

VALENCIA COUNTY BOARD OF COMMISSIONERS

Regular Meeting

January 21, 2003

Chairman Gary Daves called the Meeting to order at 5:10 P.M.

PRESENT	ABSENT
Gary Daves, Chairman	
Paul Edward Trujillo, Vice-Chairman	
Aurelio H. Padilla, Member	
Alicia Aguilar, Member	
Mary J. Andersen, Member	
James Fernandez, County Manager	
Thomas Garde, County Attorney	
Tina Gallegos, County Clerk	
Press and Public	

Chairman Gary Daves called the Meeting to order at 5:10 P.M.

Executive Session

Commissioner Padilla made a motion to enter into executive session. Seconded by Commissioner Andersen. Commissioner Trujillo voted yes. Commissioner Padilla voted yes. Commissioner Andersen voted yes. Motion carried. 3-0.

Carol Anaya, Human Resources Manager reported that in executive session the following was discussed. New Hires, Pending Pre-Employment Physical for Adelina Baca, Planning and Zoning Department, Rosemary Sandoval, Assessor's Office, Status change for temporary to full-time for Robert White, Animal Control replacing Richard Weathersby, Lena Cruz, County Clerk's Office replacing Leticia Sedillos, Toby Zamora, Compensation is over with VIA but expenditures had been budgeted for the remainder of the year and we asked Commission approval to retain Mr. Zamora as a Planning and Zoning officer, Return back with leave with pay for Gloria Reyes and the status change from part-time to full-time, COPS II program for Keith Rightsell.

James Fernandez, County Manager reported that in executive session the following was discussed. Notification that was received from Narvaz Law Firm who is representing the County in the matter of Michael McCartney that a sub conference had been scheduled for January 28, 2003 at 1:00 PM in Federal Court and the Narvaz Law Firm has asked representation from the County at that hearing. The Board did direct staff to have Narvaz Law Firm to provide an update to this Board by Monday morning.

Tom Garde, County Attorney reported that in executive session the following was discussed. Pending litigation on the administrative order involving the Environmental Department, the county has requested a two month extension, the county has filed with ED its available plan to TeraCon and we are awaiting review by ED to determine whether or not our plan is consistent with their regulations. We should be hearing something within the next two weeks. Discussed was People's Energy and the administrative appeal on Morequity, and the status of the administrative appeal on the property of Steve Romero. No action was taken on any of these items.

Chairman Daves asked Mr. Fernandez to report on the limited discussion of open positions. Mr. Fernandez said the salary levels of the existing vacant positions and a request was made to get additional job descriptions from other counties from like positions and that would be brought before the Board at the next meeting, for the Road Superintendent specifically.

Commissioner Aguilar was present for Regular Session.

Commissioner Aguilar asked that the record reflect her absence for executive session and will not be voting on this next motion to approve these reports. Commissioner Padilla made a motion to ratify that the above items were discussed in executive session. Seconded by Commissioner Andersen. Discussion. Commissioner Aguilar abstained. Commissioner Trujillo voted yes. Commissioner Padilla voted yes. Commissioner Andersen voted yes. Motion carried. 3 to Commissioner Aguilar abstaining as she was absent for executive session.

Chairman Daves asked Ruben Chavez to lead the Pledge of Allegiance.

Approval of Agenda

Commissioner Trujillo made a motion for the approval of the agenda for January 21, 2003 Regular Meeting. Seconded by Commissioner Padilla. Discussion. Commissioner Aguilar voted yes. Commissioner Trujillo voted yes. Commissioner Padilla voted yes. Commissioner Andersen voted yes. Motion carried. 4-0.

