

VALENCIA COUNTY BOARD OF COMMISSIONERS

Regular Meeting

June 3, 2003

Chairman Gary Daves 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	

Chairman Gary Daves called the Meeting to order at 9:05 A.M.

Executive Session

Commissioner Andersen made a motion to enter into executive session. 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.

James Fernandez, County Manager reported as to what was on the agenda for executive session. Personnel matters, New Hires, Transfers, Resignations and Terminations, Litigation, and Land Acquisition, Los Chavez Fire Department.

Commissioner Trujillo made a motion to enter Regular session. 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.

Carol Anaya, Human Resources Manager, reported as to what was discussed in executive session. The voluntary resignation of Emily Carrillo, Older American Program effective June 5, 2003, Promotion and salary adjustment for Jeffrey Noah to Detective to Sergeant from \$12.90 to \$14.81 and this is per budget approval, position left vacant by Rodney Johnson, Administration was given direction to reject the applications for Animal Control and due to budgetary constraints the County is experiencing Anna Aragon will continue to remain the Acting Director for Animal Control.

Mr. Fernandez reported under personnel matters the Board was given a status update in the matter of Priscilla Camerena and on Land Acquisitions direction was given to staff to make an offer on property in Los Chavez owned by Mr. Sichler for the Los Chavez Fire Department.

Tom Garde, County Attorney reported the following as to what was discussed in executive session. The County was granted an extension for another sixty days with regard to the Environmental Department Order and we are continuing to remove debris from the Conejo Transfer Station as we speak. Discussion on a similar conference scheduled for July 7, 2003 on Marble Quarry Road with a hearing officer and we will discuss that matter in Executive Session for the next two meetings. We discussed the status of the settlement regards to the Yates/Burris lawsuit, we discussed the current situation with regards to the tax sale by the Property and Taxation Office and the subsequent foreclosure of the same property by the mortgagee and we hope to have more information by the next meeting.

Commissioner Padilla made a motion for approval on the above reports as to what was discussed in executive session. 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.

Chairman Daves asked Lawrence Rael to lead the Pledge of Allegiance.

Approval of Agenda

Sally Perea read the agenda for the June 3, 2003 Regular Commission Meeting. Mr. Fernandez said Item L, Resolution-Approve purchase of Voting Machines was requested by the Clerk’s Office to be removed for now. Commissioner Andersen made a motion for approval of the agenda with the change as stipulated by Mr. Fernandez. 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**

No Minutes For Approval.

### **Public Requests**

Clara Rehr – Road Issues

Robert Martinez – Concern for a 4-way Stop Intersection at Van Camp Road and Manzano Express Way

Larry Alba – New Evidence on the Industrial Park Issue to which Mr. Alba showed Commission a map pertaining to that area.

John Kelly – Point of clarification pertaining to the map by Mr. Alba that it showed no identification of any kind on it, no indication of an engineering firm or a surveyor that prepared it, no date, no title or statement representing stating what it purported to represent, no indication it had ever been filed with the County Commission, no signature lines for approval by any elected or appointed official of the County, it was piece of paper and unclear as to what it was.

### **ACTION ITEMS:**

#### **GENERAL REQUESTS:**

##### **MRGCOG – Water Issues – Lawrence Rael**

Mr. Rael said the Council of Governments as to which the County is a member of has been working on a water study for this region between Cochiti Lake Reservoir and the Valencia County line to the South including Albuquerque and all the communities along the valley. The study is part of an Interstate Stream Commission study that is being conducted across the state of New Mexico and this is one of the regions that is being reviewed. It requires approval of local governments by this body and by municipal governments throughout the region. It is a study that will be used by the Interstate Stream Commission and the State Engineer to develop a water policy for the state of New Mexico. We are now several years into this study. We are at a point now where we need involvement of the elected officials becomes crucial and important because of the requirements of the study by the State Legislators.

