pollution and desecration of sacred grounds and they showed photos to illustrate that desecration and urged the Commission to enact a moratorium on all development on the east mesa arguing that Rio Grande Utility Company cannot carry out the responsibility that they now have that they certainly shouldn't be allowed to shoulder anymore. Mr. Davey said there was only one problem with that presentation, it was a fabrication. The Chair of the Church/Cemetery Maintenance Committee, Ramon Torres, advised Mr. Davey and a member of his staff that he had caused the problem reported to the Commission that night when he accidentally left the cemetery irrigation system on for three days. Mr. Davey said that for more than three years at the request of the church, Rio Grande Utility has provided free of charge treated irrigation water so the church could landscape that cemetery. This is the same water Rio Grande Utility has used on some of their own sites; it is tested regularly and meets or exceeds the standards for irrigation and in some cases for drinking water. Although Rio Grande Utility has never received payment or recognition for responding to a call for help from the church, they certainly never expected to be vilified in public for attempts to answer the Church's call for help. Mr. Davey left the Commission with the knowledge that whatever reasons they may think are out there to warrant a discussion of a moratorium, Rio Grande Utility Company is not one of them. That plant is now being operated at a little more than 60% of its capacity. It is operated under the regulations of the New Mexico Environment Division and Public Regulations Commission. There is testing and analysis done on the plant every single day. Operators at the plant are all certified by the State of New Mexico. The Director of Field Operations is not only a certified operator but also a licensed professional engineer with a master's degree in his field. The Executive Administrator for the Utility Company is a not only a licensed professional engineer but holds two masters degrees in his field. Mr. Davey invited the Commission to visit that plant or the plant at Rio Communities at any time they want.

Appeal Planning Staff's Decision On Lot Split.....Rosendo Garcia

Rosendo Garcia presented surveys to the Commission so that they could follow him. Mr. Garcia protested a decision by the Planning Department. Mr. Garcia owns tract 92 of Map 101, which was 4.42 acres. Mr. Garcia split it in two for his children and gave them a right of way to go into the farm on tract 92A. This land grosses 2.3520 acres and Mr. Garcia also owns tract 93, which is 36/100 of an acre. Tract 92B is contiguous to 87 acres of farmland. Tract 92B is 1.9392 acres because the surveyor took some land off. The information Mr. Garcia received from the Planning Department was that they were trying to preserve agricultural land. Mr. Garcia read from his notes of the RR2 District, newly created parcels. The minimum size of any newly created parcel shall be two acres except as follows: in the case of a parcel-size averaging, the minimum parcel size shall be 1 ½ acres." Mr. Garcia said he has met every detail and every requirement and yet is refused by Planning and the County Manager to sign his papers. Mr. Garcia said he was the building official for the City of Belen for 22 years and knows the rules and regulations very well. Mr. Garcia said there is a requirement of 2 acres but there is also a minimum requirement of 1-½ acres. Mr. Garcia said everything is above the 1-½ acres as one is 2.3 and the other is 1.9.

Steven Chavez, County Planner, said technically this has not gone to Planning & Zoning. Mr. Chavez said this was not formally denied by the Planning & Zoning Department. Mr. Chavez indicated to Mr. Garcia that if he did submit it, Mr. Chavez would deny it. The reason Mr. Chavez would've denied it is basically because it doesn't meet the ordinance at all. The R2 Zone District, which is the zone district that Mr. Garcia's land lays on, requires a 2-acre minimum with a net acreage of 2 acres. Mr. Chavez referred to the Zoning Ordinance as, "Parcel-size averaging only refers to cluster development, moreover cluster development and parcel-size averaging are prohibited uses in the R2 zone district." Mr. Chavez referred the Commission to section 501.04, which specifically prohibits those uses. Mr. Chavez said parcel-size averaging does not apply in this situation because this is just a lot split and parcel size averaging is for many homes on a parcel, when several homes are placed on a parcel and the rest of that parcel is saved for green space. Mr. Chavez said that only occurs with subdivision proposals. Commission Chair Aguilar said that Mr. Garcia has land and has split it to give it to two of his children and both lots are slightly less than two acres gross, but there is access to it and Mr. Garcia owns the joining 87 acres contiguous to it. Mr. Chavez said he doesn't have the authority to approve this, as it has to go before the Planning & Zoning Department for a variance for that size of lot. Mr. Chavez indicated to Mr. Garcia that the Planning & Zoning Commission would probably be receptive to his request and he would have to apply. Mr. Garcia indicated to Mr. Chavez that he refuses to apply and knows how things are done and he will just go straight to the Commission. Commissioner Daves said he has procedural concerns, as this is a split that ultimately

should be allowed but process is important. Mr. Chavez said the appropriate procedure is that Mr. Garcia would submit an application. Mr. Chavez indicated to Mr. Garcia that the fees would be waived since he was complaining so much about it. Then Mr. Garcia would have to submit the fee for Planning & Zoning Commission and that fee would go for advertising costs as it goes in the newspaper for 15 days before the hearing. Planning & Zoning Commission would approve it or deny it and if it is approved, Mr. Garcia would submit the plat to Mr. Chavez and Mr. Chavez, Mr. Fernandez, and the Chairman of the Planning & Zoning Commission would sign off on it. Mr. Chavez would indicate on the plat that this was in accord to a variance that was approved on such and such date. Commissioner Daves asked if the Ordinance clearly states that it's a net rather than gross. Mr. Chavez said, "Yes, it's absolutely clear." Commissioner Pando said he has very strong reservations of approving this and going against the Ordinance and against procedure. Commissioner Pando said there are neighbors that are affected by this and thinks that is the object of notification. Commissioner Pando said he would not support this without it going to Planning & Zoning and going through the proper channels.

Mr. Garcia told the Commission he received a letter from the County Manager, ordering him to attend the meeting. Mr. Garcia told the Commission that the Manager spent \$3.94 on that letter and said they could've sent that letter for \$.34. Mr. Garcia said he was at the Manager's Office four times and they denied him. Mr. Garcia said he has all the deeds to his property.

James Fernandez, County Manager, said that he and Mr. Chavez met with Mr. Garcia on several occasions and told him of the processes that he needed to go through. Mr. Fernandez said that Mr. Garcia did not agree that he needed to go through that process and wanted Mr. Fernandez to sign the plat administratively. Mr. Fernandez told Mr. Garcia he could not do that and for that reason Mr. Garcia disagreed in the manner with which the County was dealing with the issue. The letter Mr. Garcia refers to indicates that he was being placed on the agenda to raise this issue to the Board.

Mr. Garde said the County has an Ordinance that due process requires that all neighbors be notified through the publication process. Mr. Garde said without going through that process, this Board, under its Ordinance, would not have authority to approve the request of Mr. Garcia at this time.

Mr. Garcia said there is a tract of land east of his that is 89/100 of an acre and it has two trailers on it. By Mr. Garcia's house on Highway 116, there are small parcels on Salvador Martinez's land. Mr. Garcia said he was never notified of anything and that's the procedure. Mr. Garcia said that administratively, this should've been accepted because he meets all the requirements. Mr. Garcia said he told the County Manager and County Planner that he would just leave it as it is and Mr. Fernandez is the one responsible for Mr. Garcia being here. Mr. Garcia said the County Manager is supposed to decide this and he has negated to decide it. Mr. Garcia said he meets every step of the way and said, "You don't have to notify your neighbors in that particular case if you meet everything."

Michael Lundmark said that those who worked to create a new Planning & Zoning Ordinance worked hard to achieve an established procedure that would be consistent into the future to create predictability. Mr. Lundmark said this is something that was not an individual applying for a split of lands that hasn't gone through the Planning & Zoning Department and hasn't applied properly in accordance with the Ordinance. Mr. Lundmark asked that the Commission support the Ordinance that was created a couple of years back procedurally and for cases into the future. Commissioner Padilla thanked Commissioner Pando for his motion in asking for recognition and support from the staff that is working diligently for this County. Commissioner Baca made a motion to table this item until the proper procedures are taken and to advertise for neighbors to come before the Commission also to express their concerns. Commissioner Daves seconded the motion with the understanding that the proper form would likely be the Planning & Zoning Commission and ultimately it might come to the Commission. Mr. Garcia said he approached the Planning & Zoning Commission and they haven't given him an answer yet and the reason why he is here is because of Mr. Fernandez's letter. Mr. Garcia said he meets the minimum requirements and it's supposed to be stamped by Administration if he meets the minimum requirements. Commission Chair Aguilar asked Mr. Garde, "Has there been a violation of procedure by having a letter that says that the decision is denied by Planning & Zoning Staff and gets placed on the agenda as an action item to come before us and now we're saying you need to go back? Have we in effect accepted it and overridden the procedures?" Mr. Garde said, "We can't override the procedures when you're denying due process to the neighbors." Motion carried.

