

**VALENCIA COUNTY BOARD OF COMMISSIONERS**

**Regular Meeting Held At**

**Los Lunas Village Council Chambers**

**May 21, 2002**

Chairman Aurelio H. Padilla called the Meeting to order at 5:02 P.M.

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

**Executive Session**

Chairman Aurelio H. Padilla called the meeting to order at 5:02 PM., Tina Gallegos, County Clerk, read the agenda for the executive session Commissioner Pando made a motion to enter into executive session. Commissioner Daves seconded the motion. Motion carried. 3-0. Commissioner Baca not present.

Motion was made by Commissioner Pando to go to Regular Meeting. Commissioner Daves seconded the motion. Motion carried. 3-0.

Carol Anaya, Human Resources Manager, reported that during executive session the following was discussed. Resignations of John Mallory, Sheriff’s Department, Marcus Lovato, Transfer Station, Inez Anaya, Indigent, Early Voting Hires, Luz Chavez, Robert Hotchkiss, Theresa Winter, Wilfred Otero, Steven Saavedra, Evangeline Tafoya, Rita Zamora, End of Probationary Status For Linda Cisneros, Animal Control Manager, Victoria Mora, Older American Respit Care Helper, Eric Tanner, Animal Control Officer, Administrative Leave Without Pay, Joe Perkins, Sheriff’s Department, Transfer from Deputy to Detective with no salary increase, Clyde Joseph, Temporary Transfer, Patricia Griego, Manager’s Office to County Clerk’s Office until June 7, 2002. Motion was made by Commissioner Daves to accept report. Commissioner Pando seconded the motion. Motion carried. 3-0.

Tom Garde, County Attorney reported that in executive session pending litigation lawsuit involving Steve Romero still waiting for decision on that case. Discussed was the status of Ber Ben Road. Also discussed existing garnishments with regards to County funds from Wells Fargo as a result from a default judgment. Discussed was the billing from Santa Fe County with regard to inmate that was not sentenced to the County Jail and received direction for that situation.

Commissioner Pando made a motion to accept Mr. Gardes report. Seconded by Commissioner Daves. Motion carried. 3-0.

**Chairman Padilla asked Mayor Ronnie Torres to lead the Pledge of Allegiance.**

**Approval of Agenda**

Tina Gallegos, County Clerk read the agenda. Commissioner Pando made a motion to accept the agenda as read. Seconded by Commissioner Aguilar. Motion carried. 3-0.

**Approval of Minutes**

Commissioner Aguilar made a motion to approve the minutes of April 16, 2002 and the minutes of May 7, 2002 with minor corrections. Commissioner Pando seconded the motion. Motion carried. 3-0.

**Public Requests**

Nick A. Romero requested the Commission support in bringing the National Cemetery to honor veterans to Valencia County. Mr. Romero is a member of the Blue Ribbon Committee which he is involved in and would like to see the cemetery located in the hub of the County. The National Cemetery in Santa Fe is closing in a few years and is at full capacity and no new land will be acquired. Mr. Romero said the committee is looking for property alongside the interstate which would be easily accessible. Mr. Romero said the economic benefits are assured. Mr. Romero asked the Commission involvment in this to have the veterans in mind in bringing this national cemetery to Valencia County. Mr. Romero said the land in Albuquerque is astronomical to purchase. Mr.

