

VALENCIA COUNTY BOARD OF COMMISSIONERS

Special Meeting

Public Hearing/Consideration of the Preliminary

2002-2003 Fiscal Year Budget

June 26, 2002

Chairman Aurelio H. Padilla called the Meeting to order at 1:05 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	

Chairman Padilla called the meeting to order at 1:05 PM. Tina Gallegos, County Clerk read the agenda for the meeting.

Chairman Padilla asked Bruce Warren to lead the Pledge of Allegiance.

Approval of Agenda

Commissioner Pando made a motion to approve the agenda as read. Seconded by Commissioner Daves. Discussion. Commissioner Pando voted yes. Commissioner Aguilar voted yes. Commissioner Daves voted yes. Commissioner Baca voted yes. Motion carried. 4-0.

Mr. Fernandez presented to the Commission the Preliminary Budget for the fiscal year 2002-2003. Mr. Fernandez said he would summarize the budget per Commission discussion. Mr. Fernandez reported the ending cash balance for this fiscal year 2002-2003 is \$1,150,531.00 with Projected Revenue to come in \$7,972,573.00 – Transfers from the General Fund \$2,779,163.43 – Projected Expenditures \$5,063,774.00 - With Projected Ending Cash Balance of \$1,280,166.57. The 3/12 requirement on the \$5,063,774.00 would be \$1,265,943.51 the assumption here would be the employees would remain on 32-hour workweek. Mr. Fernandez said to the Commission the 3/12 requirement as requested by the Department of Finance and Administration. Two of the other items that took place were DFA wanted the County to break out the Adult Juvenile Detention Center as well as the Legislative Appropriation, which we have done and those funds would have to be supplemented by the General Fund.

Mr. Fernandez reported he had received a memo from Commissioner Pando and Commissioner Aguilar confers with the possibility of lowering the 3/12 requirements to 2/12 and approached the DFA to do that. The memo stated Commissioner Pando and Commissioner Aguilar have made their first priority to the employees returning to 40 hours. Mr. Fernandez stated he had faxed a copy to DFA on this request. Mr. Fernandez received a faxed memo back stating DFA cannot support the County's desire to return employees to a 40 hour work week. Instead it supports continuance of those measures agreed upon by the Commission in order to avert implementation of massive layoffs, etc. Mr. Fernandez read the memo to the Commission that was faxed from Francisco Vigil, Budget Analyst, Department of Finance and Administration denying this request made by Commissioner Pando and Commissioner Aguilar. Mr. Fernandez said he proposed this budget to the Commission for approval for the fiscal year 2002-2003 and stated there was an extension granted for this Friday, June 28, 2002 to submit the 2002-2003 budget.

Commissioner Pando stated it was his understanding if the contract with Cornell went through this would allow the employees to return to a 40-hour workweek. Commissioner Pando said he believes this can be done and our first priority is to our employees and he felt that was the object to the renegotiation process but feels we are back to where we started.

Mr. Fernandez said in terms of the re-negotiation of the contract with Cornell there have been provisions made to this budget that recognize the savings of the \$251,000 in re-negotiated monthly fees and that has been incorporated within this budget. As well as the projected revenues that were provided to the County during the negotiation process of roughly \$700,000 that could be realized if that space was rented out and this budget reflects only half of that revenue and Mr. Fernandez cautioned this Board that revenue ought to be monitored very closely to make sure that it is

materializing. Those two items in conjunction with the Departments being very responsible and cooperative we have been able to build up our cash reserves to our 3/12 requirement.

Commissioner Daves said what would the budget increase by having our existing employee load changed to 40 hours, as we would all like to have happen? Commissioner Daves said he has a number of about \$728,000 a year added to the budget if that were done.

Mr. Fernandez said to bring your employees who are on reduced hours back you would need an additional \$600,000. Commissioner Daves said what are we saving per pay period? Mr. Fernandez said roughly about \$25,000. Commissioner Daves said if we were to put our employees on 40 hours when would we run out of money given the fact that we are spending the money faster than we are putting it in and Commissioner Daves said it would be around Christmas time like last year so we know the answer and he just answered his own question.

Commissioner Aguilar said just for the record to Mr. Fernandez you received the memo from Mr. Vigil on Friday and we are just receiving it today. Mr. Fernandez said he had been waiting for a response from Mr. Vigil and did not receive it until Monday or Tuesday and Commissioner Aguilar said and today is Wednesday.

