

**VALENCIA COUNTY BOARD OF COMMISSIONERS**

**Regular Meeting**

**February 4, 2003**

Vice-Chairman Paul Trujillo called the Meeting to order at 9:05 A.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	

Vice-Chairman Paul Trujillo called the Meeting to order at 9:05 A.M. Tina Gallegos, County Clerk read the agenda for the executive session for the February 4, 2003, Regular Meeting.

**Executive Session**

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

Commissioner Aguilar made a motion to enter into Regular Session. Seconded by Commissioner Padilla. Discussion. Commissioner Aguilar voted yes. Commissioner Padilla voted yes. Commissioner Andersen voted yes. Motion carried. 3-0.

Carol Anaya, Human Resources Manager reported in executive session the following was discussed. New Hires Pending Pre-Employment Physical, Drug and Alcohol Testing for Guadalupe Hernandez, Older American Program, Homemaker Full Time Position, Temporary Hire for Ruth Saiz, Older American Program, Homemaker while Victoria Morgan is on injury leave.

Tom Garde, County Attorney reported in executive session the following was discussed. The administrative appeal for Morequity with the notice of tort claims filed was discussed. The administrative order involving ED, Mr. Garde advised the Commission as we are awaiting the recommendation of ED that determines if our plan meets their criteria. The Burris/Harvey Yates lawsuit, potential settlement negotiations with regard to Mr. Yates action was discussed. The issuance of grand jury subpoenas with regards to County finances was discussed. No action was taken on any of these items.

Mr. Fernandez reported that in executive session the following was discussed. The exempt positions were discussed that fall under the Board's direction for hires, direction was given to staff to set up a meeting to discuss those particular items on February 12, 2003 at 5:00 PM.

Commissioner Aguilar made a motion to accept these reports as presented. Seconded by Commissioner Andersen. Discussion. Commissioner Aguilar voted yes. Commissioner Padilla voted yes. Commissioner Andersen voted yes. Motion carried. 3-0.

**Vice-Chairman Trujillo asked Ruben Chavez to lead the Pledge of Allegiance.**

**Approval of Agenda**

Ms. Gallegos read the agenda for the Regular Session of February 4, 2003. Mr. Fernandez announced some changes, Item K he will be presenting this item on behalf of Mary Ann Gonzales, Older American Program, Item A just for clarification there were two items listed on the agenda request, the second one that did not appear on the agenda was the Cooperative Project Agreement for Phase III, Rio Del Oro pathways and this was verified by Mr. Garde that these were items that would not be a problem for the Board to act on. These projects have already been incorporated into the County budget. Mr. Fernandez said he just wanted to make the Board aware there were two items on Jacqueline Guilbault's request. Commissioner Aguilar made a motion to approve the agenda with these changes as presented. Seconded by Commissioner Andersen. Discussion. Commissioner Aguilar voted yes. Commissioner Padilla voted yes. Commissioner Andersen voted yes. Motion carried. 3-0.

**Approval of Minutes**

January 21, 2003  
January 27, 2003

Commissioner Aguilar stated that on the January 21, 2003 minutes it is reflected that she is absent and she was only absent for the executive session so if this could be noted. Vice-Chairman Trujillo stated on the January 27, 2003 minutes the last paragraph of Page 2 he made the motion to adjourn and seconded the motion so if this could be noted and changed. Commissioner Padilla made a motion for approval with minor changes of the January 21, 2003 and January 27, 2003 minutes. Seconded by Commissioner Aguilar. Discussion. Commissioner Aguilar voted yes. Commissioner Padilla voted yes. Commissioner Andersen voted yes. Motion carried. 3-0.

### **Public Requests**

None at this time.