Request to Name Five Roads in Pasitos Unit 5 after Individuals.....Kate Potter

Kate Potter, President of the Board of Habitat for Humanity of Valencia County, introduced Executive Director Kevin Cronk. Mr. Cronk said Habitat for Humanity has been in the County for 6 years and their mission as a non-profit organization is to provide affordable decent housing for families that are in need here in Valencia County. To date the Organization has built 25 homes. The money that is generated in the program is through local contributions. A new project is beginning in the Pasitos Subdivision and the present street names are named after Greek Gods, which is in conflict with Habitat's ministry. The theme for the streets that have been presented to the Commission are all Habitat related names, as they are biblical as well as certain individuals that have a very strong influence in Habitat for Humanity throughout the United States, such as Millard Fuller who is the founder of Habitat, former President Jimmy Carter, Patrice Radke who is an individual who has brain cancer who at 28 years old came to Valencia County and donated \$40,000.00 to build a house for a family in Valencia County and her friends and family flew here at their own expense, and built the house in 7 days and one hour. Richard Chavez from Planning & Zoning told the Commission he

proposed to Habitat to name the roads after Greek mythology and they rejected the road names so officially they are not named. Mr. Chavez recommended denial for their request. There are 13 roads in that subdivision and there are 5 surnames for those roads. Mr. Chavez referred the Commission to Resolution 93-10 that it has to get unanimous approval by the Board. Commissioner Daves thinks Habitat for Humanity is a "humane, grand occurrence" that this world is doing and is a very positive thing. Commissioner Daves said there are certain people who need honor and has no objection to any of the names that are listed there. Mr. Chavez said there is "Cronk" road and Mr. Cronk is a resident of the County. Commissioner Daves felt that would be a problem. Mr. Chavez commented that he doesn't think there's anyone worthy of having his or her name alongside the word of God. Commissioner Pando said that Habitat is doing something very worthy and needed in the community and to give them a little bit of credit for it, he's all for it. Commissioner Padilla said there is a little problem here because the Commission turned down Rosendo Garcia for not following procedure and policies and said, "So what are we going to do? Are we going to just overlook a policy?" Commissioner Padilla said by changing the names, they're not following policy. Commissioner Padilla made a motion to take the recommendation of Richard Chavez, which is to deny. Commissioner Baca seconded the motion. Mr. Chavez said the policy is to name street names after generic words, no surnames, and if a resident requests to name a road after himself or herself or a family member, it is brought to the Commission for a vote. Commissioner Daves voted against the motion based upon the notion that these are people that look like they were deserved to be named. Commissioner Pando addressed Tom Garde, County Attorney, about Rosendo Garcia and that they were talking about an ordinance and an ordinance is a form of the law. This is a resolution, and a resolution is basically a wish list of the Commission, so the resolution is not a point of law. Mr. Garde said this resolution is what Planning & Zoning goes by when they make their decisions and the resolution does not carry as much authority as an ordinance, it's intent. Commissioner Daves said as far as he knows a resolution is binding until it's repealed and it has to be followed, but the language of the resolution says, "that upon request to the Rural Addressing Department and upon unanimous consent of the Board of County Commissioners, a particular county road, street or private road may be designated by a surname, as long as such designation is not duplicative of an existing road name or confusing to the public". Commissioner Daves thinks the request is reasonable and hopes somehow to get five votes. Commissioner Padilla stated, "now be it hereby resolved that it shall be the policy of Valencia County that the Rural Addressing Department will use numbers or generic place names and no surnames, as defined below, for local county roads, streets, and/or private roads, and that duplication of the same may not exist." Commissioner Baca voted yes. Commissioner Padilla voted yes. Commissioner Daves voted no. Commissioner Pando voted no. Commission Chair Aguilar said, "We started out this meeting by saying that we need to support staff and we need to have trust in staff and I have to follow that." Commission Chair Aguilar voted yes. Motion carried.

Amend Zone Maps from AP to RR2.....Russell & Melodie Good

Melodie Good told the Commission that she believes she has followed all the procedures and asked that the Commission approve a change in their area from Agriculture Preservatives to R2. Ms. Good said that land used to be R2 and was shocked a few months ago when she found out it had been changed. This property is south of Belen on Highway 304 and is next to the river. Ms. Good buys her water rights from the City of Albuquerque and waters with underground sprinklers. Ruben Chavez, County Planner, said that Planning & Zoning voted in favor of the zone change. Commissioner Daves made a motion to approve this zone change. Commission Chair Aguilar said she always goes to the Commissioner from that district for comments or recommendations. Mr. Chavez said that the property is not irrigated and is leased. Mr. Chavez said of the five issues that need to be followed, three of them are left. The other two, which is maintaining the commercial agriculture enterprise, they can't do that because they don't own the water to do so, and the fifth one, is the newly created lot shall continue that economic opportunity and they can't do that because that part is not irrigated. Mr. Chavez recommended to approve the 4.6-acre split they want and the rest of the property is still being irrigated although artificially, it still is an attempt to maintain that and still give them the opportunity to split the parcel that is not irrigated. Ms. Good is requesting that the entire 40 acres be changed to R2. Ms. Good said it was her understanding at Planning & Zoning that the whole piece of land was recommended. Mr. Garde had a concern that, "On the notice of public hearing, it indicates a request to amend zone maps from AP to RR2 for the purpose of splitting 4.6 acres." Mr. Chavez said, that is correct, her intent is to do the lot split. Planning & Zoning told Ms. Good that they could not accept the lot split because it was zoned AP, therefore she would have to request a zone change to RR2. Ms. Good told the Commission that Agriculture Preservative only allows a person to split off ten acres at a time, so she asked that her entire property be rezoned so that if she wants to split it off that becomes a new issue. Commission Chair Aguilar addressed Mr. Garde, what was requested at Planning & Zoning, and what was advertised. The advertising was to allow her to remove 4.86 acres from the 36.83 acres but the difference would stay AP. Ms. Good said she doesn't believe that's what was approved at Planning & Zoning and in her letter it states that's what she wishes to do. Mr. Garde said there's a letter from Steven Chavez that indicates the request of the split for the 4.6 acres was recommended for approval. Commissioner Daves stated he supports the motion that he made earlier. Commission Chair Aguilar asked Mr. Garde, "We have a difference of understanding, how can action be taken on something when the applicants are saying it's not what she wants?" Mr. Garde said the advertisement was for the 4.6 acres. Mr. Garde read from the publication, "The Commission will hold a public meeting on August 7, 2001 to consider a request to amend zone maps from AP to RR2 for the purpose of splitting 4.6 acres from tract A. Commission Chair Aguilar read a motion by Commissioner Chavez from the Planning & Zoning minutes that say, "Motion has been made by Commissioner Chavez that the Good property approximately 40 acres be changed from AP to RR2. Do I hear a second? Commissioner Holiday

said, I'll second it." Commissioner Padilla made a motion to change from AP to RR2 the 36.83 acres. Commissioner Daves seconded the motion. Motion carried. Commissioner Padilla withdrew his motion but asked how to enter the motion. Mr. Garde said that in going through the packet, it appears that all the adjoining property owners were notified. Mr. Garde said, "This Commission has authority to do all or as recommended by staff recommendations, which is the 4.6. The technical problem is it was advertised only for the 4.6. Mr. Good said the surrounding property is zoned into mobile home lots of 100 X 100 feet. Commissioner Daves made a motion to approve the change from AP to RR2 as the packet is before them for the full acreage. Commissioner Pando seconded the motion. Motion carried.

Dale Jones said in his estimation, every one of the landowners is going to be in the same boat as this lady and are going to want their land split into the two acre minimum because of the difficulty in trying to sell 10 acre pieces. Mr. Jones said he brought this to the Commission a long time ago about trying to get the 10 acres redefined to five acres for AP because although two acres is neat for RR2, there is some need for land in this valley to be in larger blocks than two acres and hopefully if it went to five acres there would be some difference. Mr. Jones asked the Commission to instruct the Planning & Zoning people to re-look at the AP acres and try to get it to a realistic figure before the County loses it all.