Commissioner Pando asked when would we be able to bring our employees back to 40 hours? Mr. Fernandez stated the projection for the fiscal year 2002-2003 what the cash balance will be at the end of 2003-2004 assuming revenue projection and assuming the increases in the General Fund picking up 9 individuals within the COPS Grant Fund would be absorbed in the General Fund the cash balance would be \$1,657,460.00. Based on that particular budget there would be reserve requirements of \$1.3 million so \$300,000.00 of that would be available to go towards employees increased hours. Mr. Fernandez mentioned that Commissioner Daves alluded to in conversation with the Assessor's Office; there was some desire not to fill vacancies and reallocate those hours to her existing employees. That would be a shift of \$100,000.00 within her Department and added to the \$300,000.00 that would be \$400,000.00 that would be utilized towards returning employees to increased hours. And Mr. Fernandez said to the Commission there would still be a shortage of \$200,000.00 to bring everyone back to increased hours at the end of eighteen months as was recently projected. Commissioner Daves said then we are looking at the fiscal year 2003-2004 that maybe we would return employees to 40 hours.

Commissioner Aguilar said to her all this sounds good but she doesn't have a warm fuzzy in her stomach telling her all the political rhetoric on what is going on today come December we are not going to be stuck with another problem due to the fact in last year's budget all the flags were there and they were not brought to our attention, but putting that aside and going back to the memo of Commissioner Pando it is not only putting the employees back on 40 hours with and what would it cost. Commissioner Aguilar said she wanted to see something, for example Juvenile Detention, that contract it should have come before this Board back in March for approval and in three years it has gone from \$354,000.00 to \$600,000.00 and we do not know why – that is a \$200,000.00 increase but we are still being told it is only half full because we cannot get Otero County or Sierra County and we get all these excuses but at the same time the contract is negotiated it did not come to this Commission to say what do you want us to do, can anything be liquidated, look at the entire picture in order to bring our employees back. Commissioner Aguilar said she lacks faith and does not have confidence.

Mr. Fernandez said we went through those jail negotiations if you will recall there was provisions within the negotiations that said that Cornell would run our Juvenile Facility for \$400,000.00 why not at that time did you as a Commissioner not make that part of the negotiations.

Mr. Fernandez proceeded with the budget summary for the fiscal year 2002-2003.

General Fund Expenditures of the County Manager Mr. Fernandez reported the amount of \$232,341.00 for the fiscal year 2002-2003.

General Fund Expenditures of the Recording/Filing Department Mr. Fernandez reported the amount of \$139,429.00 for the fiscal year 2002-2003. Ms. Gallegos conferred with this report.

General Fund Expenditures of the Bureau of Elections Department Mr. Fernandez reported the projected amount of \$270,034.00 for the fiscal year 2002-2003 as was discussed with Bureau of Elections Director, Lawrence Kaneshiro would allow for two early voting sites in Los Lunas and in Belen would add additionally 30 clerks to the precinct boards as expected a larger turnout for the General Election. Ms. Gallegos did bring to our attention the possibility of a federal requirement the office may have to retain records in a different manner in terms of election process and a possible \$55,000 expenditure that may have to be looked at. Mr. Fernandez said the Secretary of State's Office would contact Ms. Gallegos. Ms. Gallegos said when she does have information she will immediately report this to the County Manager's attention and she will hopefully have information by the end of September.

General Fund Expenditures of the Property Assessments Department Mr. Fernandez reported the projected amount of \$283,676.00 and stated that the Assessor's Office has been very cooperative in terms of allowing the movement of some of her employees from the Property Assessments to her Appraisal Fund. Mr. Fernandez said one the points he would like to make is and bring to this Board's attention that is part of the recovery process of our General Fund but it can't go on forever. The

Appraisal Fund for the year 2003-2004 would fall short roughly about \$102,000.00 and we would have to look at the movement of some of those individuals for the reappraisal fund 2003-2004 back into the General Fund. Mr. Fernandez stated that the Assessor, Ms. Gonzales is proposing the possibility of not filling five vacancies and use \$100,000.00 of those five vacancies be allowed to be redistributed to her other employees. And that would allow her employees to return to 40 hours.

