

# VALENCIA COUNTY BOARD OF COMMISSIONERS

## Regular Meeting

**August 20, 2002**

Chairman Aurelio H. Padilla called the Meeting to order at 5:10 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 Aurelio H. Padilla called the Meeting to order at 5:10 P.M. Tina Gallegos, County Clerk read the agenda for the executive session.

### Executive Session

Commissioner Baca made a motion to enter into executive session. Seconded by Commissioner Daves. Discussion. Commissioner Pando voted yes. Commissioner Aguilar voted yes. Commissioner Daves voted yes. Commissioner Baca voted yes. 4-0.

Chairman Padilla called the meeting back to order. Commissioner Daves made a motion to enter into Regular session. 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.

Carol Anaya reported during executive session the following was discussed. New Hires, Pending Pre-Employment Physical and Drug Test for Aaron Jones, Sheriff's Department, Rene Sullivan for the Older American Program, Hires, Victoria Morgan, Older American Program and James White, Animal Control. Retirement, Vidal Blea, Volunteer resignation of Julian Torres. Dismissal of Thomas Zander. End of seasonal employment for Matthew Trujillo and Tara Trujillo. Resignation for Norman Richards and Edward Gonzales, Transfer from County Clerk to Manager's Office for the position of Administrative Secretary, Marilyn Silva. Rescinded hire for Anna Sanchez for the Older American Program, Salary adjustment as per VIA contract for Johnny Mirabal from \$7.00 to \$7.50, Euthansia Certification from the American Humane Association for Eric Tanner and Richard Weathersby, Animal Control Officers.

Tom Garde reported during executive session the following. The status of the environmental department administrative order was discussed. The County received an extension until September 9, 2002 to clean up the Conejo Transfer Station. Mr. Garde reported all the white goods have been removed from that facility and should be able to clean out that area by the end of this week. Mr. Garde reported on the plan in which the County is getting a proposal from Terracon with regards to the removal of the Solid Waste, which is currently at the Conejo Landfill, and hopefully we will get more information in the next two weeks. Mr. Garde reported receiving comments from the Attorney General's Office regarding the Cornell contract, comments the Commission will be able to correct and still waiting from a response from Department of Finance and Administration and Risk Management and we will get those responses within the next 30 days. Mr. Garde reported discussion with the Commission the Waste Management in the effect with regard to the proposed changes in the Ordinance and further discussion will commence now in the open session.

Commissioner Daves made a motion to approve the above reports given by Carol Anaya and Tom Garde as to what was discussed in executive session. Seconded by Commissioner Baca. Discussion. Commissioner Pando voted yes. Commissioner Aguilar voted yes. Commissioner Daves voted yes. Commissioner Baca voted yes. Motion carried. 4-0.

**Chairman Padilla asked Tom Garde to lead the Pledge of Allegiance.**

### Approval of Agenda

Tina Gallegos, County Clerk read the agenda. Commissioner Pando made a motion for approval of the amended 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.

### Approval of Minutes

June 26, 2002 – Special Meeting Preliminary 2002/2003 Fiscal Year Budget

July 2, 2002 – Regular Minutes

Commissioner Pando made a motion for approval on the above minutes. Ms. Gallegos stated Commissioner Aguilar brought some changes to her attention on the June 26, 2002 Minutes and will be corrected for signature before approval is given and asked the Commission if they wished to know the changes and Commissioner Pando stated yes. Ms. Gallegos said page four paragraph two and asked Ms. Aguilar if she would like to proceed with the changes. Commissioner Aguilar said she wasn't sure if under paragraph two page four on Animal Control she had made a comment on the dollar raise for Linda Cisneros, Animal Control Director and this was not done after her probationary period. Commissioner Aguilar said paragraph seven of page four on the motion instead motion carried actually the motion failed 3 to 2. On page five first paragraph last sentence it should state Commissioner Pando's motion and not Commissioner Daves motion. Commissioner Aguilar wanted some clarification third paragraph page five to see if there was more dialogue as to what she stated. Ms. Gallegos said she will make these changes and have the June 26, 2002 Minutes approved at the next meeting with the changes Commissioner Aguilar mentioned. Commissioner Pando amended his motion to read approval of the July 2, 2002 Regular Minutes only. Seconded by Commissioner Aguilar. Discussion. Commissioner Pando voted yes. Commissioner Aguilar voted yes. Commissioner Daves voted yes. Commissioner Baca voted yes. Motion carried. 4-0.