Appeal Planning & Zoning Department Decision to Deny Lot Split.....M.G. Martinez

M.G. Martinez thanked Ruben Chavez, as he was very professional in studying Mr. Martinez's case. Mr. Chavez did deny this packet as it was not in accordance to the ordinance and appreciates what Mr. Chavez indicated but one of the avenues was to proceed either with the Planning & Zoning Committee or the Commission. This property is located in the area of Seabell and Peyton Road. This is a five-acre piece of property. Initially it was divided into two pieces, one was a 3-acre piece and the other was a 2-acre piece. In 1996, Mr. Martinez had the option to break it down into smaller pieces, which would've been 1 acre. Mr. Martinez had a surveyor plot the land and broke the 5-acre piece into two 1.5-acre lots and two 1-acre lots for a total of 5 acres. Mr. Martinez had this property surveyed and approved by the County Manager and the wording on the plat indicates that Paul Gabaldon administratively approved it on June 24, 1996. Mr. Martinez had the intent but forgot to file it in the Courthouse. Mr. Martinez does not plan to sell the land. Commission Chair Aguilar said the stamp that is on this, it hasn't been recorded but it says "For tax assessment purposes only". Mr. Chavez said he's had that same problem in reviewing past plats and what he got from the County Clerk's Office is that back at that time, that was the stamp that Paul Gabaldon was using, it was not the tax certificate. Mr. Chavez said everybody accepted it and that was the stamp he liked, but that was not the tax certificate stamp. Commissioner Pando said, "I don't think we have anything legally that we can deny Mr. Martinez, because he just didn't record it, but it's a legal plat." Mr. Garde said that's the precise problem, it was never recorded. Mr. Garde asked the Commission to allow him some time to research this. Commissioner Daves asked if Mr. Martinez has been getting taxed on the separate parcels. Mr. Martinez said he is getting taxed on 2 parcels, the 2-acre and 3 acre. Mr. Chavez said, "This is an R2 zoned lot and there is two exceptions to an R2 lot." Commissioner Daves asked if the failure to file makes it an illegal or undone lot split. Mr. Chavez said the reason he went with this is because the only other exception would be a lot of record and this is not a lot of record. Commissioner Pando asked Mr. Garde where the Commission stands legally on this issue. Mr. Garde said he has serious concerns and asked for two weeks until he can research it. Steven Chavez, County Planner, told the Commission that there is a statute of New Mexico State Law on surveying statutes and filing statutes. Mr. Chavez believes there is a time period, and then they become voided if they fail to file. Commission Chair Aguilar had concerns about going into an RR1 and in approving this they're creating a noncompliant lot and dealing with an easement that is only 21 feet. In 1996 it was already designated that roads had to be 30 feet. Commissioner Daves said this is one he would vote against. Mr. Martinez told the Commission, "Why don't I make life easier for you guys. I just withdraw it. I don't plan to sale it. I've never sold any pieces of property; I've got over 40 acres here and quite a bit in northern New Mexico. I just thought since it was there I'd just take a deal and I think you have more important things to do than my package. I've heard you, thanks for your time. I'm a happy camper."

Commissioner Baca excused herself from the meeting and will return.

Request Signature & Approval on Sub-Grant.....Juan Julian

Sheriff Juan Julian informed the Commission this has been modified, the grant is still the same, but his request has changed. The total of this was \$8,800.00, the state grant is \$6,600 and the match is \$2,200.00. Initially Mr. Julian thought the whole grant was \$6,600 and come to find out it was \$8,800.00 with a match. Mr. Julian does have that match in his budget. Mr. Julian recommended that the Commission approve this. Commissioner Pando made a motion to approve. Commissioner Padilla seconded the motion. Motion carried.

Approval of 2001/2002 Board for Tierra Bonita & Acceptance of Quarterly Report.....Robin Ver Eecke

Robin Ver Eecke told the Commission about the quarterly report for Tierra Bonita. Ms. Ver Eecke said they ended last quarter with the Great American Clean Up Month and had 5,000 volunteers during that month picking up 20 tons of trash. May was a month of meetings, reports, and paperwork. June was the end of the fiscal year and the entire grant from last year has been spent except for a few hundred dollars in Youth Employment and most of that was used by a youth hired at the Courthouse and then taken over to Animal Control for maintenance purposes. The Governor's

7th Annual Truck for Trash took place August 24-30, and this year Valencia County took third place in which they received a nambe plaque. Ms. Ver Eecke has brochures that have the other winners and applicants for the program. There were four youth from Valencia County that won prizes in the poster contest and those prizes are DVD Players for the classroom and money for the schools that they attend. Ms. Ver Eecke invited the Commission to the annual potluck, where they introduce the new Board and elect the officers. Ms. Ver Eecke asked the Commission to approve the new Board. The members are: In Business/Industrial/Agriculture they have Stephanie Williams, Dale Jones, and Mike English, in Community Organizations there are Kristen Gorbach, Julie Benavidez, and Chris O'Connor, in Education there is Roger Reese and Ted Hodoba, In Members at Large there are Lorraine Chavez, Yvette Johnson, Jan Larsen, Magda Rundles, Lisa Durkin, and in Local Government they have Debra Sanchez, Lyda Smith, two open positions, Frank Holguin, and James Fernandez is always a member as Valencia County Manager. Commissioner Padilla made a motion to approve the 2001/2002 Board in acceptance of the Quarterly Report. Commissioner Pando seconded the motion and congratulated Ms. Ver Eecke on the outstanding job she does every year. Commission Chair Aguilar echoed that. Motion carried.

Update of Trash Study committee.....Commissioner Daves/R. Ver Eecke

Robin Ver Eecke informed the Commission that the Trash Committee is continuing to meet twice a month. The Trash Committee is working to establish a countywide policy to encourage residents to dispose of their trash properly and eliminate illegal dumping. Ms. Ver Eecke presented her first plan of work to the Commission on May 1, 2001 and most of the members have continued to attend the meetings. The Committee has reviewed the past solid waste management of Valencia County, the existing ordinance, and is in the process of reviewing ordinances from other Counties. A major flaw in the existing ordinance is the requirement that each residential household not under contract with a hauler regularly haul its trash to the transfer station. There is no practical way to enforce this and it does allow residents to accumulate trash and dump it illegally. On June 20th, the Committee invited the haulers currently operating in the County to meet with the Committee and everybody except Charles Apodaca, from Reliable Waste, attended the meeting and the haulers were very supportive and cooperative with the proposal. On July 11th, Stella Candelaria from the City of Albuquerque Solid Waste met with the group and said the City has had mandatory trash pickup for 50 years and the City operates its own trash pickup and landfill. Her recommendation to the group was to keep it simple and affordable with as many services included in a fee to make it harder and more expensive to dump illegally. The City of Albuquerque addresses illegal dumping immediately and there is cooperation between the incorporated and unincorporated areas. On July 25th, George Avalos, Public Works Director from Dona Ana County, made a presentation on the history of solid waste in their County. Their County has tried several approaches but found that with every approach the revenues were below expectations and what was required for them to operate their seven transfer stations and dumps. The County requires a dollar per month for each residential customer and two dollars per each commercial customer from the haulers and they charge \$12.61 per month in assessment fees to all incorporated residents who do not have haulers. This allows all County residents to use transfer stations without payment and are able to leave anything they want to get rid of at the transfer stations. Mr. Avalos estimates that illegal dumping has decreased 25-40% in the eleven months since the implementation of their program. Mr. Avalos also informed the Trash Committee that Dona Ana County and Las Cruces has an operational solid waste authority. They operate the transfer station, which accepts the waste from the City of Las Cruces. Individuals and haulers can use this facility as well. The waste is compacted and then transferred to their landfill. Officials from local municipalities will be invited to the Trash Committees next meeting, which is tomorrow night at 7:00 P.M. After that the Committee hopes to begin formulating recommendations. Commission Chair Aguilar told Ms. Ver Eecke she appreciates the meeting and recommendations and asked if she's okay with making copies and trusts that the County will do that for her. Commissioner Daves said that this is a serious process they have under way and would like to make this something that the Commission can act on and move forward positively. Commissioner Daves is hoping that the County can come up with some ideas for cooperation among the municipalities and the County. Commissioner Daves said the Committee is very interested in the Dona Ana County ordinance because it looks like it is something that has shown a great amount of success.

Michael Lundmark from Los Chavez told the Commission that the last couple of Trash Committee meetings have been very productive, especially with Mr. Avalos coming from Las Cruces and explaining the trials, problems and efforts that went into this. Mr. Lundmark invited the Commissioners to attend and participate in a meeting because this issue will be solved in the future.

Commissioner Pando asked about mandatory trash pick up, Tri Sect, and where the County is on those two issues. Tom Garde, County Attorney, said the County is still waiting for the Attorney Generals Office to respond. By statute they were supposed to have done that in 30 days and it is well passed the 30 days.

Monica Mireles, Administrative Assistant to the County Manager, told the Commission that Valencia County submitted a grant to the environment department for the Solid Waste Program. Ms. Mireles passed out information to the Commissioners for their review.

**Request Signature on Contracts-North Central NM Economic Development
Dist.....Mary Ann Gonzales**

Area Agency on Aging

Mary Ann Gonzales requested approval of signatures for contracts. The first one is an Area Agency on Aging Contract. Ms. Gonzales requested that the County Manager sign it because she requested reimbursement on a monthly basis. Whoever's signature is on the contract, they sign the reimbursement. Tom Garde, County Attorney, said he reviewed the contract and it is appropriate. Commissioner Pando made a motion to approve Ms. Gonzales's recommendations contract and have the County Manager sign it. Commissioner Padilla seconded the motion. Motion carried.

Cash in Lieu of Commodities

Ms. Gonzales requested a signature for the cash in lieu of commodities, in which a monthly reimbursement is requested. Commissioner Pando made a motion to approve. Commissioner Padilla seconded the motion. Motion carried.

Senior Employment Program

Ms. Gonzales also requests reimbursement for the senior employment program. Ms. Gonzales asked for the County Managers signature. Commissioner Padilla made a motion to approve. Commissioner Daves seconded the motion. Motion carried.