Commissioner Daves made a motion to allow the Assessor's Office to redistribute those monies allocated for the five vacancies to be used for the remaining employees and to allow Mr. Fernandez the discretion to allow those vacancies to be reallocated. Commissioner Baca said this Commission does not have the right to tell the different departments how to utilize their monies and leave it up to the County officials to run their own department. Chairman Padilla said there is a motion in place and is there a second. Discussion ensued. Chairman Padilla seconded the motion. Discussion. Commissioner Pando said he doesn't have a problem in supporting the motion but the morale is low and we have 18 other departments to look at and this is sad because it looks like we are punishing the other departments. Commissioner Pando said he has been told that during the budget process we will meet with the department heads and crunch numbers together but in the three years serving as Commissioner that has not happened. The Assessor's fund was not created to pay salaries but for doing reappraisal but all of a sudden it has been taken to fund her whole office. Commissioner Daves said at this time he would like to hear from other Department Heads /or Elected Officials on their view of this motion. Commission asked County Clerk, Tina Gallegos her thoughts and comments. Ms. Gallegos said she supports Beverly in what she is trying to do, she would do the same thing if she had a fund to allocate employees to be placed back on 40 hours but unfortunately she doesn't have any employees leaving and if she did have even one employee leave she would need to replace that person. She needs that position because even now she is so short staffed. Commissioners you are asking me is it fair, I don't know, I had Bureau of Election employees on 40 hours during the Primary Election and Recording/Filing on 32 hours and it did create some hardships and hard feelings between those two departments, luckily they do work well together and they manage. She can't say there is a fair answer here because there isn't. Commissioners asked County Treasurer, Diana Coplen and she stated last year when she lost one employee she wasn't able to replace her because she left to go to a different office and this year she lost another employee and again not able to replace that position and also another position recently and repeating again not able to replace those positions. Ms. Coplen said she knows her employees would be upset about this motion because she has had these positions taken away and not able to fill them. Commissioner Daves said he apologized because life is not fair but what we are trying to do is take steps in a direction that we need to go and start from somewhere. Chairman Padilla asked the Commission how do they vote on Commissioner Dave's motion? Again Commissioner Daves made the motion to allow the Assessor's Office to redistribute those monies allocated for the five vacancies to be used for the remaining employees and to allow Mr. Fernandez the discretion to allow those vacancies to be allocated. Commissioner Pando voted no. Commissioner Aguilar voted no. Commissioner Daves voted yes. Commissioner Baca voted yes. Chairman Padilla voted yes. Motion carried. 3-2.

General Fund Expenditures for the Collections Department/Treasurer's Office the projected amount for the fiscal year 2002-2003 is \$363,627.00 and one of the items Mr. Fernandez reported on June 30, 2002 there will be a postal rating increase, which will go about 7%. Mr. Fernandez reported that one of Ms. Coplen's employees there was a reallocation of excess monies because of an elimination of a position and restructuring of hours it would be \$1.00 more for Kendra Kaneshiro and 87c more for Kathy Trevino. Ms. Coplen said that is all she is asking for and her girls have picked up the slack for the employees that have left. Commissioner Pando made a motion for approval. Seconded by Commissioner Daves. Discussion. Commissioner Pando voted yes. Commissioner Aguilar voted no. Commissioner Daves voted yes. Commissioner Baca voted yes. Motion carried. 3-1.

General Fund Expenditures for the Law Enforcement Office Mr. Fernandez reported the projected amount of \$1,781,776.00 for the fiscal year 2002-2003. Mr. Fernandez said the largest increase for this particular line item is court settlements and a listing has been provided to this Board in terms of the outstanding claims and potential liability of the County and that has been estimated at \$137,709.00. Commissioner Daves made a motion to allocate monies out of the court settlements line item in the amount of \$137,709.00. Commissioner Pando said he would second the motion for the sake of discussion. Discussion. Commissioner Pando abstained. Commissioner Aguilar abstained. Commissioner Daves voted yes. Commissioner Baca voted yes. Chairman Padilla voted yes. Motion carried. 3-0.

Commission discussed with Gary Hall representing the Sheriff's Office on officer training. Mr. Hall said there needs to be some clarification on this line item because there is not enough money allocated in the budget for officer training. Mr. Hall said it is not because they don't want to go it is because there is no per diem element in the budget to train 35 officers.