Mike Trujillo, Water Planning Coordinator for the Council of Governments presented a document for Commission review. The State has mandated that we do Regional Water Planning. The State has been broken up to sixteen water-planning regions of which we now have a State Water Planner so we are mandated by the Legislature to receive funding to do our regional water plan. The County's involvement in this plan is very important. Mr. Trujillo briefly explained what is water planning. First you have to find out the regions available water supply, the regions future water demand and what the region will do to undertake to meet and demand that supply. Our region now shows a deficit of up to 55,000 acre of water use in the region. Mr. Trujillo supplied the Commission with a survey to be filled out which includes the feasibility of a candidate's alternative action and is nothing more than background information.

##### **Presentation by Manufactured Home Division – Mike Montoya**

Ruben Chavez said he had spoken to Mr. Montoya before the meeting and he will not be present today. Chairman Daves said this item is tabled.

##### **Road grading requirements from New Mexico Public Regulation Commission – Deana L. Trujillo**

Ms. Trujillo said her job is to enforce the state excavation law and she had been asked by Mr. Fernandez to give a brief presentation of how the law applies to County's and County Road Maintenance in general. Ms. Trujillo introduced Avelino Gutierrez to explain the excavation laws. Mr. Gutierrez presented a handout of the statute laws to the Commission. The purpose and intent of this law is to prevent injury to persons and damage to property from accidents resulting from damage to pipelines, underground utility lines, cable television lines and related facilities by excavating and blasting. Basically, excavation means the movement or removal of the earth using mechanical excavating equipment. Mr. Gutierrez described the law to the Commission and stated this law does apply to all entities and they are here to answer any questions they may have.

##### **Resolution Valencia Community Partnership, Comprehensive Health Planning Council – Leona Woelk**

###### **Approval and Authorization to submit the Health Profile and Community Health Improvement**

###### **Approval of the Valencia Community Partnership roster as evidence of membership**

Ms. Woelk, Coordinator of the Valencia Community Partnership, said most would probably remember her as part of the Maternal Child Health Council and she would like to describe as to what her organization entails and the relationship as it coordinates with the Maternal Child Health Council. Ms. Woelk gave a brief history of the Valencia Community Partnership. It began in 1993 as the Valencia County Coalition For Families, Children and Community. It was organized as a health planning coalition and was made up of community members and health agencies and other interested parties that wanted to make the health of the Valencia County residents better. Over time it lost its focus and it began as a service-providing agency and in 1999 it was reorganized and they developed new goals and a leadership structure of vision. The Partnership meets for the purpose of strategic health planning, assessment of community needs and assets, networking, and resource development through community support and collaboration. Ms. Woelk presented a handout for the Commission review and asked for approval of a resolution in recognition of the Valencia Community Partnership as the Comprehensive Health Planning Council in Valencia County and approval of and authorization to submit the Valencia Community Partnership's County Health Profile and Community Health Improvement Plan. Ms. Woelk also asked the Commission's approval of the Valencia Community

Partnership Roster. Commissioner Aguilar made a motion for approval of **Resolution 2003-26** and the approval of the Council Roster. 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.