Presentation of Information on 501 C-3.....M. Gonzales/B. Sanders

Mary Ann Gonzales gave the Commission a progress report on the 501 C-3. Ms. Gonzales said she met with County Manager James Fernandez, and County Fiscal Officer Carlos Montoya initially to request that the County Attorney look at this action to see if it was in any way binding the Commission or County since it is something new. Ms. Gonzales said after County Attorney Tom Garde researched this, he said it would be fine and Ms. Gonzales could do this separately and did not have to go through the Commission. Ms. Gonzales said this is an avenue for funds as they are in need of more services for the seniors in Valencia County. Ms. Gonzales would like to see an adult day care and in home services for the seniors. The state wants Ms. Gonzales to look for other avenues to support the program. Bob Sanders told the Commission that if the Senior Program wants to do more things, such as what Ms. Gonzales mentioned, the Program would have to do it themselves. The 501 C-3 is a non-profit corporation. The purpose of this particular 501 C-3 will be to raise funds for the Valencia County Senior Citizens. Mr. Sanders thanked the following people who have been very helpful in getting the Senior Program to the point that they are: Attorney Tom Garde, Jack Holmes from United Way, County Manager James Fernandez, Fiscal Officer Carlos Montoya, Dave Pedu new publisher for the News Bulletin, and Commissioner Pando. Mr. Sanders said there are two steps left. They have to become a New Mexico non-profit corporation, and they have to go to the Internal Revenue Service and apply for the 501 C-3. Commissioner Pando thanked Mr. Sanders and Ms. Gonzales for all the work they put into this.

Commissioner Baca returned to the meeting.

Indigent Appeal/Report/Uniform Indigent Application form.....Barbara Baker

Commissioner Pando made a motion to convene as the indigent Board. Commissioner Baca seconded the motion. Motion carried.

Barbara Baker, Indigent Administrator, said that Fiscal Officer Carlos Montoya is requesting an appeal for four of the Valencia County inmates. The reason they were denied is because their bills were received after 90 days from the date of service. The amount that would be paid if approved would be \$2,598.24. Ms. Baker recommended that this be approved because sometimes they are not sent to the right place and Ms. Baker doesn't get them in a timely manner. Commissioner Padilla made a motion to approve. Commissioner Baca seconded the motion. Motion carried.

Ms. Baker presented indigent claims from June 21, 2001 to July 25, 2001. There were 76 claims submitted. The amount of claims submitted is \$153,602.60. Ms. Baker asked the Commission to approve \$31,614.78. Commissioner Padilla made a motion to approve. Commissioner Pando seconded the motion. Motion carried.

Ms. Baker said when she attended the Indigent Affiliate for the Association of Counties in June; the Indigent Administrators have been encouraged by the State to use one statewide application for indigent. Everyone at the Affiliate approved this that they would be willing to do this. Ms. Baker recommended accepting it. Commissioner Pando made a motion to approve. Commissioner Baca seconded the motion. Motion carried.

Commissioner Baca made a motion to re-convene as the Valencia County Board of Commissioners. Commissioner Pando seconded the motion. Motion carried.

Commission Chair Aguilar excused herself from the meeting.

Commissioner Pando made a motion for 45-minute recess until 1:00. Commissioner Padilla seconded the motion. Motion carried.

Commissioner Daves made a motion to re-convene from recess. Commissioner Pando seconded the motion. Motion carried.

Request Continuation of Administration Fee to be Charged if Property Tax is less than \$5.00.....D.M. Coplen

Diana Coplen, County Treasurer, requested from the Commission a continuation of administrative fees to be charged if the property taxes are less than \$5.00. Commissioner Daves made a motion to approve Resolution 2001-31. Commissioner Pando seconded the motion. Motion carried.

Request Imposition of \$30.00 Insufficient Funds & Return Check Charge.....Diana Martinez-Coplen

Diana Martinez-Coplen, County Treasurer, told the Commission that she has determined that the current fee of \$20.00 for insufficient and returned checks is no longer feasible due to the increase of returned checks she receives during the rush time. Ms. Coplen asked the Commission if she could increase it to \$30.00 in order to cover the costs and the manpower. Commissioner Pando made a motion to approve Resolution 2001-32. Commissioner Daves seconded the motion. Motion carried.

Establish Penalty Level for 2001 Property Taxes That Become Delinquent.....Diana Martinez-Coplen

Diana Martinez-Coplen, County Treasurer, told the Commission that each County Commission throughout the State of New Mexico can either adopt to waive the \$5.00 minimum penalty as per NMSA section 7-38-50 by no later than September 1st each year. It is recommended by the Treasurers Office that the minimum penalty shall not be imposed for the year 2001. The \$5.00 minimum penalty is not equitable and penalizes the smaller taxpayer. Commissioner Daves made a motion to approve Resolution 2001-33. Commissioner Pando seconded the motion. Motion carried.

Request In State Travel:

Medical State Exams for EMT-1 Level in Clovis NM/L. Goetz & J. Forman.....James Fernandez

James Fernandez, County Manager, received a letter from the Valencia County Fire Marshall requesting in state travel for Linda Goetz and John Forman of the Meadow Lake Fire Department to attend training in Clovis. Mr. Fernandez said this is being brought to the Commission for public records as these individuals have already attended the training, which took place on August 4, 2001-August 5, 2001. John Cherry, Fire Marshall, asked Mr. Fernandez for approval of this travel and since it was between meetings, Mr. Fernandez granted him approval of that. Commissioner Pando made a motion to approve. Commissioner Baca seconded the motion. Motion carried.

Request Permission To Publish Subdivision Design Standards.....Ruben/Steven Chavez

Steven Chavez, County Planner, requested to publish for a public hearing on subdivision design standards. These standards are very close to what the Rio Grande Utility Company uses as well as the City of Los Lunas. The Planning Department made some changes so they could be more compatible with rural design.

Ruben Chavez, Assistant County Planner, told the Commission that the whole purpose behind these design standards is when they were reviewing subdivisions, there are subdivision regulations, but there are no set standards for the developers to build within that subdivision. Subdivisions in the County have a wide range in terms of being 5-acre tracts or 2-acre tracts, and the Planning Department is working on addressing those. What costs the County the most amount of time right now are the more suburban types of subdivisions. In this proposal, this design would only apply to subdivisions of less than one acre. The Planning Department will be bringing forth design standards for subdivisions of 1 acre or more. They have talked about setting design standards for roads, survey monumentations, sidewalks, sewer and water utilities, lighting, and drainage. The planning Department feels that it is really important to protect the residents that buy within those subdivisions. The Planning Department has received assistance from Dennis Lynn Engineering, Steve Crawford, Valley Improvement Association, Rio Grande Utility, and Molzin Corbin. Mr. Chavez said things such as sidewalks may not be necessary and with lighting, it may not be necessary to have so much. Commissioner Pando thanked Mr. Chavez and congratulated him on a good job.

Steven Chavez said that this is really consumer protection and also protects the County. These design standards and the engineer for the County, will review the development proposal. Lots of more than one acre have been exempted from this. Commissioner Pando had concerns that the developer should pay for the engineer that the County picks. Mr. Chavez said that is in the subdivision regulations that were just amended and it is the next issue for publication. What will be requested is 1.5% of infrastructure costs at preliminary and 1.5% of infrastructure costs at final approval. Commissioner Pando made a motion to accept Document #1 for publication purposes. Commissioner Daves seconded the motion. Motion carried.

Request Permission to Publish Amendments Comprehensive Zoning Ordinance 99-07.....Planning Department

Section 702,703,1305, & an addition of a new Section 704

Steven Chavez discussed amendments to the Comprehensive Zoning Ordinance with the Commission. Mr. Chavez told the Commission that these are the sections dealing with industrial

uses, 701, 702, and 703 are the I1, I2, and I3 districts and 704 is the proposed new industrial park zoned district, where there is a moratorium in place. Mr. Chavez said there are also changes to the I2 and I3 zone districts. Commissioner Pando had questions about prohibiting use of land and water mass including the use of evaporative ponds are not allowed as a single use and are prohibited in the anti district unless showing a substantial necessity can be demonstrated. Mr. Chavez said evaporative ponds are basically consumption as they consume a lot of water. Mr. Chavez thinks it's a good idea to limit the use of evaporative ponds to the most extent practical and to try to find a way to recycle water as much as possible. Commissioner Pando also asked about sewer and water accommodations in the industrial district. Mr. Chavez said there is a water problem in the County and this discourages the use of water where water is not recycled.

Commissioner Pando asked Mr. Chavez to go over the fees. Mr. Chavez said those are per use, for instance there is a zone change for a commercial use and a site plan is necessary. The developers have to show Planning & Zoning that drainage is appropriate and they're not going to flood their neighbors. This allows Planning & Zoning to send it to the County's engineer, as there are some problems that need the consulting of an engineer.

Mr. Chavez said that 704.02, is the new subsection of the new retro parks district. Basically this is the area of application where there are two requirements. A person cannot have an industrial park district if these two criteria are not met: the sight has been designated for industrial park in the comprehensive plan, or the property in the affected area is presently provided with or will provide adequate public facilities, services, and transportation networks to support the use internally and externally including paved major collector or higher class roads leading to the proposed site, or such facilities, services, and transportation networks are planned to be provided concurrently with the development of the property. Mr. Chavez said a comprehensive plan should identify appropriate sites generally for industrial uses. Mr. Chavez said he always refers to the Comprehensive plan for major uses.