Mr. Fernandez proceeded with his report on law enforcement budget one of the items during the fiscal year 2003-2004 there is approximately nine officers will be moving from the COPS Fund to the General Fund and the cost is \$250,323.06 and the projected for the expenditures for the fiscal year 2003-2004 those expenses have been added to the General Fund. Mr. Hall discussed with Commissioners the salaries of the department. Commissioners listened to Bill Brown, a member in the audience his views on the \$2.00 raise for the Sheriff's Office as well as Mark Lujan, officer for the Sheriff's Office stating we will be losing officers because of the pay scale if the Commission does not allow these officers an increment in salary. Mary Anderson, a member in the audience spoke on behalf of the employees and stated there needs to be an equitable fairness here or priorities set for all employees, Ms. Anderson said she's glad the Sheriff's Office is getting a raise but what is equitable for all County employees. Commissioner Aguilar made a motion to approve \$256,000 from

a one-eighth cent gross receipts tax to give \$2 an hour raise to all 51 employees in the Sheriff's Office. Seconded by Commissioner Daves. Discussion. Commissioner Pando voted yes. Commissioner Aguilar voted yes. Commissioner Daves voted yes. Commissioner Baca voted yes. Motion carried. 4-0. Commissioner Daves made a motion for approval of the Sheriff's Budget as amended from the General Fund and the budget on gross receipts as presented in the budget for the fiscal year 2002-2003. Seconded by Commissioner Pando. Discussion. Commissioner Pando voted yes. Commissioner Aguilar voted yes. Commissioner Daves voted yes. Commissioner Baca voted yes. Motion carried. 4-0.

General Fund Expenditures for the Animal Control Department Mr. Fernandez reported the projected amount for the fiscal year 2002-2003 is \$253,063.00. Commissioner Aguilar had a question on a line item an increase of \$1.00 an hour from last year for the for animal control manager's salary. Mr. Fernandez said to Commissioner Aguilar as we mentioned before the salary that is within this particular line item Ms. Cisneros is receiving \$14.00 an hour now. At the time she was hired there was a possibility presented to her that after her probationary period she would go to \$15.00 an hour. Mr. Fernandez said that has been incorporated in this particular budget, she is not receiving \$15.00 an hour as of now. Commissioner Aguilar asked is she receiving \$15.00? Mr. Fernandez said she is receiving \$14.00 an hour and the correction would be made that the salary schedule would show \$14.00/\$15.00 with the higher end effective July 1. Mr. Fernandez said Ms. Cisneros has completed her probationary period and she was not given the salary increase at that time. Commissioner Daves made a motion for approval on the increase for the animal control manager as incorporated in this budget. Seconded by Commissioner Pando. Discussion. Commissioner Pando voted yes. Commissioner Aguilar voted no. Commissioner Daves voted yes. Commissioner Baca voted no. Chairman Padilla voted yes. Motion carried. 3-2. Commissioner Daves said we have someone coming from the utopia of Texas and we have our own utopia but it is different and we pretty much promised this raise and does get Ms. Cisneros closer to where she is paid to the level of responsibility that she has and the difficulties of probably one of the toughest jobs in this County and those who were here at the hearing last night might understand what Ms. Cisneros is going through. Commissioner Aguilar commented saying Ms Cisneros is doing a good job, she doesn't dispute that but we also have so many other employees that are also saying, hey, what about us and many of them are carrying not only 32 hours but many are doing 40 or 45 to 50 hours and not getting paid for it. And if we are talking about fairness the principal of the fact is we are being discriminatory now and Commissioner Aguilar said she cannot support that and it is not personal toward Ms. Cisneros. Mr. Fernandez said he would point out in the existing budget at the time it was approved it was placed as part of the existing budget that has not been granted so it was in this past year's budget. Commissioner Pando said he voted yes on this motion because he felt Ms. Cisneros is doing an outstanding job but also feels we are sitting here nickeling and dimeing us to death a dollar here and 50c there, \$2.00 here, 30c there and if we were to sit down and have a real good discussion we could throw all this money in a pot and come out with enough money to satisfy everyone. Commissioner Pando said we are taking away from Tina and everyone else and rewarding Ms. Cisneros it is just not fair what we are doing but then life is not fair, is it?