### **ACTION ITEMS**

#### **GENERAL REQUESTS**

##### **Request for Permission to advertise for construction – Ruben Chavez/Jacqueline Guilbault Rio Del Oro Pathways Phase III, Bike Path**

Jacqueline Guilbault requested on behalf of Rio Del Oro pathways permission to advertise for Phase II and we also have a joint powers agreement for Phase III. This is a project that was started in 1995 and was constructed to meet Highway Department standards. It is a Highway Department project with a joint powers agreement that has been signed for the other phase. It is a public private partnership between VIA and Valencia County with VIA as managing the project and provides matching funds and the County is the fiscal and lead agent. Ms. Guilbault showed the Commissioners on a map as to where the bike path was constructed. Ms. Guilbault said what she is asking today is permission to advertise for the Phase II portion that would connect these phases these two bicycle paths together. The part of the joint powers agreement involved is the pathway that goes along the Rio Del Oro south loop going towards the university. Mr. Chavez said this project has been introduced as an enhancement project that the RPO of which we are a member of and this money was awarded less the matching monies that have been discussed. This does not cost the County anything. This project has brought some enhancement monies to Valencia County. Commissioner Andersen asked what are the obligations for maintenance? Ms. Guilbault said VIA would assume the maintenance. Commissioner Aguilar asked is there any type of obligations to report every five years that this pathway exists and is being maintained would there be any violation to the grant? Ms. Guilbault said she had not seen anything with that type of requirement. The joint powers agreement is for Phase III and that is the third phase that we are doing under this project and also the same enhancements funds. Commissioner Aguilar made a motion for approval of both. Seconded by Commissioner Padilla. Discussion. Commissioner Aguilar voted yes. Commissioner Padilla voted yes. Commissioner Andersen voted yes. Motion carried. 3-0

### **PLANNING AND ZONING MATTERS**

#### **Dedication and Maintenance on Violeta Place – Helen Cole/Mike McCartney**

Ms. Cole stated that the Valley Improvement Association would like this Commission to accept Violeta Place for dedication and maintenance. This road is a paved road and is two tenths of a mile located in Las Maravillas Subdivision in Phase III. Mr. McCartney also stated on behalf of the VIA he would like this Commission to accept Violeta Place for dedication and maintenance and this road has passed all the requirements of County procedures. Commissioner Aguilar made a motion for approval. Seconded by Commissioner Padilla. Discussion. Commissioner Aguilar voted yes. Commissioner Padilla voted yes. Commissioner Andersen voted yes. Motion carried. 3-0.

#### **Dedication and Maintenance on Leidell Court – Helen Cole/Patricia Hoxsie**

Ms. Hoxsie requested from the Commission dedication and maintenance on Leidell Court. There are about 25 people that live on this street. Ms. Cole stated that this road is in the El Cerro Mission area, it is a tenth of a mile, and it would need some type of base course brought in. Commissioner Aguilar said this was in her District and said this is an old subdivision whereby there have been issues with the roads as far as school buses and emergency vehicles go. Commissioner Aguilar made a motion that the County accepts this road for maintenance. Commissioner Andersen said she had a copy of Resolution 2001-35 and read excerpts from that resolution. Commissioner Andersen said she also had a copy from the Road Superintendent dated November of 2002 where this road is .100 tenth of a mile in length and has a 25' driving area with a 40' easement, but would need to be built up with a base course or pit run and would need to be crowned as it is out of shape. Commissioner Andersen said we have conflict here because our own standard procedures say that we have to have this in place before we can dedicate it for maintenance. Commissioner Aguilar said she appreciates what Commissioner Andersen is saying but the practice has been as a result of the Resolution because of public safety and the issues that are there, we have been accepting roads for maintenance. Commissioner Andersen said this type of thing is what creates dissension in the County, we write a procedure and work very hard to implement it but then we sit here and violate our own practices and procedures. Vice-Chairman Trujillo responded by reading an excerpt from Resolution 2001-35 and stated that it is to the Board's discretion to grant a full and partial waiver in order to accept roads for maintenance that do not otherwise meet the road standards if the acceptance of the road is essential to the protection of public, health, safety and welfare. Vice-Chairman Trujillo said he did not believe that this proposal is in violation of that ordinance. Commissioner Aguilar said to further comment there is statute whereby there is a responsibility for this County to maintain all postal roads especially if there is mail delivery. Commissioner Andersen said this is another thing that we ignore but to make her point it is not that she does not want to dedicate this road and understands it is in need of maintenance but we need to follow practices and procedures. Commissioner Aguilar said this is an issue that has been discussed in the past and what you are bringing up are policies and procedures that have not been followed and the solution to this is to put it on the agenda and come up with a policy so there can be clarifications. Vice-Chairman Trujillo said again looking at Resolution 2001-35 he does not find any conflict with what is being proposed. Commissioner Aguilar said again her motion was for approval of this road. Seconded by Commissioner Padilla.