Commissioner Pando asked Mr. Chavez to elaborate on prohibited uses in section 704.07. Mr. Chavez said any consumed uses of over 75 acre feet per each individual use is prohibited. Mr. Chavez said he should've stated in there "consumed use". Commissioner Daves thinks that 75 acre feet is a mistake and maybe there shouldn't be a number there and the water planning language is very good and there doesn't need to be anything about water in the prohibited uses. Mr. Chavez said he would take that prohibited use out.

Commissioner Pando had concerns of site areas being a minimum of 100 acres, as that seems small. Ruben Chavez said Planning & Zoning didn't know what the minimum sites were. Commissioner Daves said that the sawmill could be created some other way as they deleted "C" and added "G". Commissioner Daves asked, under 703.02, if somebody wants to come and put in a sawmill because they have trees on the hill, how could they do it? Steven Chavez said if its not specifically permissive in the district, they would have to come under a conditional use as that's the way the I3 is set up. Steven Chavez said 703.03 is a conditional use, it would just go before the Planning & Zoning Commission. Commissioner Daves said there is an inquiry to Planning & Zoning specifically for a planned use in an industrial park that will be created convenient to I25 where you don't need a bridge to get to it. Commissioner Daves thinks it's a bit much to put in "fingerprint language" when there has been an inquiry and this will kill that good faith in informing the County of what the developers are up to. Steven Chavez said if its not expressly contemplated as a permissive use than it is a conditional use automatically by default. Steven Chavez thinks although there may be a hint of a good faith issue, he thinks the good of the whole prevails here. Steven Chavez also said if it's allowed as a conditional use, these people are not cut off entirely, it is just not a permissive use.

Carlos Lopopalo asked when these people did come forth and present all these things in an open fashion, Mr. Lopopalo said they never even thought anything about a paper mill. Then all of a sudden this thing goes specifically to target when Planning & Zoning knew that this was the major part of the process into new jobs and new educational things. Commissioner Pando said this is all hearsay because nobody has done any paper work or plan. Commissioner Pando said there are provisions in the ordinance so things can be looked at but the County needs to be protected as far as the most precious resource the County has, which is water. Steven Chavez said that everything they have done with this can be challenged under the law and in this case, the people have not applied yet. Mr. Chavez said although this affects the people in this case it is not targeted at them; it is targeted at the existing I3 zones, which are more susceptible. Steven Chavez said this industrial park district, in good faith, allows this large developer to come in and speculate their land. Without this ordinance, they wouldn't be allowed to do what they want to do. If they do get their uses passed, they can establish specific categories of uses for specific areas for the industrial park. Commissioner Pando made a motion to allow Planning & Zoning to publish. Commissioner Baca seconded the motion. Carlos Lopopalo said it appears that these two industries that he personally knows, and are down here today looking at the site, want to come in to New Mexico. Mr. Lopopalo said from what they told him, it seems ironic that this one paper mill is crossed out when everyone knew in good faith that the paper mill and electric plant were two of the projects. Mr. Lopopalo asked if this is totally shutting out the people with the plant. Motion carried.

Request Permission To Publish Amendment to Subdivision Regulations Article 9.....Steven Chavez

Ruben Chavez, Assistant County Planner, told the Commission he talked about Article 9, which are administrative fees when they were talking about Subdivision Design Standards. The two changes

that are being proposed in article 9, is the 1.5% at preliminary plat and the 1.5% review fee at final plat. Mr. Chavez said the 1.5% is a percent of their construction costs and there is a form they produce and give an estimated cost. Planning & Zoning then gives it to their engineer to make sure that it makes sense. Mr. Chavez said on item C, the summary review plat is \$200.00 per lot. Commissioner Daves asked if this corrects the problem of being able to administratively bypass the process. Mr. Chavez said no, under the ordinance they can appeal it to the full Board, but they still have to go through the Planning & Zoning Commission. Commissioner Daves thinks the ordinance should stop them from doing that even if the Planning & Zoning Commission has to become the appeals board. Commissioner Pando made a motion to give approval to the Planning Department to publish. Commissioner Daves seconded the motion. Motion carried.

Comprehensive Plan Update.....Steven Chavez
Steven Chavez, County Planner, told the Commission he hasn't had any time to put into the Comprehensive Plan since the last workshop. Basically chapters 1 and 2 have been completed and those were requested to be adopted at that workshop. Those chapters were tabled. Chapter 3 has been completed but hasn't been presented to the Commission. Mr. Chavez has an outline template completed for the last four chapters. Mr. Chavez does not think this comprehensive plan can be done the way the Planning Department is staffed.

Request Approval of Resolution to Increase Recording Fees.....Tina Gallegos
Tina Gallegos, County Clerk, requested approval of a resolution to increase recording fees that the County Clerks Office currently charges. In March of 1995, Senate Bill 635 was approved and signed by the Governor and it's a Clerk's option for a Clerk's equipment fee. When the County Clerk's Office charges a recording fee, a portion of that money goes into an account for the Clerk's equipment fund. That fund is there to equip the County Clerk's Office with any equipment they need to run the office. Currently \$7.00 is charged for the first page of a recording with \$2.00 for every additional page. The increase will go up to \$8.00 for the first page and \$2.00 for every additional page. The Clerk's equipment fund has purchased a lot of equipment for the Clerk's Office such as: the space saver, lektriever, reader printer, microfilm reader, copy machine, all the personal computers, and all maintenance agreements. Cibola, Torraine, and Santa Fe County all increased to the \$8.00. Bernalillo County is still charging the \$7.00 because they're a class A county so they are not able to increase their fee. This could have been implemented in July of last year, however the past administration chose not to. There was an agreement between Bernalillo, Valencia, and Sandoval Counties to keep all recordings the same since the Title Companies all work within those three counties. Ms. Gallegos has spoken with the Title Companies and Sandoval County has and is planning to implement the additional dollar. This is a fee that Title Companies will pass on to the consumers in their closing costs when they buy property. This will also be for anybody who goes to the Clerk's office to record. The Clerks' equipment fund can only be used for rent, purchase, leasing, and equipment associated with recording, filing, and maintaining of documents. Currently, the County Clerk's office receives \$40,000.00 a year in that budget and increasing this dollar the Clerk should receive about \$60,000.00 a year. Commissioner Daves made a motion to approve Resolution 2001-34. Commissioner Baca seconded the motion. This will be effective September 1, 2001. Motion carried.

Establish Committee on Third 1/8th Gross Receipt Tax.....Commissioner Daves
Commissioner Daves told the Commission that he would like to create a committee for the third 1/8th gross receipt tax. Commissioner Daves proposed a committee with himself, Sheriff Juan Julian, and County Fire Marshall John Cherry to be Chair of the Committee to organize a campaign in support of the 1/8th of a cent gross receipt tax. Commissioner Daves will be going to the Bosque Farms City Council Meeting later on this month and Commissioner Pando will be going to the Village of Los Lunas. People from Highland Meadows have offered to be on the Committee and if it's established they are and will be on it. Commissioner Pando said he fully supports this. Sheriff Juan Julian commended the Commission for publicly supporting this, as this is a well thought of idea. Sheriff Julian said this would accomplish a lot of things that need to get done within Valencia County and to provide services to Valencia County. Sheriff Julian asked the news media to support the Commission on this. Sheriff Julian spoke to Senator Sanchez and he told Mr. Julian he would support this and be willing to pay for spots on the radio or newspaper to help promote this. Commissioner Pando made a motion to establish this committee. Commissioner Daves seconded the motion. Mr. Cherry said he would be honored to be part of this. Motion carried.

Request Approval of Resolutions.....Tom Garde
Method for Requesting County Road Maintenance
Tom Garde, County Attorney, told the Commission this is a draft resolution that was prepared for consideration. This resolution was submitted to the Planning & Zoning office, Road Superintendent, and Fire Marshall's Office. This resolution came about with regards to the concerns involving road maintenance concerning the use of road viewers. Recently there was a road that was in the wrong spot in which the Commission was to consider for maintenance. This is a procedure that will spell out how a road will be accepted for maintenance. Initially the request would go to the Road Superintendent and he would then disseminate the information to the various county agencies, such as Fire Marshall, Planning Office, and Rural Addressor. These departments would then make recommendations to the Road Superintendent and the Road Superintendent would then make his own recommendations. Ultimately this matter would come before the Commission for determination. Within this draft a procedure was added that would allow this Board to accept roads that do not meet

exact specifications. This would set out certain conditions that would be required that the Commission would need to look at with regards to accepting roads that do meet the County's specifications. What was developed here is a minimum of ten occupied dwellings, school bus route, emergency service, and a right of way of at least 20 feet. One requirement is that the road is essential for the public's health, safety, and welfare. There was also a provision set out in which road viewers would not be used for these roads. There have been many situations where the road viewers never submitted reports. This would eliminate the use of road viewers in very limited circumstances. Mr. Garde explained that a partial waiver would be when a road is accepted subject to the people adding gravel to it. On letter D of the resolution, it has requirements, Commissioner Pando asked if those are all requirements or if they are "and/or". Mr. Garde said each one is a requirement. Commissioner Pando said that is a problem because there are many roads that don't have ten residents, like the one in Highland Meadows and yet that is the main road. Commissioner Pando also had a concern about the requirement that the road must have been constructed prior to December 1, 1987 and in 1987 is when the zoning ordinance went into effect and when roads were done properly. Commissioner Pando thinks that date needs to be eliminated. Commissioner Pando referred to a resolution that Commissioner Daves drafted and said he likes that one a lot more because it seems to give the Commission a lot more leeway. Mr. Garde said the date of December 1, 1987; the reason that language was drafted was theoretically, every road built after that date would have met County specifications. Mr. Garde said the Commission can modify this resolution and with regards to the 10 occupied dwellings on a road, this was an effort to try to get some control over the number of roads that would be considered by this Board. Another concern that Mr. Garde has addresses liability in that if a road is accepted that ultimately is going to create a liability hazard then the County has to rethink how it accepts those roads.