Romero said Valencia County is at an advantage here because property is available but the Veteran's Administration has to be physically responsible when they are looking at sites. We are at a point now where we can be very competitive if we can work together and be bi-partisan and have the veterans in mind in bringing the National Cemetery to Valencia County. Mr. Romero thanked the Commission. Commissioner Pando said he felt very strong with the same idea as Mr. Romero being a veteran himself he has no problem in supporting the cause to bring the National Cemetery to Valencia County. Commissioner Pando said he had done a personal survey and found out that Valencia County has more Bataan Death March survivors than in any other county in the state. Commissioner Pando said at the next Commission Meeting a resolution could be drafted in support and also asks the Village of Los Lunas to do the same and asked in the audience Mayor, Ronnie Torres to support this cause also. Commissioner Pando asked Commissioner Daves to ask Bosque Farms city members for a resolution and take these resolutions to our representatives to push this forward. Mr. Romero said we have petitions already started and our goal is a minimum of 10,000 and he feels comfortable with the bi-partisan support this can happen. Commissioner Aguilar asked what else can the Commission do? Mr. Romero said a resolution would be a good start. Mr. Romero asked the Chairman to name a representative of the Commission to be a part of this Blue Ribbon Committee and will ask this of all the political subdivisions and then we will be bringing in the veterans for their input.. Mr. Romero stated we need a good cross section of organizations and this will involve a lot of work. Commissioner Daves said this was a great idea but it will have to be free dirt and our land is beautiful but it is also trashed, our County needs to be a good host for hollowed ground. Commissioner Daves thanked Mr. Romero for his presentation and said he fully supports him. Commissioner Aguilar said have they thought about the well situation and Mr. Romero said yes it is already in place. Commissioner Pando asked could we instruct staff to put this as an action item on our next agenda.

Chairman Padilla said just for the record Commissioner Baca was not present her father had fallen ill and she could not attend.

#### **ACTION ITEMS:**

##### **Approval of Proclamation to Establish Fireworks Restrictions – John Cherry**

Charles Eaton, Deputy Fire Marshal, Valencia County on behalf of John Cherry to petition the Commission to enact a proclamation for Valencia County limiting the use of fireworks and banning fireworks in wildland areas within the unincorporated areas. We are in a severe drought season. Chairman Padilla asked Mr. Eaton to read the proclamation out loud for those present. Commissioner Pando said he had discussed this issue with Mr. Cherry and the consensus with different entities had the same ordinance with the exception of Los Lunas that they were going to allow for the sale of roman candles. Mr. Eaton said the state law gives us a certain amount of authority and personally think the roman candle is an aerial device and just as hazardous as the other prohibitive items but state law doesn't allow us to ban this particular item. Commissioner Pando said we have to follow state statute unless we do like the City of Belen and draft a separate ordinance. Mr. Eaton said yes and be more stringent with it. Commissioner Pando said we should have a consensus because if it is banned here in Los Lunas but not in Belen it is going to create a problem. Commissioner Aguilar asked Mr. Eaton to define in Section 3 of the proclamation the term wildlands and also in Section 2 areas that are paved or barren or that have a readily accessible source of water for use by the homeowner or the general public. Mr. Eaton said the statute does define the section but the proclamation does not and wildlands is pretty much all of Valencia County.

Chief Jack Dicke, Tome/Adelino Fire Department commented regarding the proclamation as outlined on the restriction on the sale of certain sales of fireworks considering extreme fire danger that exists and lack of rain in the forecast in the coming months and the restrictions are necessary in the interests of public safety. There have been a number of calls the fire department has responded to in the first three months and most of these calls were for uncontrolled fires due to landowners burning their fields, ditches, yards or weeds. An alarming number of structures were either damaged or destroyed by out of control fires. Conditions are drier now than they were at the first of the year. According to the National Weather Service we are in the driest period in over 50 years. Aerial fireworks such as bottle rockets, sky rockets, roman candles, helicopters, spinners and artillery shells are essentially uncontrolled once they are ignited. You don't know where they will land. Mr. Dicke asked the Commissions approval on this resolution if the proclamation is approved he also asked the Commission to sign enforcement of the resolution through the Sheriff's Department. The volunteers of this County are not trained to handle situations that require emergency use or the confrontations that may result in this.