Discussion. Commissioner Aguilar voted yes. Commissioner Padilla voted yes. Commissioner Andersen voted no. Vice-Chairman Trujillo voted yes. Motion carried. 3-1.

#### **Dedication and Maintenance on Campanada Road – Helen Cole/Carol Gallegos**

Ruben Chavez stated that from a planning standpoint, Campanada Rd. is a private road located in Unit 1 of Rancho Rio Grande, which is an approved subdivision. Ingress to Campanada Rd. is off Harrison Rd., which is a dedicated and maintained County road. Campanada consists of 24 lots of which 16 are occupied. Mr. Chavez said that the county requires 80% occupancy before any road in a subdivision may be considered for dedication. Approximately 50% of Campanada Rd. has been constructed and eventually Campanada Rd. will intersect with both Harrison Rd. and Claudine Rd. Commissioner Andersen asked Mr. Chavez for his recommendation. Mr. Chavez stated that his office does not recommend dedication because Campanada has not been fully constructed. Commissioner Aguilar said it is not unusual for the County to accept partial roads whereby only a portion has been dedicated and is maintained. The Road Department goes out there and actually checks the mileage and says we only maintain up to a certain point. Commissioner Padilla said to Vice-Chairman Trujillo that this is his District and does he have any recommendations. Commissioner Trujillo said being Vice-Chairman for this meeting he doesn't think he can. Commissioner Aguilar said he can make a recommendation. Vice-Chairman Trujillo said Carol Gallegos did not make her presence known here on behalf of the residents of that road. Vice-Chairman Trujillo said based on the information here and from staff he would recommend this item be tabled to where maybe Ms. Gallegos can come forward and clarify their intent for this particular road. Commissioner Aguilar made a motion to table this item. Seconded by Commissioner Padilla. Discussion. Commissioner Aguilar voted yes. Commissioner Padilla voted yes. Commissioner Andersen voted yes. Motion carried. 3-0.

#### **Request to amend zone maps from OD to WCF –Ruben Chavez/Clint Belyea Hwy 6 Dalies Rd A/K/A Dalies Townsite**

##### **Suwanne A/K/A Highland Meadows along Rail Road Property**

Clint Belyea and Gary Bunce requested to amend zone maps from OD to WCF. On behalf of Clint Belyea, Mr. Bunce said he would present this request. He is based out of Kansas City and works for Burlington Northern Santa Fe Railroad and he stated he is requesting to amend the zone maps to wireless communications facilities for two properties. This request will support the rebuild of a microwave system that we have that supports our operations over a large portion of the country. Mr. Bunce gave a presentation on the microwave system. Vice-Chairman Trujillo opened the request for public input.