### **Public Requests**

Jacqueline Guilbault introduced Joshua Schmitts, a Boy Scout who in order to get a merit badge must attend a City or County Commission meeting and is here to view the process. The Commissioners welcomed the young gentlemen.

### **Action Items**

#### **General Requests**

##### **Request to Publish Solid Waste Ordinance – Tom Garde**

Mr. Garde reported that the existing Solid Waste Ordinance the County is currently operating under is set to expire September 30, 2002. This is a 3-year ordinance that regulates Solid Waste Collection for the County. Mr. Garde said what is before the Commission is a series of proposed amendments. Mr. Garde went through the proposed changes with the Commission. Commissioner Aguilar commented that she feels strongly as this Ordinance being advertised, as a request to go out for publication at this time is very premature. Commissioner Aguilar said she thinks there should have been discussion and then look at the language and then what is agreed upon then go out for publication. This Commission is being looked at to approve an Ordinance so then when the contract comes through with Tri-Sect the mechanism for approval is done in this Ordinance so at that time your hands are tied because you have already approved the Ordinance that took care of that. Commissioner Aguilar said in this Ordinance a change binds all haulers to go to a County owned facility and the haulers are not aware of it and there has been discussion on this. We have not been able to enforce this Ordinance yet we are putting in more mandates so what mechanism do we have in place to do that. The changes are also obligating all County residents that own property in Valencia County to a solid waste assessment fee. Commissioner Aguilar said she feels we don't have that mechanism in place for this type of fees. Commissioner Aguilar said to the other Commissioners we are not ready to proceed with this and would like to see the contract with Tri-Sect and see what they are offering. Commissioner Aguilar said we are approving something before even knowing what the cost to the residents is going to be and are we approving an ordinance and creating an expenditure as far as a new department without revenue and by Statute Commissioner Aguilar said she doesn't think we can do that. Chairman Padilla asked does this need to be done by September 30, 2002? Mr. Garde said to the Commission these are three issues that have been discussed since January of this year and that is where this document has been prepared. Mr. Garde said if this Commission decides to take no action with regards to Tri-Sect or trash collection, we still need to deal with the extension of the Solid Waste Ordinance. Mr. Garde said he can prepare a document just for the extension of this Ordinance. Commissioner Pando said there needs to be quite a few changes in this document. We do need a place to put the trash. Commissioner Daves said he concurs with the comments that have been made but we need to give direction to Mr. Garde to go forward with this document. Commissioner Daves said Waste Management and the County has been in negotiations for the County to enter into an agreement with a County owned landfill to be managed by Waste Management. Commissioner Aguilar commented at the next meeting she would like to see an update of where we are with Tri-Sect and if there is an agreement that is in place that is being worked on and she would like to see a draft so this Commission has an opportunity and compare it to some of the changes. Commissioner Aguilar made a motion that we give our Attorney, Tom Garde direction to amend the Ordinance on the date, which is Section 4.1.3 until the next meeting and table the rest of the Ordinance. Seconded by Commissioner Baca. Discussion. Commissioner Daves said he would like to hear from the public.

Mel Sisson, Superior Waste System, commented and said he would like to have the opportunity as any discussions are made toward the purchase of the landfill or anything that is going to affect the haulers that possibly we could have some input. We have operated under this Ordinance for the last three years and let the haulers know what is going on.