Kathy Dicke, spoke out in support of the fireworks proclamation that was presented to the Commission for approval. Ms. Dicke gave an analogy of a cigarette butt being thrown out the window is the same analogy as the aerial fireworks displayed you don't know where they will land and this does form a source of ignition and hazardous if ignited. Ms. Dicke handed out pamphlets from the Southwest area coordinating website for fallen firefighters defining probability of sources of ignition, weather outlook for all seasons. Commissioner Daves asked does this mean merchants of fireworks will and in fact not put on their stands the fireworks that are banned? Charles Eaton answered they do go out within 24 hours of opening and if the fireworks that are banned are on the shelves they definitely will be pulled. Mr. Eaton said they periodically check the fireworks stands to make sure the banned item is not for sale. Commissioner Aguilar said we, as Commissioners need to take action on this agenda item and therefore made a motion to approve the proclamation. Commissioner Pando seconded the motion. Commissioner Daves asked if the Commission could be more restrictive within their power to form an ordinance like the City of Belen did to ban these types of fireworks. Mr. Garde stated the county ordinance in regard to fireworks fire marshal does have the

authority to ban the use of all fireworks to Valencia County. Commissioner Daves asked could the Commission if we amended our ordinance ban roman candles if the fire marshal considers a flying flame. Mr. Eaton said the Fire Marshals office does consider the roman candle an aerial device and the Commission can implement an ordinance at the local level. Commissioner Aguilar said this was discussed last year and it all depended on the weather service and the severity of the drought which gives the Fire Marshal the authority to bring it down to the local level. Discussion ensued. Commissioner Aguilar amended her motion to include roman candles in the proclamation for approval. Commissioner Pando seconded the motion. Motion carried. 3-0.

#### **Report from EMS Director, Dr. Froman**

Dr. Froman gave update on the 2002 protocol to the state's scope of practice on what was allowed in the state of New Mexico. We continue our accountability to the services so all cases are documented. We have appropriate accountability of all the pharmaceuticals in the County. We have taken on the road quality assurance programs that are being put on a rotating basis to the different departments throughout the County. We do case reviews and use educational topics. There is an educational website that is available for anyone's use. Mr. Froman discussed medical priority dispatch concerns to have the ability for medical dispatching, we have fine dispatchers but it is time to come up to the standard of care. We had a meeting that set guidelines for interagency interaction to help structure how scenes operate as to who is in control at what point who arrives first who has the higher level of care when patient turnover takes place and if there is conflict how to resolve this. There has been clear improvement and communication and camaraderie in the field. There was discussion at these meetings to maybe create an ordinance or strengthen the ordinance that is already in effect that increases the standards for transport service. Mr. Froman said there is a need for a full time EMS Coordinator. This position works with different departments every day getting quality assurance, seeking more funding. Commissioner Aguilar asked Mr. Froman Living Cross was being reviewed for liability purposes not enough ambulances and so forth and is it up to standards now? Mr. Froman said he was not their medical director and has no control over their system other than advice through very good work with the State and having meetings in attempts to strengthen resources that Living Cross has. Commissioner Aguilar asked doesn't the County have a responsibility to assure that there is emergency medical service available so that if a call comes in there is quick response and not excuses for going out like lack of funding. Mr. Froman said Living Cross cannot physically provide five units for Valencia County and unfortunately Mr. Froman said his role was not to police or provide care on their side. Mr. Froman said what they have been able to do is step up to the plate to volunteer their services for care. There were problems in reimbursement but that has been remedied. Commissioner Pando said what he was seeing and hearing is if a patient can pay then that is the one that is picked up or if the County assures otherwise it goes to Charles Eaton for transport. Mr. Froman said he had not seen or heard that. Commissioner Aguilar said Mr. Froman is our medical director and if EMS and if problems are continuing with EMS and supplies aren't being reimbursed or replaced or there is problems with EMS being called in then that information should come to the County so the Commission can follow up with the State. Mr. Froman said that is what the meetings are about and are being reviewed. Commissioner Daves asked who Mr. Froman's primary contact is? Mr. Froman said his contact was John Cherry and mentioned he had made himself available and given everyone his contact numbers. Mr. Froman asked the Commission to consider a full time EMS Coordinator who would be his primary contact. Commissioner Pando said this was brought to the Commission's attention but there is a budget restraint. Commissioner Daves asked Mr. Froman what fund is he being paid from the County. Mr. Eaton explained 50% of Mr. Froman's salary is being paid from the County's fire excise tax fund and the other 50% is paid from the City of Belen and the Village of Los Lunas. Commissioner Daves asked Mr. Eaton what his thoughts were on getting a full time coordinator. Mr. Eaton stated that Mr. Froman has brought a high level of professionalism and expertise within the system. There has been a constant accountability for what is done in the field. Commissioner Aguilar thanked Mr. Froman for attending and said morale is high now that Mr. Froman is involved. Mr. Froman said that a meeting with himself and County Commission and Living Cross should take place and maybe resolve issues that are being asked. Mr. Froman stated that the next meeting is June 1<sup>st</sup> with Living Cross, PRC and the State. Commissioner Daves said the Commission should attend. Fred Schumate, State Director of Regional I EMS Bureau wanted to add a little more information and give credit to the tremendous EMS providers that the Commission has in this County. Right now everyone is stretched to the max and Mr. Schumate said he was a realist and there are issues involving communications and there is a potential depending on where the call originates in this County to be transferred three even four different times from phone to dispatch center to dispatch center. In this day of technology that is not acceptable and is not what the citizens expect. Mr. Schumate said he felt the volunteers were losing motivation, spending too much time away from their families and jobs. Mr. Schumate said we do have a good EMS system here. Commissioner Daves said he would appreciate a recommendation from EMS as what the Commission should do. The Commission thanked Mr. Froman for his attendance.