D.J. Robinson from the Bureau of Indian Affairs on behalf of the Pueblo of Laguna stated he had some questions for Mr. Bunce and then possible recommendation to the Commissioners. Mr. Robinson questioned as to what was being done per the NEPA document? Is this NEPA document a blanket type document? Mr. Robinson said there are a lot of residents in the Highland Meadows area but due to the uniqueness of the property the human environment may be affected. Mr. Robinson recommended that this request needs further study on how this tower will affect the human environment with the Highland Meadows along with the Pueblo of Laguna. Mr. Bunce responded that the application to the FCC requires that you look at the effect on the area. Commissioner Aguilar had a question after listening to Mr. Bunce's presentation on the height of the tower. She asked Mr. Chavez what does our ordinance require as to the height? He responded 200 ft. Commissioner Aguilar said and this tower is 440 ft. so what are doing to make the adjustment? Mr. Chavez said first of all this request is for the zone change for the property alone and they will only be directed to 200 ft. and if approval is warranted then they will have to go back to Planning and Zoning Commission for a variance on height. Commissioner Aguilar said if we have an ordinance and it states a certain limitation shouldn't all the leg work have been done and then come forth with the proposal on what it is that they need? Mr. Bunce said what we have tried to do is follow the steps in that procedure. Commissioner Aguilar said she has an issue with that to come back and ask for this.

James Ashmore from Highland Meadows had a concern for this area because it has a need for radio communications. Presently, the Fire Department is half functional as far as communications, we just had an antennae relocated to help improve communications but it hasn't worked. We have a problem with communicating with County dispatch. We would like to propose to Burlington Northern that once they complete what they need to do to accomplish this project if they would be helpful to the community by mounting an antennae on their tower so we could set up a repeater system to address our emergency fire rescue needs for that area.

Robert Mooney from Pueblo of Laguna with a concern on the tower going up as to how much taller is this tower going to be. There is a safety issue that arises because it will have to be anchored pretty good because the gusts of wind that we had this past week-end it could be dangerous with the houses and even the railroad. The concern also is with interference with other antennae systems in the area although the voltage and frequency is minimal but still a concern.

Mr. Bunce said the issue of interference and explained the high technological system that will be used to eliminate this type of interference. Mr. Bunce explained the safety factor for the concern on anchoring down the towers. He said all this is specified in the project plan according to these concerns.

Commissioner Andersen asked Mr. Bunce if the request made by Mr. Ashmore could be done. Mr. Bunce said we allow collocation on their towers and there would be no charge for the placement and the operation. We do not allow anyone to be in the building due to safety standards. If they provide the antennae this could be maintained but they would have to have their own building and we would provide the installation.

Commissioner Aguilar said in tabling this request for 30 days would allow the railroad to communicate with the Pueblos and Highland Meadows. This would allow for these concerns to be met especially with the concern on the variance with Planning and Zoning. Commissioner Aguilar said this is in the form of a motion to table for 30 days. Seconded by Commissioner Padilla. Discussion. Commissioner Aguilar voted yes. Commissioner Padilla voted yes. Commissioner Andersen voted yes. Motion carried. 3-0.

**Request to amend zone maps from C1 to C2 – Ruben Chavez/Nino Trujillo  
Operate Drilling Company**

Mr. Chavez said we heard this request on January 14, 2003 and P & Z recommended approval of the zone change. Mr. Trujillo requested to amend the zone maps from C1 to C2 to operate a drilling company. Mr. Trujillo introduced Brian Nydoske who is the District Manager for the company that is purchasing the property to operate the drilling company. Mr. Nydoske said they are out of Tucson and have been in business since 1949 and serve several markets, water supply, environmental, mineral, geo exchange and geo technical. We will not be conducting any drilling on the property; it will be used primarily for storage of equipment in between projects. Commissioner Andersen asked how many employees will this business entail? Mr. Nydoske said about 14. The hourly employees range from \$10.00 to \$24.00 per hour with a good benefit package. Mr. Nydoske said he will bring some employees from Tucson but will also be hiring local. Mr. Nydoske said out the the 14 he would hire 9 locally. Commissioner Padilla made a motion for approval on this request because we need the business here in the County and it will also benefit the County. Seconded by Commissioner Andersen. Discussion. Commissioner Aguilar voted yes. Commissioner Padilla voted yes. Commissioner Andersen voted yes. Motion carried. 3-0.