Marlene Foyer, Representative of Waste Management gave an update on the Tri-Sect agreement and wanted the Commission to know that any of the delays are not because of the County staff. At the last meeting as Ms. Foyer said to her understanding the comments from the Commission regarding phasing in rate fees, regarding the impact on Los Lunas, impact on the road to the landfill. There was a meeting after these comments came from the Commissioners and we included in that meeting and addressed those issues. Ms. Foyer said we have run those numbers to see about feasibility. Ms. Foyer said she wanted this Commission to know it is not County staff it is Waste

Management and taking those numbers and the Commission's concerns in trying to address them and this is the delay on Waste Management bringing back anything on Tri-Sect.

Chairman Padilla said there is a motion on the table that Commissioner Aguilar made and that motion states that we give our Attorney, Tom Garde direction to amend the Ordinance on the date, which is Section 4.1.3 until the next meeting and table the rest of the Ordinance. Seconded by Commissioner Baca. Discussion. Commissioner Pando voted yes. Commissioner Aguilar voted yes. Commissioner Daves voted yes. Commissioner Baca voted yes. Motion carried. 4-0.

#### **Request Dedication for County Maintenance on Sul-Tre Road – Duane Broyles**

Commissioner Daves commented on Sul-Tre Road and upon inspection and research of said road, it was discovered that Sul-Tre Road does not terminate in a 50 ft. cul-de-sac. It is a dead end street with no platted cul-de-sac. Commissioner Daves said it was a lot split rather than a subdivision and a radius is needed because three lots would be affected before we accept this request. Commissioner Daves made a motion to table this item. Seconded by Commissioner Pando. Discussion. Commissioner Aguilar had a concern and a question for Ruben Chavez are we asking for a replat because now we are asking to take private individuals property to create a cul-de-sac. Also Commissioner Aguilar stated we have other roads that are dedicated that dead end like this and those are 40 feet and emergency vehicles are able to turn around. Commissioner Aguilar asked Mr. Chavez to answer her question. Mr. Chavez said Commissioner Aguilar you are correct that would require two people to replat their property in order to create that cul-de-sac whether they will net the one acre or not we will have to look into that but from the motion here, owners to replat the property, give us a 50 ft. cul-de-sac and we will accept your road. Commissioner Daves said he was not asking for that all his motion states is to table this item. Commissioner Pando seconded this motion again. Discussion. Commissioner Pando voted yes. Commissioner Aguilar voted yes. Commissioner Daves voted yes. Commissioner Baca voted yes. Motion carried. 4-0.

#### **Request to Vacate an Easement/Edward E. & Emilia M. Lopez – Sunflower Lane, Peralta – Mr. & Mrs. Lopez**

Edward Lopez requested the Commission vacate this easement; it has not been used for approximately 12 years. Its intended use is no longer in existence. Mr. Lopez has paid property taxes on it since 1979. Commissioner Aguilar asked Mr. Garde since this is a deed restriction how can we vacate an easement that was reserved and transferred on a deed? Mr. Garde recommends the Commission take no action on this request, as this is a private road. Mr. Garde said the Commission would have the authority to vacate a public road but not a private road. Mr. Garde said Mr. Lopez is requesting to vacate a private easement and this is a matter for District Court and not this Commission. Commissioner Aguilar made a motion based on Mr. Garde's recommendation that this item be tabled. Seconded by Commissioner Daves for the sake of discussion. Discussion. Commissioner Daves said if it is an easement to benefit the County then he would concur. Commissioner Pando said the road goes all the way to Sunflower Land and all the way to the land of Elias and Estella Maes. Commissioner Pando said it looks like this affects a number of residents. Mr. Chavez said Planning and Zoning has received letters by Modesto Sanchez and Howard McCall against the request before you and handed these out to the Commission. Chairman Padilla called for the vote on Commissioner Aguilar's motion stated above. Commissioner Pando voted yes. Commissioner Aguilar voted yes. Commissioner Daves voted yes. Commissioner Baca voted yes. Motion carried. 4-0.