#### **Request Acceptance of Quarterly Report of Tierra Bonita, Robin VerEecke**

Ms. VerEecke, Executive Director for Tierra Bonita reported on the months of February 2002 – April 2002 and during those months efforts went into the planning and preparation for the Great American Cleanup. The donations that have been received include Wal-Mart, Superior Waste, Reliable Waste, and Waste Management. The Village of Los Lunas opened their transfer station to the Association de San Clemente for an hour to collect trash, as did the Conejo Transfer Station. The grant for 2002/2003 is currently being submitted. The policy has changed to assure the money goes to those who have a history of spending all the grant monies. Tierra Bonita has done well in the past. The Commission thanked Robin for a job well done on all her efforts in this capacity.

**Request Permission to Publish New Animal Control Ordinance, Linda Cisneros**

Ms. Cisneros requested permission to publish new animal control ordinance. The last time Ms. Cisneros came before the Commission was that it be requested to go back to the advisory committee and at that time we did and made several corrections, clarifications and additions to the ordinance. We feel at this time it is ready and we can move forward for publication. Commissioner Pando wanted to commend the committee that went through this process and made a motion to allow Ms. Cisneros to publish the new animal control ordinance. Commissioner Daves seconded it. Commissioner Aguilar said she had got a call concerning dogs in the back of a pickup truck unless they were caged. Commissioner Aguilar asked Ms. Cisneros was this one of the changes? Ms. Cisneros said that was in the ordinance. Ms. Cisneros said that she had mentioned the concerns to the committee and the committee felt they had to improve this situation. There are several committee members here and can help answer any questions. Commissioner Pando said he also had calls to that effect. Commissioner Aguilar asked Mr. Garde if he had a chance to review this ordinance. Mr. Garde stated he had reviewed the original draft and this one put before the Commission is for purposes of publication only and not the final document. Commissioner Aguilar requested this new animal control ordinance as well as the Comprehensive Plan be placed on the website. Commissioner Aguilar has not seen it on the web as of yet. Motion carried. 3-0. Tina Gallegos, County Clerk reported that Lawrence Kaneshiro who is in charge of placing the website information for Valencia County but the problem with the comprehensive plan is the size of the file. He is working with Steven Chavez to correct that and as far as the animal control ordinance Mr. Kaneshiro can get this information on the web as soon as possible.

**Request Permission to add Michele Jesperson to Animal Control Advisory Committee, Linda Cisneros**

Ms. Cisneros requested permission to add Michele Jesperson to the Advisory Committee and added they are one member short and she would be an asset to the committee. She is already one of the volunteers that does a lot for the organization. Commissioner Pando gave permission to Ms. Cisneros to appoint Michele Jesperson to the Animal Control Advisory committee. Commissioner Daves seconded the motion. Motion carried. 3-0.