### **Approval of Minutes**

December 10, 2002 Regular Meeting

December 23, 2002 Approval of Payroll and Warrants

January 7, 2003 Regular Meeting

Chairman Daves had some comments on the meeting of December 10, 2002 a final commission approval of the Cornell contract and asked the Clerk's office to add more comment because he felt this issue needed to be adequately expressed and he wanted to bring this to the Commissioner's attention and on January 7, 2003 a minor wording change instead of fought for a Native American Holiday it should state ought to have Native American Holiday. Commissioner Padilla made a motion for approval of December 10, 2002, December 23, 2002 and January 7, 2003 with the changes. Seconded by Commissioner Trujillo. Discussion. Commissioner Aguilar said on a couple of last sentences where it reads Commissioner Aguilar said it is not the same contract because she feels there are changes and as she recalls she said the contract had been modified. Chairman Daves asked Commission to include Commissioner Aguilar's change. Commissioner Aguilar voted yes. Commissioner Trujillo voted yes. Commissioner Padilla voted yes. Commissioner Andersen voted yes. Motion carried. 4-0.

### **Public Requests**

Dave Crawford said he wouldn't be here except he didn't quite get all the information at the last meeting. On his request as stated before he needed to know where in the County Ordinances are the exceptions for mobile homes being installed without foundations. It was to be researched and he assumed a couple of weeks was probably enough time. Mr. Garde addressed Mr. Crawford and said he was not able to meet with Mr. Chavez but there is nothing in the ordinance that specifically excludes mobile homes, the policy of the zoning department if it was a rental there would not be a requirement that there be a permanent foundation. The justification ordinance was that landlords would not be able to rent property if in fact they required to have the renter build a permanent foundation and then two months later have the landlord evict the tenant. The procedure that the zoning department has set up is that they required the renter or the tenant to provide documentation as far as the owner of the mobile home with regards to whom the property is assessed to. Once that information is provided to the County then they determine that it is a rental or land purchase or an attempt to the ordinance would require foundations. Once those determinations are made and checked with the Assessor's Office records then they make the exception as to what the requirements are for the foundation. With regard to the issue on FEMA Mr. Garde said he has not completed, the County is using a 1985 manual, which at the time requires anchoring of the mobile home. Mr. Crawford said so Valencia County requires a foundation on each and every installation even though it says that all will have and someone has made a determination that that has not been enforced and it would be too expensive to pour a slab of concrete that could be used for various sizes of foundation by the owner of the property. Chairman Daves said one of the policies, as chair that he is going to enforce is the issue on public request for items not on the agenda and this item needs be brought before the Commission so the Commission can take some action. Mr. Crawford said so what do you want me to do? Chairman Daves said this is not the appropriate time to ask any of these pertinent questions. Commissioner Aguilar said she had received several phone calls pertaining to this issue and these are her constituents and she feels the County needs to be aware that we are the repository for the flood plane ordinance and full compliance and enforcement on this and if Mr. Garde is looking at the 1985 ordinance because there are more recent ones than that. Commissioner Aguilar said she has them and will be happy to provide them to Mr. Garde. Commissioner Aguilar said not to contradict anyone or take this any further but there are regulations on rentals, they do need to be strapped down in a flood plain area and there is a definition even if you are living in a travel trailer after 90 days on what is temporary and what is permanent. Commissioner Aguilar said Mr. Garde does need to research this and this needs to be put on the agenda so the public knows where everything stands on what is in compliance and what is not. Chairman Daves said public request should be only for comment and that there will be opportunities through an action item for this to be brought before this Commission.

### **ACTION ITEMS**

#### **GENERAL REQUESTS**

#### **RECOGNITION PLANNING & PLANNING ZONING BOARD: Herman Tabet and Jaime Goldberg –Ruben Chavez**

Mr. Chavez said this Commission would like to recognize past Planning and Zoning Commissioners for their service. Mr. Chavez said he was elected to perform this task but cannot take full credit because Monica Mireles did a fine job with the plaques and would like to thank her. First, we will recognize Jaime Goldberg; he has served on the Planning and Zoning Commission and served in the capacity as Vice-Chair. His duties over the past two years have called on him to actually serve as Chair and handled the meetings very well and he moved forward on items with professionalism. He works for District Court and his title is Deputy Clerk and his awareness of this arena even though he never practiced law but just the awareness of that arena always seemed to keep us on track and raised some questions that the Commission sat back and thought twice before acting and that was always helpful and this did minimize a lot of issues that came before us. We appreciated all that he did in helping Planning and Zoning Office move forward and at this time presented Jaime Goldberg his plaque for services rendered. Mr. Goldberg at this time came forward and accepted his plaque with thanks to everyone. Chairman Daves read aloud the inscription on Mr. Goldberg's plaque. The audience applauded a job well done.