#### **Department Requests/Reports**

##### **Request permission for In & Out of State Travel**

##### **Clerk's Fall Election School/Santa Fe, NM – Tina Gallegos**

Ms. Gallegos requested approval to attend the Clerk's Fall Election School in Santa Fe NM on September 4 through September 6, 2002. Ms. Gallegos said when she had submitted her agenda request form she had just received the agenda and registration from for the election school that the Secretary of State's Office mandates that we attend prior to the election. Ms. Gallegos said there are some changes but still asking for approval to attend the election school but only asking for herself, Director of Elections and a Voting Machine Technician so the change instead of five people there will be three attending. Ms. Gallegos requested approval of the registration fee of \$150.00 that will come out of the Clerk's Equipment Fund under Training and the per diem will be paid by the Secretary of State's Office so there will not be approval for per diem but will ask to take the County vehicle. Commissioner Pando made a motion to approve Ms. Gallegos's request. Seconded by Commissioner Aguilar. Discussion. Commissioner Pando voted yes. Commissioner Aguilar voted yes. Commissioner Daves voted yes. Commissioner Baca voted yes. Motion carried. 4-0.

##### **NMLZO Annual Meeting – Workshop/Rio Rancho, NM – Ruben Chavez**

Mr. Chavez requested to attend the annual meeting of the New Mexico League of Zoning Officials scheduled for September 18, 2002 through September 20, 2002. Mr. Chavez reported that the last Commission approval for attendance for Planning and Zoning officers, one of them got a scholarship, one paid their own way and one did room with someone from Bernalillo County so the expense was minimal. Mr. Chavez said since this workshop is in Rio Rancho there will be no need for rooms just the cost of registration fee of \$85.00 per zoning enforcement officer for a total of \$340.00. There was a request for four people but the change is for only three attending as Planning and Zoning had an officer resign. Commissioner Pando made a motion for approval. Seconded by Commissioner Aguilar. Discussion. Commissioner Pando voted yes. Commissioner Aguilar voted yes. Commissioner Daves voted yes. Commissioner Baca voted yes. Motion carried. 4-0.

##### **Western States Sheriff's Association Annual Meeting – Juan Julian**

Mr. Julian requested approval for out of state travel to Reno, NV from September 23, 2002 through September 25, 2002 to attend the Western States Sheriff's Association Annual Meeting. Mr. Julian said the conference rate is \$59.00 per day and still negotiating on the air fare but is approximately \$200.00 so all together the total request would be \$320.00 to \$350.00. Commissioner Pando asked what fund does this come from? Mr. Julian said the County Manager's travel fund. Commissioner Aguilar stated a point of clarification that three week's ago they received a letter from Darlene Mares, Department of Finance and Administration making us aware that Commissioners whose term was ending or not running for re-election only mandatory travel would be approved. Commissioner Aguilar asked is this mandatory travel? Mr. Julian said he is the President of the Western States Sheriff's Association so he feels that this is mandatory. Commissioner Aguilar said she would like to hear from the County Manager because the letter indicated all elected officials and only mandatory travel. Mr. Fernandez said if you did not seek re-election or were not re-elected you were not allowed to travel but doesn't think it prohibits the Sheriff from traveling and he is finishing out his term. Commissioner Baca made a motion for approval. Seconded by Commissioner Daves. Discussion. Commissioner Pando voted yes. Commissioner Aguilar voted yes with the County Manager's interpretation and recommendation. Commissioner Daves voted yes. Commissioner Baca voted yes. Motion carried. 4-0.