**Request Permission for out of state travel to Tulsa OK, Juan Julian.**

Mr. Julian is requesting out of state travel for the National Sheriff's Association's Annual Conference held in Tulsa, Oklahoma June 22-26, 2002. Commissioner Pando asked where is the money going to come from. Mr. Julian answered grant money used for travel and per diem. Commissioner Pando asked County Manager, James Fernandez does the County have this money. Mr. Julian said there was money within that fund for this request. Commissioner Aguilar asked if this was in conflict with the Association of Counties meeting. Mr. Julian answered it was the week after. Commissioner Aguilar said after asking the County Manager's recommendation on this request she made a motion for approval of this travel to Tulsa, OK. Commissioner Pando seconded it. Motion carried. 3-0.

**Proclamation Recognizing Historical Preservation Week in Valencia County, Diane Martinez Award Presented to Ronnie and Barbara Torres**

Victor Nelbert, Vice- President of Valencia County Historical Society joined here by co-members of the historical society as well as President, Diane Martinez. Mr. Nelbert briefly commented we all know about Sears catalogs and very few of us knew as far back as 1908-1940 Sears had a series of annual catalogs to sell plans and kits for houses. In that very first year 1908 a house was bought here in Valencia County in Dalies Avenue in Belen and that house still stands and is now owned by Ronnie and Barbara Torres. Mr. And Mrs. Torres have worked diligently on the upkeep of this historical home. Each year the historical society gives an award to a family or individual that has done the most to preserve history especially in terms of historical buildings in the County. Mr. Nelbert said it was his privilege to present this award to Ronnie and Barbara Torres for the year 2002. Ms. Martinez said the reasons the society does this is to try and maintain the history of Valencia County. Valencia County is growing and we are losing identity and we need to maintain our identity and we need to recognize these historical sites. On behalf of the Valencia County Historical Society this award is being presented Ronnie and Barbara Torres the 2002 Heritage Preservation Award for the family home on Dalies Avenue in Belen, New Mexico and everyone must go by and see it. Chairman Padilla commented that Barbara and Ronnie Torres were neighbors of his and they turned it into a beautiful show place for historical purposes. Commissioner Daves said he concurred and would like to have a tour of this beautiful showplace. Ms. Torres said there would be a Tea Tour June 9<sup>th</sup> and everyone is welcome. Commissioner Aguilar said it was a job well done and deserved and brings the community together. Commissioner Pando said he had a lot of respect for history and hoped everyone will instill in his or her family the perseverance of history. Mr. Fernandez on behalf of the Commission would like to read the proclamation out loud as presented by the Commission. Commissioner Pando made a motion to accept this proclamation in its entirety. Seconded by Commissioner Aguilar. Motion carried. 3-0.

**Power Point Presentation, Dales Jones**

**Valencia Soil and Water Conservation District to Support ½ Mill Levy**

Mr. Jones gave a slide show presentation on the proposed increase of taxes on property owners. This agenda topic will be for informational purposes only. Mr. Jones put together a power point presentation to support the need for a ½ mill levy increase in property taxes for Valencia County. The mill levy funding will provide solutions for these natural resource problems. Mr. Jones asked the Commissions support for this proposal. There will be an election for the mill levy referendum on June 18, 2002. There will be two polling places available and pamphlets were handed out with all the information provided by the soil and water conservation district. Commissioner Daves asked Mr.