**DEPARTMENT REQUESTS/REPORTS**

**Request for direction from Commissioners: Extension of the Solid Waste Ordinance – Tom Garde**

Mr. Garde said the current solid waste ordinance expires on March 31, 2003 and is on extension. The Commission elected to go on a non-exclusive agreement, which allows the haulers to provide services to County residents. What this Commission needs to do now is how to proceed to the next phase on how to proceed with the agreement. Mr. Garde said he would suggest that they set up a meeting with the haulers and the Commission to discuss what is good and bad about the ordinance and then see what the recommendations are and see what direction needs to be taken. Commissioner Aguilar said she feels the issues need to be addressed before the Commission because there are personalities and issues that have not been thought through carefully. We do not even have a copy of the ordinance available here so it should come before us as a whole so the issues can be addressed. Commissioner Aguilar suggested a workshop pertaining to solid waste only and left it to administration to set up a date that would be reasonable to everyone. Commissioner Aguilar made a motion to table for 30 days and allow the Commission to come to an understanding, with budget impacts because this is an important issue. Seconded by Commissioner Andersen. Discussion. Commissioner Aguilar voted yes. Commissioner Padilla voted yes. Commissioner Andersen voted yes. Motion carried. 3-0.

Mr. Chavez brought up issues that he feels need to be addressed with the haulers and the Commission. About two or three months ago the Commission extended the solid waste ordinance and was given a directive to enforce that ordinance with the haulers. Mr. Chavez said he got the haulers together and gave them a punch list of everything they needed to bring in according to the franchise they already have in place. The haulers have concerns with the requirements that they feel they can't fulfill. Mr. Chavez said so we do need to listen to their concerns and the Commission's so we can go forward.

Commissioner Aguilar said the intent of the motion was only to extend the ordinance to 30 days to allow us time to do this. If the Commission is going to be asked to change or amend the ordinance the Commission should be fully informed. This would give us 30 days until April 30 and also allow time for publication and for review.

Mr. Garde said this Commission needs to go through a publication process so the Commission can vote on an extension.

Commissioner Aguilar said she will make a new motion and give us time to publish the extension. Seconded by Commissioner Padilla. Discussion. Commissioner Aguilar voted yes. Commissioner Padilla voted yes. Commissioner Andersen voted yes. Motion carried. 3-0.

Commissioner Aguilar made a motion for staff to set up a date and time to hold a workshop for the solid waste ordinance. Seconded by Commissioner Andersen. Discussion. Commissioner Aguilar voted yes. Commissioner Padilla voted yes. Commissioner Andersen voted yes. Motion carried. 3-0.

**Board of Commissioners Convenes as Indigent Board**

**Indigent Appeal/Report – Barbara Baker**

**Board Re-Convenes as Valencia County Board of Commissioners**

Commissioner Padilla made a motion to convene as the Indigent Board. Seconded by Commissioner Andersen. Discussion. Commissioner Aguilar voted yes. Commissioner Padilla voted yes. Commissioner Andersen voted yes. Motion carried. 3-0.

Ms. Baker presented the indigent claims from December 31, 2002 to January 23, 2003. The total amount of claims submitted is \$361,608.65. There were 84 claims submitted with 27 applicant denials. Ms. Baker asked the Commission to approve \$54,436.90. Commissioner Padilla made a motion for approval. Seconded by Commissioner Andersen. Discussion. Commissioner Aguilar voted yes. Commissioner Padilla voted yes. Commissioner Andersen voted yes. Motion carried. 3-0.

Ms. Baker reported on the two appeals from Mr. Fernandez for the two inmates. The first appeal is Lonnie Martin he was denied indigent assistance because the County received the bill after the 90-day limit. Mr. Martin's University Physician Associates bill is \$81.00. If the bill is approved the amount would be \$64.80. Commissioner Andersen made a motion for approval. Seconded by Commissioner Aguilar. Discussion. Commissioner Aguilar voted yes. Commissioner Padilla voted yes. Commissioner Andersen voted yes. Motion carried. 3-0.