Commissioner Daves said that in 1987 the County required, on paper, that roads be built to standards. Most of the roads that aren't to standard and can't be accepted under this resolution were constructed under those regulations, but the County did absolutely nothing to enforce those regulations, so they are not to standards. That includes most of the roads that are in dire need for public health, safety, and other reasons for acceptance for minimal maintenance by the County. Commissioner Daves said the major problem, outside of the Highland Meadow issue, is roads that in fact this resolution would not address or allow the waiver. Commissioner Daves thinks the language of "full or partial waiver" is very good language. Commissioner Daves said the County has a history with regulations that no attention was paid to, as it had to do with the resources. Commissioner Daves wants to address that in a fundamental way with the language that he is recommending in the resolution. Commissioner Daves will eliminate numbers 1-8 and put in new language. Commissioner Daves corrected some language that should be on the resolution, "The Board may, in its discretion, grant a full or partial waiver in order to accept roads for maintenance that do not otherwise meet the above road standards. If the acceptance of the road is essential to the protection of public health, safety, and welfare, with the understanding that County maintenance of accepted roads will be undertaken with available funding as pursuant to priorities for road maintenance county wide." Commissioner Daves said the County has a public health, safety, and welfare problem as in one situation, the ambulance had to be pulled out by a wrecker and that should be a liability to the County as there is something the County can do about it. Commissioner Daves does not want the County to accept the road because somebody lives on the end of the ten miles and wants this road to be grated so the ambulance could get there, so the County should consider it and shouldn't be bound by a number. Commissioner Daves said whether the road is an established school bus route is an important consideration and those kinds of roads should be maintained. A very critical one is the accessibility to dwellings of emergency service, medical, and fire protection that doesn't tear up their trucks as they're rushing to a fire or an ambulance that gets stuck trying to get somebody out. That's public health, safety, and welfare and if there's one man down the road, maybe get a chopper to get him, but if there's twenty families there, Commissioner Daves said the County should do their best to put this road on a maintenance schedule and accept it as a public governmental responsibility which Commissioner Daves thinks it is. Commissioner Daves would like the ability to waive certain things and still have the discretion not to waive it.

Commissioner Pando asked Mr. Garde, on the "considerations to be used in determining whether a full or partial waiver is granted are" should it legally say "or"? Mr. Garde said he would discourage "or" because it would indicate that a person would only need one of the above, as long as everything is considered that would be a better way. Commissioner Pando said as long as this does not make something ineligible. Commissioner Daves said that is a consideration. Commissioner Padilla thinks there needs to be some kind of restrictions or the County will end up with a tremendous budget. Commissioner Daves said for every road that is dedicated, the County gets money that is generated by the tax dollars of anybody who buys gasoline and include those who are on these roads that aren't accepted. Commissioner Daves has asked and hasn't received, as to how much money that is. Commissioner Daves said it is up to the Commission's discretion. Commissioner Padilla asked, what's so wrong with the attorney's resolution on number D with the standards? Commissioner Daves said they absolutely don't allow any new roads that need to be accepted because most of them are post 1987 roads, and many of them don't have the ten houses on them, and not all roads are on the school bus route, but there are people on those roads and the fire truck needs to go down them as well as a school bus. Commissioner Padilla asked Mr. Garde, "If you were to accept Commissioner Daves recommendation on number D in terms of viewers, what is the implication that might cause some real problems?" Mr. Garde said, "Commissioner Daves language within this document, the concern I have is really a liability issue, and we discussed that. My concern is for example with Highland Meadows, its all clay out there and if we accept a road for dedication and it's clay rather than just blading the road, it needs much more substantial work done on it."

Commissioner Pando said that kind of bothers him because he worked with the people for a long time. The people were going to pay for the gravel and they had everything done. Then the County could not go out there to spread the gravel because of liability. Commissioner Pando said if the County had taken a chance that day, that road would've been accepted and forgotten a long time ago. Commissioner Pando referred to the Resolution, "Acceptance of dedication is reserved for the Board of County Commissioner who has the option to accept the dedication, to not accept the dedication, or to accept the dedication contingent upon roads being constructed in conformance with County standards and specifications." Commissioner Pando said the Commission could have the people bring the roads up to standards before they accept. Commissioner Pando talked about how Zamora Lane is not a County Road, but the road behind it is a County road. Zamora Lane has been a road since 1884.

Commissioner Daves asked County Manager, James Fernandez, about his concerns or recommendations with regard to the language in terms of both financial or liability concerns and the benefits it would provide otherwise. Mr. Fernandez said, "I don't know that there will be a stampede of individuals coming in here. I think your language achieves the same thing as Mr. Garde's does, the only thing that you've done is eliminate the dates and the ten residents. I think it's basically come to a hybrid of the two. I don't have a problem with the wording." Commissioner Daves would like staff, the Road Department, and the County Manager, that at a time the dedication is in front of the Commission, and might otherwise want the Commission to give a full or partial waiver, to say the County doesn't have the money. Commissioner Daves said he thinks there are ways to allow something to happen and to prevent something negative from happening at the same time. Commissioner Daves did that language as, "Maintenance would be undertaken with available funding and pursuant to priorities for road maintenance countywide." The implication is that it doesn't become paved the next day and it isn't brought up to standards the next day. Most of the non-paved roads in Valencia County, the ones that are actually county accepted, don't meet county standards and there is occasional clay, according to Commissioner Daves. Commissioner Padilla asked Mr. Fernandez, "If we were to eliminate number 1 or rewrite it somehow and number 6, I'm willing to accept a County Attorney's recommendation. Do you think that would work?" Mr. Fernandez said, "I think you've addressed the issue in terms of the occupied dwellings, I don't think you've placed a number on it but you've talked about taking it into consideration if I recall. I've seen some wording in here that you would take into consideration but I don't think you need to arbitrarily place a number." Mr. Garde said, "I think the language that is in here now which will be undertaken with available funding, I think that would meet my concerns. The only thing that I might add to Commissioner Daves version is we might add in addition to the number of occupied dwellings on the road or major arterial road, that might be one way to satisfy Highland Meadows situation." Commissioner Daves said he would have no objection to that. Mr. Garde said the language would be, number of occupied dwellings on the road or major "collector" road. Mr. Garde said his concern on the "10", is he didn't want a situation where there would be five people on a hundred yard road and getting that road maintained when it's been a private road. Commissioner Pando said he understands Mr. Garde's reluctance but goes back to the paragraph Commissioner Daves put in there and thinks that covers everything. Mr. Garde saw that as a way to eliminate some issues coming before the Commission. Mr. Garde said, "I think looking at the resolution as a whole, this will safeguard the County. Now we have actual staff making recommendations to this Board rather than road viewers making recommendations. I think this Board will have a much better picture of what's before you rather than the situation that we've had in the past where we have three road viewers making a recommendation on just check marking. That way we'll have actual staff recommendations that this Board will consider."

Commissioner Padilla asked, "This is not going to cost a tremendous amount of money that the County couldn't absorb?" Mr. Garde said, "That's going to be up to the Road Superintendents determination. And that's why one of his duties within this process is to advise this Commission what costs the County would have to absorb if in fact they accept a certain road." Commissioner Padilla said so there might be some problems where a Commissioner can tell the supervisor that he wants that road done. Commissioner Daves said that's the way it is now. Commissioner Padilla replied, "I don't think it is that way. We've got some safeguards now, it's just not that simple." Commissioner Daves said it is that simple and that's one of the problems. Commissioner Padilla asked if it's that simple how come that road in Highland Meadows had a problem? Commissioner Daves said that road has been grated, so that's that simple, but fundamentally there needs to be an institutional acceptance of certain roads so its not a chronic, have to call in for help problem. Commissioner Pando said that the people in Highland Meadows are willing to work with the County as far as purchasing millings and so forth, but until this continues the County is not going to accomplish anything.