Jones what question would be asked on this referendum? Mr. Jones said he believed it would be directed as a yes or no type question for the voters to vote on. Commissioner Pando asked who controls the monies? Mr. Jones said it was the Soil and Water Conservation District. Chairman Padilla asked if this was a permanent tax. Mr. Jones said a mill levy is only good for a ten-year tax. Commissioner Aguilar said she had received some calls from the Farm Bureau and they were in attendance and would like to hear from them at this time. Commissioner Daves commented wanted to characterize on the development right program. People own agricultural land and its worth is more than subdivision of houses and want to preserve that agricultural land but want to pass that value of that land for development on to their children. The landowner is allowed to get that equity out of their land and still keep it for agricultural purposes. This is a magnificent program if it can be funded. We continue to have the field problem with the birds eating up the alfalfa. This is a good program if there is funding to do it. Commissioner Pando asked could people that live say in El Cerro or Meadow Lake do they vote on this levy? They don't own agricultural land. Mr. Jones said this is not restricted entirely to farmland. Commissioner Pando said it needs to be restricted to farmland. Mr. Baca, President of Farm and Livestock Bureau Valencia County, stated at their meeting the Board chose not to support this mill levy proposal for several reasons. The first one being the Board is very leery with the purchase of developmental rights. The federal government owns the vast majority of land. The second reason as proposed \$175, 000 not sure of this exact figure for agriculture and if they do not buy enough of those projects can that money be switched to another line item. We do not feel this is fair to tax the farmers of this valley just to provide a nature trail. J.C. Sanchez spoke on the concerns of this proposal and does not agree with it. There needs to be a better opportunity to have the voters vote on this mill levy but only two polling places is just not enough. Commissioner Aguilar said Mr. Jones stated it would be \$10.00 more to the taxpayer if this mill levy were to pass. Commissioner Aguilar said this is based on the value of the individual landowner. Commissioner Aguilar brought up questions pertaining to the 4-H program and the obligation the County has toward this program. Marcel Reynolds, Treasurer for Valencia Soil and Water Conservation District said his understanding was the County's responsibility to fund the 4-H program as well as the Soil and Water Conservation District. Their plan is to help the County out for two years. Mr. Reynolds's said in attending County meetings the plan was to recover budget problems for the County in 18 months or a two year period. Commissioner Pando commented that his thoughts were this proposal is geared for the large landowner and the small acreage landowner will suffer. Commissioner Daves commented he couldn't imagine the farmer not supporting this proposal. This is an opportunity that as a farmer we should vote for it. Commissioner Daves said he was shocked at opposition to this and is shocked at Commission opposition to this proposal. Commissioner Daves said this program was positive. Commissioner Pando told Commissioner Daves to speak for himself and didn't appreciate the comment that Commissioner Daves spoke on behalf of the rest of the Commission. The most important issue here is to respect the right of the voters to vote on this proposal. Discussion ensued. Commissioner Pando said he would not support this mill levy because he thought he was fooled by Soil and Water Conservation District proposal. Commissioner Aguilar agreed. Mr. Jones commented he was waiting for the County to get back on their feet and had discussed this with Mr. Fernandez and went on his acceptance to move forward on this proposal at this time. Chairman Padilla said he thought the Commission was blindsided with this proposal and the county is getting hit hard right now with budget problems and insurances going up. Commissioner Daves asked Chairman Padilla does this mean the opposition to keep Extension Service alive? Chairman Padilla said it wasn't a matter of opposing this proposal but we could not predict the budget crises that the County is in. Commissioner Pando felt it wasn't up to the Commission but up to the voters to vote on this proposal. Mr. Sanchez came forward and said it was Commissioner Daves right to say what he did and he's entitled to his opinion and so his he. The farmer is going to be out of water and that right now is his concern and felt he that the Soil and Conservation District was not fair in this proposal. Commissioner Daves apologized to Mr. Sanchez and if he offended him he solely apologized. Commissioner Daves said he felt the opposition was ill founded. Commissioner Aguilar said she had a great respect for Mr. Sanchez and given his age to be here late at night to speak out on behalf of this proposal the Commission had to listen. It is unfortunate the entities could not come forth with an agreement. Commissioner Aguilar thanked the Farm Bureau and the Soil and Water Conservation District for their attendance. Mr. Frank Holguin, Cooperative Extension Service, thanked the Soil and Water Conservation for including them in their presentation on this mill levy. The Cooperative Extension Service was asked to look for funding and this mill levy was a last gasp for air and has found out recently the State funding will not come through so on June 30 there will be a deficit and will have to close the office. Mr. Fernandez stated that on a mill levy it would appear on a property tax bill and the collections on that would begin in November which would notice revenue every month as taxpayers pay. Mr. Holguin said the way the budget process went in Santa Fe completely broke down. Our representative Michael Sanchez put in his efforts but unfortunately the funding was lost. Commissioner Aguilar said we need to move forward.