Mr. Chavez said at this time he will recognize Herman Tabet and unfortunately he could not attend tonight to accept this award. Mr. Tabet was the Chairman for Planning and Zoning Commission and has served for 25 plus years in this capacity and the word here is service because he always gave his portion of pay to charity. His stipend was donated to the 4-H group. His knowledge of past proposals was an asset to the Commission and also Planning and Zoning staff and he certainly had more history than all of us combined. As a developer, he himself was instrumental in arriving at issues that were pertinent to conducting business, again relating to his knowledge of development. While Mr. Tabet may have been received as a harsh man he was very sentimental to people's needs, especially those people in need. Mr. Chavez said he worked with Mr. Tabet in his position with the Village for five years and at times disagreed with him however; at the Planning and Zoning Department we relied on him for his expertise and we considered him a friend and at this time would like to present Mr. Tabet's plaque. Chairman Daves said thanks to Ms. Mireles for designing the plaque with the gavel on it. Chairman Daves said on a personal note as far as he knows after Moses, Herman has been Chairman since. He enjoyed working with Herman, he is a very entertaining man and he is all those things Ruben said but certainly deserves the thanks of this County for the service he has given us. The audience applauded Mr. Tabet for a job well done for all his service to Valencia County.

#### **Appointments to County Boards – County Commission**

Chairman Daves asked Mr. Fernandez as to where we are on the appointments. Mr. Fernandez reported that there are two Boards that require additional appointments those being the Indigent Board. We need an appointment from Commissioner Andersen and Commissioner Trujillo. We have received appointments from Commissioner Aguilar, Commissioner Daves and Commissioner Padilla as to their appointments. Sam Ortega being the appointment from Commissioner Aguilar, Eloisa Tabet being the appointment from Commissioner Padilla and Laura Simmons being the appointment from Commissioner Daves District. The other Board that would need an appointment would be the Regional Juvenile Detention Board, the existing member is Commissioner Daves and Mr. Fernandez said he served as the alternate. Chairman Daves said he would remain as a member for the Regional Juvenile Detention Board. Commissioner Trujillo said Wayne Gallegos is the current member on the Indigent Board in his District III and he will continue with him. Commissioner Andersen said it is her pleasure to re-appoint Victoria Flores in District I. Commissioner Andersen made a motion to approve these appointments. Seconded by Commissioner Trujillo. Discussion. Commissioner Aguilar voted yes. Commissioner Trujillo voted yes. Commissioner Padilla voted yes. Commissioner Andersen voted yes. Motion carried. 4-0.