James Ashmore, from Highland Meadows Neighborhood Association, told the Commission he's had an opportunity to review this proposal and feels it's an outstanding document and is an opportunity to change some ways to do business as a County. Mr. Ashmore feels this document empowers the Road Superintendent and gives him the opportunity with his expertise and staff to identify what the Attorney's concerns are as far as what's required to bring a road up to standard. In this proposal, it allows the Commission to consider whether all that has been met and if not, how it will be met. For example, the Highland Meadows road does not meet 100% of standards that are currently identified in the County. Knowing that, the people of Highland Meadows have come to the County and proposed to help put some of the costs to get it there, but they don't have certain equipment and capability to do that. In a joint project under this proposal, these people could do that reducing the costs to the County and still getting that road to required standards, as it was a concern to the Attorney. It also empowers the Board to have more flexibility to consider issues in rural communities

that are exceptional, that the current requirements do not allow the Commission to do. This also will give the Commission an opportunity, in the Comprehensive Plan, to be able to incorporate a prioritized road plan for the whole county so that maybe a few dollars can be dedicated every year for this type of improvement that can be joint community projects where the community puts in a little bit and the County puts in a little bit.

Carols Montoya, Fiscal Officer, told the Commission there are 1200 miles of roads that are dedicated in the County and 1200 miles that are not dedicated. A grater operator costs \$12.00 an hour and the operation of a grader, costs \$25.00 an hour. Mr. Montoya thinks they need some information as to how much the County gets reimbursed from the State of New Mexico for every mile that is dedicated. Mr. Montoya said that the people in Highland Meadows have a different situation than the people in the El Cerro Mission area, as there are different types of terrain in the County. Mr. Montoya asked, why can't there be different types of standards of roads that can be accepted depending on what type of area they are. People who live in Highland Meadows made the choice to live there and that's a different set of circumstances than people who live closer to the valley. Mr. Montoya said it is expensive to maintain roads and thinks the Road Department should get some answers as to how much the County gets reimbursed from the State and what the total cost is of maintaining county roads. Commissioner Pando told Mr. Montoya that they can't deal in a world of dollars and cents, they have to help the people. Commissioner Daves wants the Commission to have reasonable discretion, professional weighing of cost benefit in terms of the cost of a grader, and wants to know what the County gets back for every mile of accepted roads. Mr. Fernandez said that with the rains last year, the County spent \$24,000.00 in rental costs for equipment and to haul the dirt was the primary cost.

Commissioner Pando said that supposedly Dehaan Road is a County road and he couldn't go through there because there are mountains of trash in the middle of the road and he sunk in the sand. In the east mesa there's about 300 miles of dedicated roads that nobody ever uses. Commissioner Pando has offered to trade off so there's no additional expense because those roads are not maintained and have never been maintained.

Steven Chavez, County Planner, told the Commission that there is not language in the resolution regarding newly created roads and he would like to see in the exclusion section a statement specifically excluding newly created roads.

Commissioner Daves asked if the resolution, as he suggested amending it, is acceptable. Mr. Fernandez said yes. Tom Garde County Attorney said the wording will be "Number of occupied dwellings on the road or major collector road" will be inserted. Mr. Chavez told the Commission they may not want to limit themselves to "major collectors" but use "collector roads". Mr. Garde said to use "collector roads or local access". Mr. Garde also corrected the last sentence on that paragraph, "Roads created after the effective date of this resolution as specifically excluded". Commissioner Daves made a motion to approve the resolution 2001-35 with those amendments. Commissioner Pando seconded the motion. Motion carried.

Request to Go Out To Bid/Enclosing Exterior Kennel Areas of Existing Animal Control Facility.....James Fernandez

James Fernandez, County Manager, asked the Commission for permission to go out for bid for enclosing the exterior kennel areas of the existing animal control facility, as well as looking at the ventilation in terms of heating and cooling also for that particular facility. Funding of that would be utilized from the proposed revenue bonds and is one of the listed items on the priority list of the revenue bonds for renovation and construction. Commissioner Pando said his understanding was a lot of this money was going to be used for the Belen facility, but in talking to a gentleman that Mr. Fernandez recommended to hire part time, he feels that it would be to the County's advantage to add kennels to the north of the existing animal control shelter and not enclose the sides, rather than to add to the one in Belen. Mr. Fernandez said one of the things they would look at is the feasibility of the cost of enclosing some of the existing kennel areas; it makes more sense to pull that wall out and add some space. Mr. Fernandez said that under any bid they could have a tier or a substructure to give options in which the Commission can choose from.

Carlos Montoya, Fiscal Officer, told the Commission the concern of the activists was the heat and cold on the existing facility, so they had the architect go out to the facility to see what is the most inexpensive way to get this problem solved. Preliminary costs on the bid that Mr. Fernandez is requesting is between \$20,000.00 and \$25,000.00, that would be enclosing the kennels on the north side and on the south side and opening the dog runs that were closed a couple of years ago. If the Commission wants to construct new kennels, that can still be done. Mr. Montoya said when they do this RFP, they plan to meet out there on the site, the architect will be there and will explain to the bidders what exactly they're doing, and this does include ventilation. Commissioner Pando thinks the Commission should hold back a little until they really know what they want to do and instead of fixing this half way, to really fix it. Commissioner Daves said something that might not be perfectly compatible with the ultimate master plan should be done but there is a need for something to be done fairly quickly. Commissioner Pando suggested having a coats for dogs drive to collect old jackets and blankets that nobody wants and give them to the dogs. Commissioner Daves made a motion, based upon the tiered point to move forward to allow administration to go out and request for bids. Commissioner Pando seconded the motion. Motion carried.

Approval of Professional Service Contracts/County Comprehensive Plan...James Fernandez

James Fernandez, County Manager, told the Commission there was a proposed contract submitted to the Commission from Steven M. Chavez for professional services to complete the Comprehensive Plan. This particular contract is for a six-month period and compensation is a rate of \$2,600.00 per month. This contract has some specific items indicating what Mr. Chavez will do. Mr. Fernandez read parts of the contract to the Commission.

During the discussion of this contract, Mr. Fernandez made the Board aware of two things. This particular contract would cost roughly \$15,600.00 added to Mr. Chavez’s compensation for the four pay periods during this current fiscal year and payment of any possible annual leave would be summation of a total expenditure of roughly, in excess of \$23,000.00. That would leave roughly \$23,000.00 for the remaining of the fiscal year if the Board should want to look at the possibility of hiring another Planner or some type of administrator or organization in the Department. Mr. Fernandez also told the Commission that any consideration of this contract should be based on whether they felt that it was the direction this Board wants to go, in terms of the comprehensive plan. Mr. Fernandez expressed his concern that there was a need for some existing structure within the Planning & Zoning Department as of now. Commissioner Pando had a concern about the public wanting this plan finished. Commissioner Pando feels if the Commission does not give Mr. Chavez the contract, they will be going backwards. Commissioner Pando also feels they need to hire additional help in the Planning & Zoning Department. Mr. Fernandez said if the Commission would hire a new Planner, the remaining funding that would be available would place a limitation, as that wouldn’t be able to take affect until sometime after the early part of the year. Mr. Fernandez said that not only is the Comprehensive Plan an important element that this Board wants to see put forward, but there are other aspects of that department that also need to be addressed.

Carlos Lopopalo said the County needs this Comprehensive Plan and Mr. Chavez was doing a great job on it. Mr. Lopopalo urged the Commission to get this plan finished.

Commissioner Pando said there should be some type of a savings that's been accumulating in Planning & Zoning due to the fact that there is a zoning officer and secretary who have been gone from that department for a few months and the County hasn't had to pay them. Mr. Montoya said there is \$15,000.00 to cover the contract for Mr. Chavez and suggested to allow Mr. Chavez to finish the plan. Mr. Montoya said the positions that were budgeted last year have been eliminated from this upcoming budget. Next Tuesday is the final budget. Commissioner Daves asked Richard Chavez and Ruben Chavez for their opinions on this.

Ruben Chavez said his position was created to help Steven Chavez with this plan and improving the department. Mr. Chavez supports the contract because he supports the project. If the County would start all over again with somebody else, it would take another 2 or 3 years. Mr. Chavez said there needs to be some restructure or organization in the Department.

Richard Chavez fully supports awarding Steven Chavez the contract to finish the plan, as it is very much needed. Mr. Chavez said they couldn’t wait two weeks to restructure the Zoning Office. As far as restructuring, a plan was submitted to the County Manager with the money that is available within the budget.

Commissioner Daves had a concern that awarding this contract will limit the ability to timely replace that position or under a reorganization to provide staff support that Planning & Zoning needs.

Carol Anaya, Personnel Manager, told the Commission there is a Zoning Officer that will be coming in under the VIA contract and the part time secretary will start soon.

Steven Chavez said that Richard Chavez and Ruben Chavez are ready to take on the added duties.

Mr. Montoya said the final budget would be presented on Monday August 13, 2001.

Tom Garde, County Attorney, excused himself from the meeting.

Commissioner Daves made a motion to enter into the contract with Mr. Chavez as revised. Commissioner Pando seconded the motion. Mr. Fernandez asked the Commission for authorization to look at the restructuring. Commissioner Daves said it seems that it will give Mr. Fernandez direction if they approve the contract. Mr. Fernandez asked, if within this organization if they are going to want a Planner at some point. Commissioner Daves would like Mr. Fernandez to brainstorm, as it is a decision up to the Commission when it is brought to them at that time. Commissioner Daves does not want the Commission to point Mr. Fernandez in any particular direction. Commissioner Daves, Commissioner Padilla, and Commissioner Pando felt Mr. Fernandez should use his discretion. Motion carried. Commissioner Pando told Mr. Fernandez that he would like to see every department head do what they have to do and for Mr. Fernandez to let the department heads know what their duties are. Commissioner Pando would also like Mr. Fernandez to have staff meetings, as there are a lot of problems that come up and nobody is aware of them.