Ms. Baker reported on the second appeal for Tarla Law. Ms. Baker recommended denial because Ms. Law is not present. Commissioner Andersen made a motion to deny this appeal. Seconded by Commissioner Padilla. Discussion. Commissioner Aguilar voted yes. Commissioner Padilla voted yes. Commissioner Andersen voted yes. Motion carried. 3-0.

Commissioner Aguilar made a motion reconvene as Board of County Commissioners. Seconded by Commissioner Padilla. Discussion. Commissioner Aguilar voted yes. Commissioner Padilla voted yes. Commissioner Andersen voted yes. Motion carried. 3-0.

#### **Valencia County Rates for Jail Beds – James Fernandez**

Mr. Fernandez gave a review on the charged rates for housing adult inmates. Mr. Fernandez said that Commissioner Andersen expressed concern at the last meeting on the rate calculation of the existing rates and as to how they were determined. Commissioner Andersen stated her request was not how they were determined but to use the same rate for all entities charged. Commissioner Andersen said she would like to see all jail beds billed at the same rate. Commissioner Andersen made a motion to use one rate when the current agreement expires. Mr. Fernandez said this year it just happens to be an oddity as the rates have always been the same but the entities signed at different times and due to the renegotiation of the contract that is what created this particular inequity in terms of the rate difference. Mr. Fernandez said there is only .7c difference. Commissioner Padilla said this contract didn't all happen at the same time and therefore they fluctuated from each contract to the other. Mr. Fernandez said before April 1 we are going to have a standard rate and will begin on July 1 at the beginning of the fiscal year. Vice-Chairman Trujillo said there is a motion on the table. Commissioner Andersen said the motion that we reestablish the practice of one standard rate for all entities whenever the agreements arise. Seconded by Commissioner Padilla. Discussion. Commissioner Aguilar said this is already in place and we are only talking a couple of months for this to be brought up so she will vote not to support the motion and votes no. Commissioner Padilla voted yes. Commissioner Andersen voted yes. Vice-Chairman Trujillo voted no. Motion failed. 2-2.

#### **Request Approval 2003 Property Tax Bills and Lockbox Services – Diana Martinez-Coplen**

##### **Tax Bills Bid #534**

##### **Lock Box Bid #535**

Ms. Coplen recommends that we accept the bid from Ink Impressions Bid #534 for the 2003 Property Tax Bills. They submitted a bid of \$44,316.96 and Ms. Coplen said she has been happy with their services and she recommends we accept this bid. Commissioner Padilla made a motion for approval. Seconded by Commissioner Aguilar. Discussion. Commissioner Aguilar voted yes. Commissioner Padilla voted yes. Commissioner Andersen voted yes. Motion carried. 3-0.

Ms. Coplen said now for bid #535 on the lock boxes she recommends the bid from Bank of the West and their amount was \$13,000.00. Commissioner Aguilar made a motion for approval. Seconded by Commissioner Andersen. Discussion. Commissioner Aguilar voted yes. Commissioner Padilla voted yes. Commissioner Andersen voted yes. Motion carried. 3-0.

#### **Request for Approval Older American Program – Mary Ann Gonzales**

##### **Foods-Non-Foods Bid #536**

##### **Meat, Fish, & Poultry Bid #537**

##### **Dairy Bid #538**

Mr. Fernandez said on behalf of Ms. Gonzales the first bid of #536 on the Food-Non Foods, and Bid #537 on the Meat, Fish, & Poultry, and Bid #538 for Dairy Products and Mr. Fernandez said he recommends the lowest bid per line item for all bids. Commissioner Aguilar made a motion for approval of Bid #536. Seconded by Commissioner Padilla. Discussion. Commissioner Aguilar voted yes. Commissioner Padilla voted yes. Commissioner Andersen voted yes. Motion carried. 3-0.

Mr. Fernandez said the next bid for Meat, Fish and Poultry there were three bidders and again he recommends the lowest bidder per line item. Commissioner Aguilar made a motion for approval of Bid#537. Seconded by Commissioner Padilla. Discussion. Commissioner Aguilar voted yes. Commissioner Padilla voted yes. Commissioner Andersen voted yes. Motion carried. 3-0.