#### **PLANNING AND ZONING MATTERS:**

None at this time

#### **DEPARTMENT REQUESTS/REPORTS;**

##### **Request for approval of transfer of Ownership for Liquor License – Tina Gallegos**

##### **Hazel Martinez f/k/a Hazel Sanchez – Hwy 85 Belen**

Ms. Gallegos stated this is a public hearing and notification has been made by the New Mexico Regulation and Licensing Department for the State of New Mexico that Hazel T. Martinez f/k/a Hazel Sanchez is in application for change in liquor license and ownership change. This is a public hearing and a legal notice was published in the Valencia County News Bulletin on January 11<sup>th</sup> and January 18<sup>th</sup>, 2003. Ms. Martinez has an attorney present if the Commission has any questions. Chairman Daves asked Ms. Martinez attorney to brief them on this transfer. Louis Puccini, Jr. stated he represented Hazel Martinez for seven years; Ms. Martinez is the widow of Leroy Sanchez who was killed at the Red Carpet Lounge owned by Anthony Perfetti. Unfortunately, Mr. Perfetti did not carry insurance and Ms. Martinez and her children have commenced litigation hearings here in Valencia County. Mr. Perfetti filed bankruptcy in 1996 and this is where Mr. Puccini said he came in. Since then Mr. Puccini said they have been trying to obtain some funds for Ms. Martinez and her children. After much legal maneuvering finally the federal bankruptcy court approved the settlement of Ms. Martinez claim. Mr. Puccini said he had a copy of the order that was entered in 1999. Mr. Perfetti and his attorney agreed to it and that required payments to be made. Unfortunately, Mr. Perfetti was killed in a train collision here in Valencia County a few months later and not one payment was made per agreement. Mr. Perfetti's probate was filed here in Valencia County and Ms. Martinez waited for three years to have them sell the liquor license and that never occurred. Despite the settlement agreement and bankruptcy, Ms. Martinez was granted a lien on the liquor license, a first lien ahead of everyone else to guarantee payment of the amount due. After three years and no payments under the probate, there was some difficulties with the court along with the appointment of the personal representative of the estate and it was appointed by District Court. Ms. Martinez proceeded with the foreclosure of the liquor license and was accomplished within the uniform commercial code on October 8, 2002. We have copies of the second notification of this disposition of collateral which scheduled the license for sale in front of the courthouse and this occurred October 7, 2002. This went before the Alcohol and Gaming Division and so far everything has been approved. Ms. Martinez is a 20-year employee and is in charge of security with the Department of Defense. Ms. Martinez does not intend to open up the former Red Carpet Lounge again, it is closed and on suspension and it is Ms. Martinez intention when the liquor license is transferred to her name to transfer the license to a responsible operator such as Walgreen's or a restaurant so they can operate a responsible business. She does not and will not open this bar. We are here under New Mexico Statute 60-B-2 requiring approval of the local option district, which in this case is Valencia County. There is no opposition to the transfer of the license. Chairman Daves said he believes the issue before us is only to approve the ownership of transfer to Ms. Martinez and this other information was not related to the item before us. Ms. Puccini said this is correct. Chairman Daves asked Ms.

Gallegos her thoughts on this issue. Ms. Gallegos said that is correct and all that needs to be done is either approve or disapprove the change of ownership. Chairman Daves asked for public comment or any Commissioner's comment. Commissioner Andersen made a motion for approval. Seconded by Commissioner Padilla. Discussion. Commissioner Aguilar voted yes. Commissioner Trujillo voted yes. Commissioner Padilla voted yes. Commissioner Andersen voted yes. Motion carried. 4-0.

**Request to go out to bid for the 2003 Property Tax Bills and Lockbox Services – Diana Martinez-Coplen**

**Bid #534 2003 Property Tax Bills**

**Bid #535 Lockbox Services**

Ms. Coplen requested to go out to bid for the 2003 property tax bills and lockbox services for processing of the 2003 property tax payments and the county is currently in the third year and final year of the existing bid of both tax bills and lockbox services. Commissioner Padilla made a motion for approval of Bid 534 and Bid 535. Seconded by Commissioner Andersen. Discussion. Commissioner Aguilar voted yes. Commissioner Trujillo voted yes. Commissioner Padilla voted yes. Commissioner Andersen voted yes. Motion carried. 4-0.

**Older American Program – Request approval to go out to bid for following items: Mary Ann Gonzales**

**Bid #536 – Foods-Non-Foods**

**Bid#537 – Meat, Fish, & Poultry**

**Bid #538 – Dairy**

Ms. Gonzales requested approval to go out bid for the foods, non-foods, meat, fish, poultry and dairy products. This goes out to bid every six months. Commissioner Andersen asked if Ms. Gonzales had looked at commodity availability under this program. Ms. Gonzales said what we get is cash in lieu of commodities and yes we can look at this program and see what is available. Commissioner Padilla made a motion for approval of Bid 536, Bid 537 and Bid 538. Seconded by Commissioner Trujillo. Discussion. Commissioner Aguilar voted yes. Commissioner Trujillo voted yes. Commissioner Padilla voted yes. Commissioner Andersen voted yes. Motion carried. 4-0.