General Fund Expenditures for the Building Inspector's Department Mr. Fernandez reported the projected amount for the fiscal year 2002-2003 is \$23,574.00.

General Fund Expenditures for the Probate Judge Department Mr. Fernandez reported the projected amount for the fiscal year is \$13,877.00.

General Fund Expenditures for the Data Processing Department Mr. Fernandez reported the projected amount for the fiscal year is \$134,598.00.

General Fund Expenditures for the Zoning Department Mr. Fernandez reported the projected amount for the fiscal year is \$116,468.00.

Commissioner Aguilar commented the monies that we are saving why can't we disperse the monies evenly with the employees or put them back on 40 hours plus the insurances went up and their net paychecks went down. Commissioner Aguilar made a motion to whatever savings for this budget fiscal year 2002-2003 is looked at to be able to spread evenly with the employees that are on 32 hours. Seconded by Commissioner Pando. Discussion. Commissioner Pando voted yes. Commissioner Aguilar voted yes. Commissioner Daves voted no. Commissioner Baca voted no. Chairman Padilla voted no. Motion failed. 3-2.

General Fund Expenditures for the Fire Marshal Department Mr. Fernandez reported the projected amount for the fiscal year is \$115,056.00. As was discussed at the last meeting Mr. Fernandez stated the operating funds of the fire marshal are reimbursed both from the fire excise tax and revert back to the County Commission, the transfer amount is \$60,000. The two line items the fire marshal requested to be increased were the lease purchase and car expense expenditure. Commissioner Daves made a motion to amend the budget for the two changes on this particular expenditure. Seconded by Commissioner Pando. Discussion. Commissioner Pando voted yes. Commissioner Daves voted yes. Commissioner Baca voted yes. Motion carried 3-0. Commissioner Aguilar was not present for this motion.

General Fund Expenditures for the Adult Detention Department Mr. Fernandez reported this expenditure has been broken down in separate line items for the fiscal year 2002-2003. The projected amount is \$581,000.00 and a supplement from the General Fund in the amount of

\$2,677,802.00. Revenues would be coming in from the correctional gross receipts to close that fund in the amount of \$2,876.56 for a total of revenue coming into this fund \$3,261,678.56.

General Fund Expenditures for the Juvenile Department Mr. Fernandez reported this expenditure has been broken down to see how it is being supplemented from the General Fund and this was looked at the Department of Finance and Administration projected revenues \$162,000 transfer from the General Fund is \$246,977.00 to cover the projected expenditure of \$598,977.00 as was mentioned earlier in going through contract negotiations Cornell did indicate they gave an estimate of roughly \$400,000 for housing the inmates.

General Fund Expenditures for the Older American Department Mr. Fernandez reported this expenditure projection is \$442,462.00 for the budget year 2002-2003 and will be supplemented by the General Fund in the amount of \$100,000. Mr. Fernandez said as he has mentioned earlier the individual who had been placed on 32 hours has been brought back to 40 in an effort to help meet some of the contractual obligations that exist in terms of so many hours to be utilized in terms of respite and Mary Ann Gonzales was present and said housekeeping. Mr. Fernandez said the additional revenues would be about \$16,000. Ms. Gonzales said she can live within this budget and said she has worked well together with the manager's office. Ms. Gonzales said if you will notice Commissioners how many employees are at \$6.00 an hour or \$6.30 and they have not got that increase that we usually give at six months and Ms. Gonzales said she is running out of reasons other than there is no money. Ms. Gonzales said they had been trying to expand by getting grants but these types of services can't be used for raises. Ms. Gonzales said at one of the centers they are trying to open up an adult day care but we have a concern with one of the centers particularly the Del Rio Center which houses the voting machines and there is no room. Ms. Gonzales said she has spoke with Mr. Fernandez and it has been brought to her attention if these voting machines can be housed somewhere else. Ms. Gonzales said they have lost members because there is no room for example their square dancing they say there is just no room. Ms. Gonzales said maybe we could put them at El Cerro Mission center. Commissioner Pando said we own a building right here that we can possibly use the old YDI building and Commissioner Pando said he believes Cornell uses a very small portion of it. Chairman Padilla asked Ms. Gallegos how much room does it take to store these voting machines? Ms. Gallegos said there are 100 voting machines and where we are at right now we do need to expand for more room. Commissioner Daves said this is not a budget issue. Ms. Gonzales said it does concern the budget because it would be in her budget or the Commission budget to pay for the storage. Mr. Fernandez said up until a year ago we were renting from VIA and paying them \$250 a month. Commissioner Pando said we own that building next to us so why can't we use that one. Commissioner Aguilar said at one time weren't we looking at space of where the fire marshal used to be. Mr. Fernandez said that is being utilized right now. Ms. Gallegos said just because she came in and missed what was discussed on the voting machines and the room that you were talking about with the Cornell building would not work. Ms. Gallegos said it was not enough room. Commissioner Daves said he would make a motion and make this a budget item and start charging rent to Cornell for that building and with that revenue pay for Ms. Gallegos to put her voting machines otherwise Commissioner Daves said this is a management issue and is not a Commission issue. Mr. Fernandez said he would work with the Clerk and Mary Ann and look at utilization of space and the possibility of machine storage. Commissioner Daves's motion died for a lack of a second because Mr. Fernandez said he would work with the Clerk and Mary Ann. Ms. Gonzales discussed the Title V expenditure for the budget year 2002-2003.