#### **Request Signature on Cooperative Project Agreement – NMSHTD – James Fernandez**

Mr. Fernandez said this is the last legislative appropriation that we need signatures on. This is for the lighting on Golf Course Road in the amount of \$100,000 and what we will need to do is see who is going to be responsible for the payment of the electricity. But that doesn't prohibit the County from signing the agreement and we can seek clarification before going on with the project. Commissioner Daves said would we have to check in with VIA before if we don't agree with this do the lights not go in? Mr. Fernandez said you can decline this appropriation by not signing. Commissioner Pando said we don't want to do that. Commissioner Aguilar said she would like to wait two weeks because in reading Page two Section three it states County responsibility for example, utility relocation, drainage design, pavement design and so forth and because of the financial crunch that we are in we need to find out what our responsibility is before signing. Mr. Fernandez said that would be fine and we can get clarification on this. Commissioner Aguilar made a motion to wait to sign this request. 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.

#### **Financial/Business Matters**

##### **Approval of Resolution on Legal Fees for Commission – Tom Garde**

Mr. Garde said at the last Commission meeting he was given direction to develop a Resolution in regards to the legal issue of payment of legal expenses with regard to Commissioners and all elected officials. What is here before you is the Resolution that was in existence two years that this Commission repealed last year. In reviewing the proposed Resolution it was pertaining to only a specific grand jury investigation the old Resolution was a jail Resolution that applied to the elected officials and County Commissioners. Mr. Garde said he is at a loss if this Commission wants to extend this to all elected officials the language within Resolution was restrictive that certain things would have to happen before payment was made and what is before you is the billing in regards to Commissioner Aguilar and Marci Britton's petitions naming Commissioner Aguilar when she was Chairman. Mr. Garde asked the Commission if their wishes would be to adopt this Resolution or deal with a case-by-case basis. Mr. Garde said for your review is a general Resolution that applies to all elected officials. Commissioner Daves said he doesn't think this County needs a Resolution like this no other County has one. The major issue with this Commission is that there has been concurrence that Commissioner Aguilar had some legal fees by hiring another Attorney regarding a grand jury investigation on the assumption that the County couldn't defend her and Commissioner Daves felt this assumption was wrong particularly after we repealed that Resolution. The State law provides that the Commission within the scope of their duties are defended up to a point and certainly there would have been defense up to the point that this was reached. Commissioner Daves said what he would support some action that Commissioner Aguilar legal fees were incurred up to the repeal of this Resolution if that could be broken up if she could be reimbursed for those legal fees and once we repeal the Resolution we could defend her. Commissioner Pando said to his recollection Commissioner Aguilar did go to the County Attorney, Risk Management, County Manager and was turned down and then is when she retained her own attorney. Commissioner Pando said as everyone knows we are under two grand jury investigations and the reason he did not support the last Resolution it clearly invited all of us to go hire our own Attorney. Commissioner Pando said to his knowledge Mr. Garde is handling both of these grand jury investigations. Commissioner Pando said he fully supports paying Commissioner Aguilar's legal fees because they were incurred while in office. Commissioner Aguilar commented that what is on the agenda is approval of resolution on legal fees for the Commission and not payment of her fees that was on the agenda at the last meeting and those are two different issues. In looking at this Resolution she did follow proper procedures and went through the process and she has all the information from the Association of Counties to when it comes to a criminal matter she doesn't think the County Attorney can represent us. When the animal control issue came before us there was even criminal nature that no one could defend her and she was bifurcated then the existing Ordinance will provide for reimbursement of her fees that is the process and that is what she followed. Now there seems to be a question of paying – paying partial not paying or whatever and for that matter she recuses herself from voting or even discussion on this matter. Commissioner Aguilar said if you all don't want to pay it then don't pay it and doesn't want to see any more animosity and any more discussion on the fees that she is entitled or she is not entitled so if you don't want to pay the legal fees then don't pay them. Commissioner Aguilar said she was bifurcated and hired her own Attorney and glad that she did and she didn't let it go through because she was the only one that was left out in the cold to say defend yourself and with