**FINANCIAL/BUSINESS MATTERS:**

**Request to consider restoration of funding for Valencia Soil & Water Conservation – Dale A. Jones**

Mr. Jones requested to consider restoration of funding for Valencia Soil & Water Conservation. Mr. Jones thanked the Commission for the opportunity to come before them to plead their financial woes. Marcel Reynolds will present the report. Mr. Jones said before he does he would like to brief the Commission on what the Soil & Water Conservation does and what their duties are and he would like for Jim Wanstall, the Soil and Water Conservation Specialist to provide this information to the Commission. Mr. Wanstall said what they do is provide program support for the District statewide. There are 47 districts throughout the State of New Mexico and he works for 14 of those and Valencia County is one of his districts. Mr. Wanstall provided a flow chart for Commission review and explained this serves as a guide to explain what we take care of. The districts are sub divisions of state government. Discussion ensued. Chairman Daves asked Mr. Jones the role in the Soil & Water Conservation with regard to issues before the Planning and Zoning Commission on zone changes or site plans. Mr. Jones said their major role in that was when the two-acre minimum issue came about. For example, subdivision reviews we have to by law provide to the County anytime we have any type of issue pertaining to that. Mr. Reynolds said he will brief the Commission on the operation of the district. In past years the district's responsibility was primarily the subdivision reviews with respect to terrain management and the administration of the USDA farmed type of activity. Because the levels of these programs we were able to get by with a part-time secretary and a few volunteer supervisors to accomplish these matters, but in recent times the funding to administer these programs has dwindled. Mr. Reynolds said they are asking for \$20,000 for the rest of the year and a budget breakdown is in the Commission's packet for review. Commissioner Padilla asked Mr. Fernandez his comments and recommendations with the budget impact the County has been in. Mr. Fernandez said he did meet with Mr. Reynolds and mentioned to him that any consideration of funding should not take place until the County does its mid-year budget review and this will probably take place the middle of February. Any revisions to the budget in terms of increasing expenditures will have to be approved by Department of Finance and Administration. Chairman Daves said he understands that in looking at this situation until we know what type of budget impact this will have on the County. Chairman Daves said this budget has been in very difficult straits and as he understands it some information and preparation will be possible in early February. Mr. Fernandez said we can supply the Board with a mid-year review the early part of February depending on information that we receive from other departments and financial reports of where we are. Ms. Andersen made a motion to table this item until the second meeting in February when we go over the budget review. Seconded by Commissioner Padilla. Discussion. Commissioner Aguilar voted yes. Commissioner Trujillo voted yes. Commissioner Padilla voted yes. Commissioner Andersen voted yes. Motion carried. 4-0.

**Resolution Temporary Cash Transfer 2002/2003 Budget Increase – David Carr/James Fernandez**

**General County/Traffic Safety Education & Enforcement Project**

Mr. Carr requested the Commission approve a grant agreement between Valencia County Sheriff's Department and NMSHTD Traffic Safety. The grant is for \$5000.00 in overtime monies for extra patrol to help curb crime in some areas. This will be the first time Valencia County will get to participate in this work agreement. Commissioner Padilla made a motion for approval of **Resolution**

**2003-04.** Seconded by Commissioner Trujillo. Discussion. Commissioner Aguilar voted yes. Commissioner Trujillo voted yes. Commissioner Padilla voted yes. Commissioner Andersen. Motion carried. 4-0.

#### **Creation of Expenditure Line Item – James Fernandez**

##### **Adult Detentions/Adult Detentions Shared Revenue Reimbursement**

Mr. Fernandez said this item before the Commission is a creation of expenditure line item to allow the payment of a shared revenue that has been earned from the marketing of contract jail beds. As of the end of December 2002 a total of \$335,258.00 had been generated in revenue from contract jail beds, Cornell's share of that revenue is \$119,140.17. Commissioner Andersen asked Mr. Fernandez how will this be reflected in the budget and is this an item we will have to take up with DFA? Mr. Fernandez said Department of Finance and Administration will have to approve this and in discussion with them it was determined it would be better to have the reimbursement of the revenue on a separate line item so there can be tracking. Commissioner Andersen said this would add money to our expenses plus what we are going to experience for the rest of the year. Commissioner Andersen asked Mr. Fernandez what do you anticipate that being for the rest of they year? Mr. Fernandez said we have estimated \$150,000.00. Chairman Daves said point of clarification you had a budgeted amount of a certain level of marketing beds and the item before us is the formalization as required by DFA so if you could characterize for the Board what was in the original budget. Mr. Fernandez said the total amount for revenue from contract jail beds is \$350,000.00. Total amount that has been received is \$304,267.16 yet to be received is \$34,888.00. Commissioner Aguilar said after discussion this item still needs further discussion and consideration and made a motion to table this item until the budget workshop in February to give us a total picture of the effects and impact on our budget. Seconded by Commissioner Andersen. Discussion. Commissioner Aguilar voted yes. Commissioner Trujillo voted yes. Commissioner Padilla voted yes. Commissioner Andersen voted yes. Motion carried. 4-0.