General Fund Expenditures for the Fire Protection Funds Mr. Fernandez reported those revenues come from State sources and have been presented to us by the Fire Marshal.

General Fund Expenditures for the Valuation Maintenance Department Mr. Fernandez reported the projected amount for the fiscal budget year 2002-2003 is \$282,143.00. The funding source of this department is 1% taken from property tax distribution from every entity who receives a distribution on property tax bill with the exception of under State Statute that eliminates distribution of higher earnings with counties with assessed valuation in excess of \$300 million dollars. The Assessor has placed individuals with this appraisal fund and it has been helping the General Fund for this fiscal year and proposed fiscal year coming up after 2002-2003 this fund will be exhausted and those individuals will be moved back into the General Fund. Commissioner Pando stated the letter in the budget from the Assessor not only the employees going on 40 hours but the Assessor getting a 10% increase. Mr. Fernandez stated no the increase is in the equalization of salaries of what the elected officials got two years ago. Commissioner Aguilar said if the Assessor can get it out of her reappraisal fund and bring herself up to the 100% instead of 80% she has been given that authority. Commissioner Daves said he would amend his motion from last meeting giving this authority giving no intent at all of elected officials going to 40 hours specifically including her and she did not express that. Mr. Fernandez said yes Commissioner Daves that is what the Assessor left the meeting in that understanding. Commissioner Daves said if we have the authority he would clarify his motion that the elected officials not be privy to the ability to add hours and this is in the form of a motion. Commissioner Daves said we had discussed this at the budget hearing last week and an element of the motion was a no hit on the budget. Commissioner Daves said the rearrangement amount would not allow any increase in that particular department budget. Commissioner Daves said he would like to clarify with the Assessor here or not and there is a lot of resentment that motion built up to the extent that it could be fairly construed to apply to the Assessor. Commissioner Pando said if you look at your budget it is already in there. Commissioner Daves said as an official that gets re-elected he would support adjusting the Assessor's salary to the re-elected amount but at 32 hours. Commissioner Daves said that is what he said to her and looking at her. Commissioner Pando said that is what is not here. Commissioner Daves said he doesn't know what is here. Commissioner

Pando said well look at it. Mr. Fernandez said to the Commission what the Assessor proposed was that differential could be taking out of the reappraisal fund to supplement her hours and she had spoke to Darlene Mares with DFA and they would allow that. Commissioner Daves said he would hope to get support in amending that action to specifically exclude the Assessor. Commissioner Pando said you can't undo that. Commissioner Daves said the deed can be undone. Commissioner Pando said Commissioner Daves you better call the Assessor and tell her. Commissioner Daves said with or without her we are a decision making body. Commissioner Pando said he wouldn't make that decision. Commissioner Daves said again he moves on that motion that was passed to allow Departments and County Manager the discretion to add hours to employees, as there is attrition not apply to elected officials. Commissioner Pando said he didn't know if that was legal, he is not a lawyer and doesn't know if you can undo a motion that has been passed. Chairman Padilla asked if anybody can clarify if we can or can't do this. Chairman Padilla said our attorney is not here. Commissioner Daves said he was sure the parliamentary rules allow it and he realized we are a little weak in that area. Commissioner Aguilar said as an elected official she has to apologize to the employees and to the public but we have risen to the level of idiocy. Commissioner Daves said he had a motion on the floor. The motion died for a lack of a second.