Mr. Fernandez said the next bid for Dairy Products Bid #538 there were four bidders and again he recommends per line item the lowest bidder. Commissioner Padilla made a motion for approval. Seconded by Commissioner Aguilar. Discussion. Commissioner Aguilar voted yes. Commissioner Padilla voted yes. Commissioner Andersen voted yes. Motion carried. 3-0.

#### **Request Appointment to Board of Registration as per NMSA 1-4-34 – Tina Gallegos**

Ms. Gallegos said her request is to ask for recommendations for the Commission to appoint a Board of Registration. This is an appointment for two years; three regular board members are required and two positions as alternates and party affiliation does need to be taken into consideration so we have attached a list of potential board members from the Democratic Party and the Republican Party. As per State Statute 1-4-34, the Boards duties are to oversee the purge process of the County Clerk's Office voter

registration files and delete the voters who have missed the last eight elections and the ones that have missed the last four elections get flagged. Commissioner Aguilar asked Ms. Gallegos for clarification of the ten names you are asking for five, three names plus two alternates Ms. Gallegos said this is correct. What you are looking at are three positions and they need to rotate with so many from the Democrat Party and so many from the Republican Party and then two alternates one from each party. Commissioner Aguilar said her recommendation from the appointment list is Lydia Carbajal, Belinda Martinez and Edgar Cooper. As an alternate her recommendation is Lillie McNabb and Joan Artiaga. Commissioner Aguilar made a motion to act on her recommendation above as stated. Seconded by Commissioner Andersen. Discussion. Commissioner Aguilar voted yes. Commissioner Padilla voted no. Commissioner Andersen voted yes. Motion carried. 2-1.

#### **Request to go out to Bid for Vector Control Services – James Fernandez**

Mr. Fernandez requested to out for bid for vector control services. Mr. Fernandez said we are currently in the third year of our three-year contract for this service. Last year the amount paid was \$9,250.00 for this service and the request this year we would like to start a little bit higher at \$10,000.00 because of the mosquito outbreak we ran into last year. The agreement term is up in May for this service. Commissioner Andersen made a motion for approval to go out to bid. Seconded by Commissioner Padilla. Discussion. Commissioner Aguilar voted yes. Commissioner Padilla voted yes. Commissioner Andersen voted yes. Motion carried. 3-0.

#### **FINANCIAL/BUSINESS MATTERS**

##### **Approval of Budget Resolutions – James Fernandez**

##### **Intra Budget Transfers**

##### **Inter Budget Transfers**

##### **Budget Transfers**

##### **Permanent Cash Transfer/Budget Increase**

Mr. Fernandez requested approval for the intra budget transfers, this does not increase the overall budget only moves the funds from one line item to line item. Commissioner Aguilar asked she would like to know the overall overages on these items so they can better prepare when it comes time to do the budget. Mr. Fernandez said the items that will be brought before the Commission for budget purposes will have the budget adjustments and this will show you how close these items are over expended. Commissioner Aguilar stated she was not ready to support this resolution when it comes time to take action. Commissioner Padilla said this is a recommendation from our County Manager and he is knowledgeable to go forward with this. Commissioner Padilla said he will make a motion for approval for **Resolution 2003-06**. Seconded by Commissioner Andersen. Discussion. Commissioner Aguilar voted no. Commissioner Padilla voted yes. Commissioner Andersen voted yes. Motion carried. 2-1.

Mr. Fernandez requested approval for the inter budget transfer and stated this is moving money from the Professional Services contingency section to Bureau of Elections Equipment Maintenance and Repair. Ms. Gallegos said this was set up in this contingency line item so if she ran over in her equipment maintenance repair fund this would cover expenses. Commissioner Padilla made a motion for approval on **Resolution 2003-07**. Seconded by Commissioner Aguilar. Discussion. Commissioner Aguilar voted yes. Commissioner Padilla voted yes. Commissioner Andersen voted yes. Motion carried. 3-0.