#### **Budget Transfers Increase for County Commission – James Fernandez**

Commissioner Aguilar said at the last meeting there were three Commissioners that showed interest in attending the conference in Washington, DC and she thinks because of the budget impact she would like to withdraw her request and she would like to attend the Mid-Winter Conference in Santa Fe, NM. Commissioner Andersen said she too would like to withdraw her request in attending the conference in Washington, DC. Commissioner Padilla withdrew his request also. Chairman Daves asked Mr. Fernandez since this request transfer increase was for County Commissioners did any other elected officials show an interest in attending? Mr. Fernandez stated the only one was the County Clerk. Ms. Gallegos said she had attended the last NACO conference and found it to be very instrumental to County government. Chairman Daves asked Ms. Gallegos if she would like to attend. Ms. Gallegos said she would. Chairman Daves said would you carry some dialogue from County government to this conference. Ms. Gallegos said she would not mind but whatever the Commission chooses to do. Mr. Fernandez said the existing budget as it is now would cover Ms. Gallegos expenditures for now but as we get closer to the end of the fiscal year it would have to be supplemented. Chairman Daves asked the Commission does approve a request for travel but that is not before us at this time. Mr. Fernandez said that is correct that was brought before the Board at the last meeting and to his understanding there was no authorization given but to the three Commissioners that showed an interest in going. Mr. Fernandez said at that time he was asked to contact each of the department heads to see who might be interested and the only one that showed any interest was the County Clerk. Commissioner Padilla asked if we need to make a motion for approval for Ms. Gallegos to attend? Mr. Fernandez said the item before you is the transfer increase for County Commission and it would have to be subject to that. Chairman Daves asked for a motion to approve this budget transfer increase for County Commission. There was no motion made.

#### **Request Consideration of Rate Change – Commissioner Daves**

##### **Housing Village of Bosque Farms Inmates**

At this time Chairman Daves handed the gavel to Commissioner Trujillo to be Acting Chairman for this item as he and Mayor Roger Baldwin present this item. Mr. Baldwin thanked the Commission for putting this on the agenda. Mr. Baldwin stated this request is for the consideration of rate change for housing of Village of Bosque Farms inmates at the Adult Detention Facility. Mr. Baldwin said that the Village of Bosque Farms pays a higher rate for prisoner housing than other entities in the area and would like the Commission consider lowering the rate per the Belen, Isleta or Los Lunas rate. Acting Chairman Trujillo asked what the rates are now per entity. Mr. Baldwin said Belen rate is \$81.17, Isleta rate is \$82.92, Los Lunas rate is \$81.24 and Bosque Farms rate is \$87.24 and Bernalillo County rate is approximately \$45.00. Commissioner Daves said he is in favor of this because this request is valid to adjust this rate. Commissioner Andersen made a motion that in fairness to the other Valencia County entities that all rates be the same. Commissioner Aguilar said point of order this item only pertains to Bosque Farms and not other entities and we should act on this and if a Commissioner wants to request action on the others this should be brought before the Commission. Commissioner Trujillo said he concurs with Commissioner Aguilar because this item does only pertain to Bosque Farms. Commissioner Andersen said then she will amend her motion and stated the amended motion that we change Bosque Farms rate of \$87.24 to the Los Lunas rate of \$81.24. Seconded by Commissioner Daves. Discussion. Commissioner Aguilar voted yes. Commissioner Trujillo voted yes. Commissioner Padilla voted yes. Commissioner Andersen voted yes. Motion carried. 4-0.