that she was threatened her family was threatened and was put through hell and she was glad she hired her own private attorney because that is all she had and he took care of her. Commissioner Daves said as he understands under the resolution that we repealed it would have allowed reimbursement of her legal fees. That resolution was in effect when those fees were incurred and the provisions of that resolution would apply but after repeal a person by virtue of their position is named in a petition for a grand jury that is so remote from an indictment so remote from anything real that the County Manager has ample authority to defend a person. Commissioner Daves said he can understand when your name is revealed and not a member of the County Commission it is difficult. Under the resolution as repealed Commissioner Aguilar meets the criteria for reimbursement and given that we have to ratify the terms of that resolution and he would not object to that. Mr. Fernandez said Commissioner Aguilar did go through the process and the information that we were giving her was that if it was a criminal matter that she would not be covered and she acted based on that. Mr. Fernandez said with that the legal fees should be paid. Commissioner Pando said this process started when this Resolution was in force and then the Resolution was repealed but the case was still pending. Commissioner Daves said we need to look at the Resolution that was in place at the time Commissioner Aguilar was bifurcated. Commissioner Aguilar said her comments are directed at Mr. Garde and to Chairman Padilla. When Commissioner Padilla first took office there was litigation involved against Richey Smrt and he hired his own attorney, Norman McDonald and Commissioner Padilla's fees were reimbursed and at that time Mr. Garde advised that the fees could not be paid unless there was a resolution or an ordinance in place that was the way statute was written. So there is a process when there is criminal matter the taxpayers can't just pay for it there has to be something in place that checks the process and procedures and that is the reason for the resolution. And this is the resolution that Mr. Garde had drafted and Commissioner Padilla's fees got paid and it was the understanding on anything else on courts it is Risk Management that represents us but when it comes to criminal the process is we go to the County Manager and the County Manager consulted with Mr. Garde and it was sent to Risk Management. Response came back and said no this is what you need to do. Commissioner Pando made a motion to pass this resolution and to wipe out paragraph four. Seconded by Commissioner Daves. Discussion. Commissioner Aguilar stated she would recuse herself because it is tied into her fees. Commissioner Daves voted no and what he would recommend is we need a resolution but under the terms of the resolution that was the law. Mr. Garde said by excluding paragraph four there is no cap with regards to the amount of legal fees that someone could incur. Commissioner Pando voted yes. Commissioner Daves voted no. Commissioner Aguilar recused herself. Commissioner Baca voted no. Chairman Padilla voted yes. Motion died.

#### **Request Permission for Budget Increase – Mary Ann Gonzales**

Mr. Fernandez on behalf of Mary Ann Gonzales requested an increase in home delivered meals. The current deliveries are not delivered in the required time allowed by state standards. Mr. Fernandez said he did ask Ms. Gonzales the necessity of this request and he stated that in the past the deliveries were 215 homebound meals and it has increased to 255. They are mandated by State Regulations to deliver those meals in a two hour time period and they are finding they are not able to do that. Mr. Fernandez said Ms. Gonzales is asking for an increase to hire another van driver and the fiscal impact that would have is to take these monies out of cash reserves in the Older American Fund and that would reduce her ending cash balance in the amount of \$6321.00 or bringing it down from the projected \$28,000 to \$21,000. Commissioner Pando asked is this going to hurt anyone? Mr. Fernandez said this is a necessity in order to meet the terms of her contract for homebound meals and her reimbursement this needs to take place. Commissioner Pando made a motion for approval of **Resolution No. 2002-38**. Seconded by Commissioner Baca. Discussion. Commissioner Aguilar said just for clarification this would require DFA approval. Mr. Fernandez said correct. Commissioner Pando voted yes. Commissioner Aguilar voted yes. Commissioner Daves voted yes. Commissioner Baca voted yes. Motion carried. 4-0.