Mr. Fernandez requested approval for the expenditure budget increase, which involves a loan from Property Tax Division for residential and non-residential valuations program related to GIS functions and equipment purchases for Valencia County. Commissioner Padilla made a motion for approval for **Resolution 2003-08**. Seconded by Commissioner Andersen. Discussion. Commissioner Aguilar voted yes. Commissioner Padilla voted yes. Commissioner Andersen voted yes. Motion carried. 3-0.

Mr. Fernandez requested approval for the permanent cash transfer and budget increase from the county fire protection cash reserves to the EMS cash reserves and stated that John Cherry, Fire Marshal would comment on this transfer. Mr. Cherry said we had one fire rescue in Meadow Lake that has taken on a lot of responsibilities for medical treatment. This budget is very slim so we would like to increase for activities that come about and this is from cash reserves. Commissioner Aguilar asked is there a legal requirement on these cash reserves. Mr. Cherry said to his knowledge there is not. Commissioner Padilla made a motion for approval of **Resolution 2003-09**. Seconded by Commissioner Andersen. Discussion. Commissioner Aguilar voted yes. Commissioner Padilla voted yes. Commissioner Andersen voted yes. Motion carried. 3-0.

Mr. Fernandez requested approval for the budget increase from the county fire protection cash reserves Tome/Adelino FD to Tome/Adelino FD Capital Outlay and from the fire protection reimbursements to Tome/Adelino FD printing and publishing and office supplies. Mr. Cherry said Tome/Adelino received last year a \$50,000.00 grant to purchase a brush truck. So this transfer of \$7,200.00 is to balance out and pay off that brush truck. Commissioner Padilla made a motion for approval of **Resolution 2003-10**. Seconded by Commissioner Aguilar. Discussion. Commissioner Aguilar voted yes. Commissioner Padilla voted yes. Commissioner Andersen voted yes. Motion carried. 3-0.

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

Mr. Fernandez presented the computer printout list of all checks issued by the Manager's Office on January 24, 2003 covering payroll process on the above date. Payroll check #56212 thru Payroll check #56379 inclusive. Deduction Check #71342 thru Deduction Check #71373 inclusive for listing total of \$185,161.73 and of that amount \$114,518.75 is from the General Fund. Commissioner Aguilar made a

motion for approval. Seconded by Commissioner Andersen. Discussion. Commissioner Aguilar voted yes. Commissioner Padilla voted yes. Commissioner Andersen voted yes. Motion carried. 3-0.

Mr. Fernandez presented the computer printout list of all checks issued by the Manager's Office on January 30, 2003 covering vendor bills processed on that date. Check #71374 thru Check #71461 inclusive for a listing total of \$146,543.33 and of that amount \$55,399.32 is from the General Fund. Commissioner Andersen made a motion for approval. Seconded by Commissioner Padilla. Discussion. Commissioner Aguilar voted no. Commissioner Padilla voted yes. Commissioner Andersen voted yes. Motion carried. 3-0.

#### **Manager's Report**

##### **Manager's Report – James Fernandez**

##### **Jail Monitor's Report Informational**

Mr. Fernandez reported for the period of January 17, 2003 to January 30, 2003 the average prisoner count is 118 and of that amount 100 are males and 18 are females. Mr. Fernandez reported that we have sent a letter to the US Marshal's Office requesting an update as to a proposal for housing inmates in our facility as well as a letter to Sierra County also offering jail space for inmates.

**The next Regular Meeting of the Valencia County Board of County Commission will be held on February 18, 2003 at 5:00 PM Executive Session and 6:00 PM Regular Session in the County Commission Room at the Valencia County Courthouse.**

#### **Adjournment**

Commissioner Padilla made a motion to adjourn. Seconded by Commissioner Aguilar. Discussion. Commissioner Aguilar voted yes. Commissioner Padilla voted yes. Commissioner Andersen voted yes. Motion carried. 3-0.

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

**ss/  
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 18, 2003**