Five-minute break was taken at 9:20 AM.

#### **Public Hearing – Request Approval of Liquor License Transfer of Location/Moya Brothers, Tina Gallegos**

Ms. Gallegos requested approval of liquor license transfer and this is a public hearing. This request is made by Moya Brothers for the Sheriff's Posse Café located at the I-25 bypass in Belen. Legal notice was posted in the News Bulletin as per requirements. The Moya Brothers are in attendance if the Commission has any questions on the transfer of the license. Commissioner Pando asked if there was any public comment on this transfer. Mike Moya, Partner of the Moya Brothers asked the Commission if they had any questions and he would answer them at this time. Commissioner Aguilar asked Mr. Moya the Sheriff's Posse has been used as a restaurant for several years since you've owned it and the liquor license that is being transferred is already in your name is this correct? Mr.

Moya said we use the restaurant as special event center like weddings, business meetings, graduations, those types of events and it is in our name and all we are asking is transfer of location only. The license right now is located at 674 Jarales Road in Belen, New Mexico. It is in rural residential and in nonconforming use at this time. The address it will be transferred to is 10 I-25 Bypass, Belen, New Mexico Sheriff's Posse Building. It will be changed to a nonconforming use to conforming use. Commissioner Daves asked how does Mr. Moya envision this changing your restaurant? Mr. Moya said it would stay the same and we would keep on using it as a special event center. We don't plan on keeping it as an every day establishment. Commissioner Daves asked Ruben Chavez if this was appropriately zoned. Mr. Chavez said it was since there was no opposition. Commissioner Pando made a motion to accept this transfer of liquor license location transfer only for the Moya Brothers. Commissioner Aguilar seconded it. Chairman Padilla asked the public if anyone had any comments, as this was a public hearing. There were no comments. Commissioner Pando said his motion stood. Commissioner Aguilar seconded it. Motion carried. 3-0.

**Request Permission to Publish to Correct the Valencia County Zoning Maps – Ruben Chavez  
Unit 2 El Cerro Mission Change to PD –(Tabled 5-7) Van Camp Investor Diversified**

Mr. Chavez requested permission to publish to correct the Valencia County Zoning Maps and reminded the Commission this was a tabled item from May 7, 2002. Mr. Chavez presented to the Commission documentation identifying an error on a zoning map. The process as stated by our zoning ordinance was that this correction be done by ordinance itself. This would require publication and would have to ask the Commission for permission to publish. Commissioner Daves made a motion to publish to correct the Valencia county Zoning Maps. Commissioner Pando seconded it. Commissioner Aguilar said this goes to our attorney because at the last meeting she understood the ordinance was being changed. Mr. Garde stated that Section 303.02 of the Zoning Ordinance correcting mistakes provides that when the proposed correction is consistent with the Comprehensive Plan, the Board may, by Ordinance, correct comprehensive plan mistakes or zoning map mistakes upon its determination that the record established that the mistake occurred upon its determination that the record established that the mistake occurred t due to a clerical error or mapping error. Commissioner Aguilar said we should amend the ordinance so we won't have to go through this process every time an error is made. Mr. Garde said if 303.2 were amended it would eliminate this problem. Commissioner Pando said then we should approve this request and then work on amending the ordinance so we won't have to go through this process every time. Chairman Padilla said a motion was on the table made by Commissioner Daves and seconded by Commissioner Pando. Motion carried. 3-0.