#### **Request Signature on Agreement – James Fernandez Impoundment of Animals – Village of Bosque Farms**

Mr. Fernandez requested signature on the agreement between Valencia County and the Village of Bosque Farms for the holding of impounded animals seized by the Village of Bosque Farms. The parties agree that this agreement is subject to the approval of the Department of Finance and Administration and the Office of the Attorney General. Commissioner Pando asked why the price was lowered. Mr. Fernandez said the fees are all based on a pro rata of the operational cost and the number of animals actually brought in. Commissioner Pando thought it was \$450.00. Mr. Fernandez said that was the original request but we met with each of the entities and they did not agree on the cost so we came up with a cost that was equitable for everyone. Commissioner Aguilar asked is this amount that was placed in the budget? Mr. Fernandez said we made a revision and lowered it on the final budget. Commissioner Aguilar said this agreement is with Bosque Farms what about the other entities? Mr. Fernandez those were presented at the last County Commission meeting. Commissioner Aguilar said she wasn't present at the last meeting. Commissioner Pando made a motion for approval of signatures. Seconded by Commissioner Aguilar. Discussion. Commissioner Pando voted yes. Commissioner Aguilar voted yes. Commissioner Daves voted yes. Commissioner Baca voted yes. Motion carried. 4-0.

#### **Approval of Warrants and Payroll – James Fernandez**

Mr. Fernandez presented upon approval of the warrants being presented today the cash balance is \$1,188,412.33. Mr. Fernandez presented computer printout of all checks issued by the Fiscal Office on August 6, 2002 covering vendor bills processed on the above date. Warrant #69632 thru Warrant #69633 inclusive listing total \$157.98. Commissioner Pando made a motion for approval. 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 computer printout of all checks issued by the Fiscal Office on August 9, 2002 covering vendor bill processed on the above date. Warrant #69668 listing total \$447.75. Commissioner Pando made a motion for approval. Seconded by Commissioner Baca. Discussion. Commissioner Pando voted yes. Commissioner Aguilar voted yes. Commissioner Daves voted yes. Commissioner Baca voted yes. Motion carried. 4-0.

Mr. Fernandez presented computer printout lists of all the checks issued by the Manager's Office on August 9, 2002 covering payroll processed on the above date. Warrant #69634 thru Warrant #69667 inclusive. Payroll #54151 thru Payroll #54325 inclusive listing total \$173,127.40 and of that \$101,918.25 is from the General Fund. Commissioner Baca made a motion for approval. 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.

Mr. Fernandez presented computer printout lists of all the checks issued by the Fiscal Office on August 15, 2002, covering vendor bills processed on the above date. Warrant #69669 thru Warrant #69765 inclusive listing total of \$454,799.37 and of that amount \$23,867.43 to be paid from the General Fund. Commissioner Daves made a motion for approval. Seconded by Commissioner Baca. Discussion. Commissioner Pando voted yes. Commissioner Aguilar voted yes. Commissioner Daves voted yes. Commissioner Baca voted yes. Motion carried. 4-0.

**Manager's Report – James Fernandez  
Jail Monitor's Report – Informational**

Mr. Fernandez reported for the period of August 1, 2002 to August 15, 2002 the average prisoner count was 127 and of that 113 were male and 14 were female. Mr. Fernandez said for the Commission's information he has asked for a written report from Cornell as to where they are with the electronic monitoring, where they are in terms of contracts. Mr. Fernandez said that Mr. Barreras has let him know that within the last few days that he had contacted Bernalillo County and they were housing about 40 inmates here at our facility. Commissioner Aguilar asked if they could see revenues and where the population is from even if it isn't at every meeting at least an update letting us know what is coming in.

Mr. Fernandez reminded the Commissioner's that on Monday, August 26, 2002 at 10:00 AM there will be an ICIP Workshop in the County Commission Room.

The next Regular Meeting of the Valencia County Board of County Commission will be held on September 3, 2002 at 9:00 AM 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 Aguilar. Discussion. Commissioner Pando voted yes. Commissioner Aguilar voted yes. Commissioner Daves voted yes. Commissioner Baca voted yes. Motion carried. 4-0. Time being 7:45 PM.

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

**VALENCIA COUNTY BOARD OF COMMISSIONERS**

**ss/  
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: October 1, 2002**