Acting Chairman Trujillo at this time handed the gavel back to Chairman Daves.

**Resolution – Extending Time for the Use of Annual Leave – James Fernandez**

Mr. Fernandez said this item requires a resolution allowing employees to carry over the excess of annual and comp time from December 31, 2002 extending that to June 30, 2003. Commissioner Padilla made a motion for approval of the extension of time for the use of annual leave and compensatory time **Resolution 2003-05**. Seconded by Commissioner Trujillo. Discussion. Commissioner Aguilar said she would support the motion but would like to see the amount because it is a budget impact because if one of these employees leaves we have to compensate for their leave. Mr. Fernandez said the departments that have large balances is the County Clerk's Office, Animal Control, and the Sheriff's Office. Commissioner Andersen said to her understanding the regulations that govern compensatory time has to be used in a certain number of days or employee must be paid. Commissioner Andersen said she would like to see a legal appeal on this. Commissioner Aguilar said to her recollection that we couldn't just give comp time that it has to be paid in time and a half so this is what we are doing is carrying this over in this Resolution. The law says one thing and in this Resolution we are changing it and that concerns her so we do need to look at this. Chairman Daves called for the vote after discussion and motion was made by Commissioner Padilla for approval and seconded by Commissioner Trujillo. Commissioner Aguilar voted yes. Commissioner Trujillo voted yes. Commissioner Padilla voted yes. Commissioner Andersen voted yes. Motion carried. 4-0.

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

Mr. Fernandez presented computer printout lists of all the checks issued by the Manager's Office on January 10, 2003 covering payroll processed on that date. Payroll check #56045 thru Payroll Check #56211 inclusive. Deduction Check #71203 thru Deduction Check #71234 inclusive. Listing total \$181,775.54 and of that amount \$113,334.13 is from the General Fund. Commissioner Andersen made a motion for approval. Seconded by Commissioner Padilla. Discussion. Commissioner Aguilar voted yes. Commissioner Trujillo voted yes. Commissioner Padilla voted yes. Commissioner Andersen voted yes. Motion carried. 4-0.

Mr. Fernandez presented computer printout of the Treasurer's Financial Report as of Monday, January 20, 2003 cash balance in the amount of \$2,738,581.94.

Mr. Fernandez presented computer printout lists of all the checks issued by the Manager's Office on January 16, 2003 covering vendor bills processed on that date. Check #71235 thru Check #71341 inclusive for the total of \$513,361.12 and of that amount \$121,538.02 is from the General Fund. Commissioner Padilla made a motion for approval. Seconded by Commissioner Trujillo. Discussion. Commissioner Aguilar voted yes. Commissioner Trujillo voted yes. Commissioner Padilla voted yes. Commissioner Andersen voted yes. Motion carried. 4-0.

**MANAGER'S REPORT**

**Manager's Report – James Fernandez**

**Jail Monitor's Report – Informational**

Mr. Fernandez reported for the period of January 1, 2003 to January 16, 2003 the average prisoner count was 112 with 99 male and 14 female. Mr. Fernandez gave the Commission for review the actual revenues as of January 10, 2003 and the anticipated revenues.

**The next Regular Meeting of the Valencia County Board of County Commission will be held on February 4, 2003 at 9:00 AM Executive Session and 10:00 AM Regular Session in the County Commission Room at the Valencia County Courthouse.**

**Adjournment**

Commissioner Trujillo made a motion to adjourn. Seconded by Commissioner Padilla. Discussion. Commissioner Aguilar voted yes. Commissioner Trujillo voted yes. Commissioner Padilla voted yes. Commissioner Andersen voted yes. Motion carried. 4-0. Time being 8:20 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**

**GARY DAVES, CHAIRMAN**

**ss/  
PAUL EDWARD TRUJILLO, VICE-CHAIRMAN**

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

**ss/  
ALICIA AGUILAR, MEMBER**

**ss/  
MARY J. ANDERSEN, MEMBER**

**ATTEST: ss/**

**TINA GALLEGOS, COUNTY CLERK**

**DATE: February 2, 2003**