At this time Commissioner Aguilar departed at 4:40 PM.

General Fund Expenditure Fire Excise Tax Mr. Fernandez reported on this expenditure. Mr. Fernandez said this is gross receipts tax that goes specifically to the fire departments outside the incorporated areas of Valencia County and that generates about \$210,000.

General Fund Expenditure for the Road Department Mr. Fernandez reported projected amount of \$995,698 and of that \$182,792 would come from CAP and \$139,500 school bus routes and \$86,106 CO-OP, Motor Vehicle Distribution \$250,000, Gasoline Tax .01 cents and Gasoline Tax .02 cents is \$335,000 and Forest Reserve \$800.00 and miscellaneous road cut permits \$1,500. Commissioner Daves made a motion to adjust the budget for this expenditure to give those positions 50-cent raises to incorporate this motion into this fiscal year budget 2002-2003. Seconded by Commissioner Baca. Discussion. Commissioner Pando voted yes. Commissioner Daves voted yes. Commissioner Baca voted yes. Motion carried. 3-0.

General Fund Expenditure for the Law Enforcement Protection Fund Mr. Fernandez reported projected amount of \$367,304.00 for the fiscal year 2002-2003.

General Fund Expenditure Sick Leave Fund Mr. Fernandez reported on this expenditure employees who leave County employment after five years are eligible for payment of 25% of their sick leave.

General Fund Expenditure for the Debt Service Valencia/El Cerro Fire Department Mr. Fernandez reported revenue lease purchase that is coming out is automatically being withheld in fire excise and in going into this for repayment of the debt.

General Fund Expenditure for the Indigent Revenues Mr. Fernandez reported for the fiscal year 2002-2003 revenues are received through gross receipts as well as a distribution from Medicare. Total revenue is \$927,889.00 with projected expenditures \$864,765.00.

General Fund Expenditure for the Debt Service – Adult Detention for the fiscal year 2002-2003 Mr. Fernandez reported revenues received are from the correctional gross receipts is short about \$70,000 per year so our first 1/8th is intercepted and \$70,000 is utilized for the payment of the adult detention facility and the excess is transferred to the General Fund and is termed as excess rebate.

General Fund Expenditure for the Solid Waste revenues for the fiscal year 2002-2003 Mr. Fernandez reported. What is being done here is to allocate specifically the revenue sources that would be the solid waste enforcement fee is coming from the transfer station fees as well as the environmental gross receipts this fund will have to be supplemented in the amount of \$90,008.

Commissioner Daves made a motion to reallocate \$35,000 from the sheriff's department line item to the County Extension Service. Seconded by Commissioner Baca. Discussion. Commissioner Pando voted no. Commissioner Daves voted yes. Commissioner Baca voted yes. Chairman Padilla voted yes. Motion carried. 3-1.

Commissioner Daves made a motion for approval of the 2002-2003 Final Budget as amended by the Commissioner's action today for this fiscal year. Seconded by Commissioner Baca. Discussion. Commissioner Pando voted no. Commissioner Daves voted yes. Commissioner Baca voted yes. Chairman Padilla voted yes. Motion carried. 3-1.

The next Regular Meeting of the Valencia County Board of County Commission will be held on July 2, 2002 at 9:00 PM Executive Session and 10:00 AM Regular Session in the County Commission Room at the Valencia County Courthouse.

Adjournment

Commissioner Pando made a motion to adjourn. Seconded by Commissioner Baca. Discussion. Commissioner Pando voted yes. Commissioner Daves voted yes. Commissioner Baca voted yes. Chairman Padilla voted yes. Motion carried. 4-0. Time being 5:10 PM.

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

VALENCIA COUNTY BOARD OF COMMISSIONERS

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

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

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

**ss/
ALICIA AGUILAR, MEMBER**

**ss/
HELEN BACA, MEMBER**

ATTEST: ss/

TINA GALLEGOS, COUNTY CLERK

DATE: September 3, 2002