The average daily count of inmates is 113. There were periods during the month when the number was high, and the highest count was 131. Commissioner Pando asked about a deal with bringing other prisoners to Valencia County. James Fernandez, County Manager, and Carlos Montoya, Fiscal Officer, met with immigration looking at possible contracts that would be utilized but they never got back to Mr. Fernandez.

Update on Preliminary Budget

Mr. Fernandez received approval allowing the County to submit the final budget by August 15, 2001. Mr. Fernandez had preliminary discussions with the Assessors Office. One of the items that was one of their major holdups was coming to a consensus on how the Assessors budget was going to be handled. There is a resolution that the Assessor is aware of the constraints that the County is dealing with and will allow the County to use the budget that was presented basically putting some of these individuals from her staff under the reappraisal program. Some of the other requirements were to have an audit to have cash balances in place. There was some difficulty with that in terms of the new software that was presented to the County both in Fiscal and Treasurer's Office, and those were not worked out until the final day of July. There is a budget meeting Monday August 13, 2001 at 9:00 A.M.

Request Signature on Joint Powers Agreement.....Carlos Montoya

Housing of Municipal Prisoners/Village of Los Lunas & Valencia County

Carlos Montoya, Fiscal Officer, presented a joint powers agreement for the jail with the Village of Los Lunas. The reason for this is the County's prices increased from \$71.00 a day to house the prisoners to a fee of \$82.92. This will be in effect until June 30, 2002. The rate increase is due to the cost operation of the jail. Commissioner Pando made a motion to approve this agreement. Commissioner Baca seconded the motion. Motion carried.

Information of Bureau of Justice Assistance LLEBG Grant for Valencia County Sheriff.....Monica Mireles

Monica Mireles, Administrative Assistant to the County Manager, reported to the Commission that the County did apply for a grant in the amount of \$43,118.00 through the Bureau of Justice Local Law Enforcement Block Grant Program. Ms. Mireles has not received an answer as to whether or not the County has been funded. Part of the grant is that there needs to be an Advisory Board. Ms. Mireles asked the Commission for direction on how to proceed on comprising an Advisory Board. Commissioner Pando asked where the rest of the money would come from. Carlos Montoya, Fiscal Officer, said he'd find it. The Advisory Board will be comprised of local law enforcement agency, local prosecutors office, local court system, local public school system, local non profit agency and they will make nonbonding recommendations of how to spend this money in the Sheriff's Department. Commissioner Daves, Commissioner Padilla, and Commissioner Pando agreed that Ms. Mireles could submit names to the Commission.

Ms. Mireles told the Commission that the County also requested funds from the Juvenile Accountability Incentive Block Grant Project Funding Proposal for improvements for the juvenile detention facility. Valencia County requested \$16,000.00 and of that the County would have to match 50% of that which would be \$7,500.00. In speaking with the Association of Counties, Ms. Mireles found out that the County has been preliminary approved and the request needs to be reviewed by the CYFD. Commissioner Pando asked how Bernalillo and Sandoval Counties fit into this. What Ms. Mireles proposed is the Regional Authority would match \$5,500.00 and Valencia County would match \$3,000.00 to make up the \$7,500.00. Improvement would include a centralized master control, a high security man trap door system, creation of a multipurpose room that would include renovating the kitchen facility, and the installation of additional razor wire around the recreational area. This would incorporate the improvements to both wings.

Adoption of Final List of Projects to Be Funded by Revenue Bonds.....Carlos Montoya

Carlos Montoya, Fiscal Officer, gave the Commission a list of proposed projects to be used by the revenue bonds a week ago. Mr. Montoya asked for a confirmation of this list in order to get it to the financial network to get started on this. If this is approved today it will be published on August 15, 2001 and it will be published as a notice of intent to adopt the Ordinance. On September 4, 2001, they would adopt the ordinance. On September 8, 2001, a summary of the ordinance will be published, and on October 9, 2001 will be the closing of the revenue bonds. If there are any changes, Mr. Montoya told the Commission that this would be the time to do that, as far as with the list of expenditures, if not this will be forwarded to the financial consultants to prepare the ordinance as presented. Closing is scheduled October 9, 2001, at that time the County would get funded. The County will invest that money and keep it there as the County has three years to use the money and the County will be drawing interest on it. So as the County sees fit to do these projects, it will use available money. Mr. Montoya will set up a stand-alone revenue bond fund where this money will come out of so at that point he will wait for the direction of the Commission to tell him to go forward on the projects that are listed. Mr. Montoya said the County needs this money to complete the road projects that they have set forth to get done before December of 2001. Commissioner Daves said these roads are not just something that have been thrown in recently but are the roads formerly adopted by the Commission in the year 2000 and this is the way the County can meet the obligations to the State. If approved, these roads will be completed by December 31, 2001.

Commissioner Pando hoped that the County doesn't need that much money to fix the problem. Commissioner Pando asked if this money could be used for raises to a department or hiring more personnel. Mr. Montoya said no, on the criteria of revenue bonds, that can't be used for salaries, it is basically for capital outlay projects. Commissioner Pando asked about the \$40,000.00 for speed humps as the County spent \$5,700 on speed humps so far and asked if the County is going to go out and put speed humps or do more studies. Mr. Montoya said the money would be available for installing the speed humps. Mr. Fernandez said the goal is to use the asphalt for speed humps.

Commissioner Pando asked about a 1.3 million dollar grant for the transfer station. Mr. Montoya said this \$15,000.00 that is proposed, the Environment Department has put the County on alert that they are required to have fire protection at the site, so this money will cover a well, pump, over ground storage, and a booster pump. This will allow for sufficient fire pressure in case of a fire. The 1.3 million is a grant that was proposed and sent on Friday not only to improve the transfer station but also to help the County with financial costs of closing the existing landfill. This will also include equipment that the County will require in the event the County gets a landfill, as they will need transport trucks.

Commissioner Pando had questions about the Planning & Zoning vehicles and Building Inspector vehicles as they are in dire need. Mr. Montoya feels that this money would be enough to take care of the immediate problems and said that at the last meeting, a vehicle was approved for the Fire Department. Once they get their vehicle, Mr. Montoya is requesting that the vehicle the Fire Department has now, be turned over to the Building Inspector. The Road Department Superintendent is looking at the federal surplus and at the state surplus to see if the County can get some vehicles. The \$60,000.00 that is budgeted should provide for three 4X4 vehicles. The state contract right now is about \$19,000.00 on a plain blazer type vehicle. Commissioner Daves asked what kind of discretion the Commission has to use the balance of the bond money. Mr. Fernandez said as long as the request fits under that department, they have a little discretion. Mr. Montoya told the Commission, this will be spelled out on the bond ordinance and this is staff's intention to spend the money where they say they're going to spend the money. Mr. Montoya asked for approval of the adoption of the final list of projects. Commissioner Daves made a motion to approve this list as presented. Commissioner Pando seconded the motion. Motion carried.

Request Approval of Payroll & Warrants.....Carlos Montoya

Carlos Montoya, Fiscal Officer, told the Commission the printout listed on the warrants issued by the Fiscal Office on July 27, 2001 covers payroll warrant #65687-#65715 and payroll #68292-#68474 of a listing total of \$187,445.49. Commissioner Pando made a motion to accept warrants as presented. Commissioner Baca seconded the motion. Motion carried.

The attached computer printout issued by the Fiscal Office on August 2, 2001 covers vendor bills processed including warrants #65717-#65787 for a listing total of \$463,878.92. Out of that \$354,781.00 is from the general fund. From the general fund, the fee to Cornell was \$265,454.00 for the month of June. Commissioner Pando had a question on check #65730 as he thought they paid the Narvarez Firm all they owed. Mr. Fernandez said the last time they indicated there was going to be a small holdover, and this was that holdover. Commissioner Pando made a motion to accept warrants as presented. Commissioner Baca seconded the motion. Motion carried. Mr. Montoya said the County is paid up on all bills and doesn't have any debt.

The next Regular Meeting of the Valencia County Board of County Commission will be held on August 21, 2001 at 6:00 PM with Executive Session beginning at 5:00 P.M. in the County Commission Room at the Valencia County Courthouse. There will be a budget meeting on August 13, 2001 at 9:00 A.M.

ADJOURNMENT

Commissioner Pando made a motion to adjourn. Commissioner Baca seconded the motion. Motion carried.

<p>NOTE: All proposals, documents, items, etc., pertaining to items on the agenda of the August 7, 2001 Meeting (presented to the Board of County Commissioners) are attached in consecutive order as stated in these minutes.</p>

VALENCIA COUNTY BOARD OF COMMISSIONERS

**ss/
ALICIA AGUILAR, CHAIRMAN**

**ss/
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: September 4, 2001

For an official signed copy of these minutes and attachments see Book 41 Page 616.