**Request Signature on EMS Service Agreement – Valencia County & Village of Los Lunas,  
James Fernandez**

Mr. Fernandez requested Commission signature on the service agreement between Valencia County and the Village of Los Lunas to provide the services of a medical director for the EMS Services of Valencia County and Village of Los Lunas. Commissioner Pando made a motion to approve this agreement. Commissioner Daves seconded it. Motion carried. 3-0.

**Approval of Payroll & Warrants – James Fernandez**

Mr. Fernandez presented Treasurer's Financial Report; as of Monday May 20, 2002 general fund cash balance is \$212,348.18. Mr. Fernandez presented computer printout of all the checks issued by the fiscal office on May 17, 2002 covering vendor bills processed on the above date. Warrant #68452 thru #68541 inclusive. Listing total \$280,731.10 and of that \$42,310.56 is from the general fund. Motion by Commissioner Pando to approve payroll and warrants. Commissioner Daves seconded it. Commissioner Pando voted yes. Commissioner Daves voted yes. Commissioner Aguilar voted yes. Motion carried. 3-0.. Mr. Fernandez presented computer print out lists of all the checks issued by fiscal office on May 17, 2002 covering vendor bills processed on the above date. Warrant #68421 thru warrant #68451 inclusive. Payroll #52155 thru payroll #52331 inclusive. Listing total \$163,293.83 and of that amount \$101,790.56 was taken from the general fund. Commissioner Daves made a motion for approval. Commissioner Pando seconded it. Commissioner Aguilar asked our trash disposal for one month is \$12,000. Mr. Fernandez said that was correct. Chairman Padilla asked Commissioners if motion still stood. Commissioner Pando voted yes. Commissioner Daves voted yes. Commissioner Aguilar voted yes. Motion carried. 3-0. Mr. Fernandez presented to the Commission computer printout list of all checks issued by the fiscal office on May 20, 2002 covering vendor bills processed on the above date. Warrant #68542 in the amount of \$8,239.24. This warrant is for the County Clerk's office for postage on voter identification cards. Commissioner Pando made a motion for approval. Commissioner Daves seconded the motion. Commissioner Pando voted yes. Commissioner Daves voted yes. Commissioner Aguilar voted yes. Motion carried. 3-0.

**Manager's Report – James Fernandez**

**Jail Monitor's Report - Informational**

Mr. Fernandez reported for the period of May 1 thru May 14, 2002 average prisoner count was 139 and of that count 125 were males and 14 were females and within the last two days because of DWI checks our population has risen to 165. And with the holiday coming up the count will go up. Mr. Fernandez handed out a memorandum that lists agencies that have housed inmates at the Valencia County Detention Center from May 1, 2002 thru May 14, 2002. Commissioner Daves asked if Mr. Fernandez knew the reason for Bernalillo County's count. Mr. Fernandez reported there were a couple of individuals being held on multiple warrants.

**Update – Letter Mailed to People's Energy Regarding County Commission Request for  
Presentation**

Mr. Fernandez presented an update to the Commission the manager's office had received a letter from People's Energy Resources as a reminder confirming the meeting date before the Commission August 20, 2002 Regular Commission Meeting. This meeting has been confirmed.

The next Regular Meeting of the Valencia County Board of County Commission will be held on June 10 at 10:00 AM in the Municipal Building Chambers in Los Lunas. .

**Adjournment**

Commissioner Pando made a motion to adjourn. Commissioner Daves seconded the motion. Motion carried. 3-0. Time being 10:00 PM.

<p><b>NOTE:</b> All proposals, documents, items, etc., pertaining to items on the agenda of the, Meeting (presented to the Board of County Commissioners) are attached in consecutive order as stated in these minutes.</p>
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**VALENCIA COUNTY BOARD OF COMMISSIONERS**

**ss/  
AURELIO H. PADILLA, CHAIRMAN**

**ss/  
ALICIA AGUILAR, MEMBER**

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

**ss/  
GARY DAVES, VICE-CHAIRMAN**

**HELEN BACA, MEMBER**

**ATTEST: ss/**

**TINA GALLEGOS, COUNTY CLERK**

**DATE: June 25, 2002**