#### **Adult Detention Center Update by Cornell Corrections – Warden E. Morris**

Emery Morris, Warden for the Cornell Corrections said at the last meeting that he attended on May 19, 2003 shared brief information with the Commission on the next fiscal year's budget. Mr. Morris stated the presentation of that meeting raised questions and it was apparent that there was some misunderstanding and misperceptions in the public domain about what Cornell does and how they do it in terms of operating the Valencia County Detention Center. Mr. Morris said in the interest of public information he feels it would be very beneficial to give a presentation to the County Commission and by definition to the public on the operation of the Detention Center as a part of the budget process. The policy makers and the public deserve as much information as possible during this critical budget process. Mr. Morris said so therefore he would give the County Commission an update of Cornell's value-added services and is included in the County Commission's packets. Mr. Morris said his staff will give added information and a clearer understanding for example of the ACA accredited jail and the NCCHC accredited jail compliances. Gladys Sanchez of Cornell Corrections explained the accredited compliances that the Detention Center has achieved. The Valencia County Detention Center is now one of only two county jails in the State of New Mexico that has achieved this high level of accreditation. And is the only county jail in the State of New Mexico that has achieved accreditation from the National Commission on Correctional Healthcare as well as ACA. Ms. Sanchez said by offering increased opportunity of advancement through the utilization of its nationwide operations, Cornell has been able to attract a higher level of professional, career-minded incidents vs. having to rely solely on the Sheriff's Department. Debbie Baca, Administrative Secretary/Detention Officer spoke on behalf of Cornell Companies. Ms. Baca said she began her employment with the County Jail in 1993 and due to the lack of work ethics within the Detention Center she asked for and received a transfer to the maintenance department in 1996 and in the year 2000 she was given the option by Valencia County to seek employment with Cornell or be unemployed. In order to sustain her livelihood she accepted the position with reservations at Cornell because of the previous experience in the old facility was not a pleasant one due to the fact the old facility was very disorganized and dysfunctional. The multiple responsibilities and lack of training of the corrections officers in the area of medical, booking and standard operating procedures left them open for liability issues and lawsuits. Therefore, Ms. Baca said she can honestly say she has a bird's eye view of both facilities. Cornell is a very organized and sanitary organization to work in and she would like to ask the Commission that Cornell be allowed to continue serving Valencia County. Gary Henman, Vice-President for Cornell Company said he has the immediate responsibility of the oversight of all the facilities around the country and has the extreme privilege of being part of this contract. Mr. Henman said he has been pleased with the progress that Cornell has made and the recognition that his facility has received during the last three years. Mr. Henman said in your packet you have a highlight of the services that through Cornell's leadership and partnership, Valencia County now holds a model jail facility. Mr. Henman gave a brief summary of the financial impact and the operational analysis that Cornell has made in agreement with Valencia County. Mr. Henman invited the Commission for a tour of the facility at anytime he would welcome this.

#### **PLANNING & ZONING MATTERS:**

##### **Public Hearing/Final Consideration – Ruben Chavez**

##### **Ordinance-Moratorium on Power Plants/Commencement of a study of uses in Heavy Industrial Districts**

Mr. Garde said before this Commission is a proposed Ordinance, which has been appropriately published with regards to this Commission taking action today. Mr. Garde said he did disseminate to this Commission a letter that he received from Mr. Yntema who represents Mr. Alba in the lawsuit pending before the Court of Appeals. The jest of the proposal is that there will be a moratorium for power plants for the next year and this moratorium will commence today if this Commission approves the Ordinance for duration but not to exceed the date of June 2, 2004. This Ordinance proposes that the Zoning Department in cooperation with the Board of County Commissioners shall commence a study review and analyze the effects of the existing permitted uses in the Heavy Industrial District and report to the Commission that Departments recommendation. This Ordinance provides that projects that receive site planning review be approved by the County prior to the effective date of this moratorium shall be hereafter governed by the provisions of the Valencia County Comprehensive Zoning Ordinance in effect on the date project approval was first received and are excluded from this moratorium. Mr. Garde said this is the final consideration of this Ordinance. Vice-Chairman Trujillo asked for comments from the public as Chairman Daves stepped out of the room for a brief moment. The following public spoke with regards to the Ordinance concerning the establishment of a moratorium:

William Dean, Hess Yntema, Joe Rizzo, Larry Alba, Dave Crawford, Gloria Sanchez, Sonny Sanchez, and George Faust spoke in favor of the proposed moratorium.

Mary Lou Chavez, (Chief Deputy Sally Perea read a letter for Ms. Chavez against the proposed moratorium).

Commissioner Trujillo said in regard to the moratorium that Mr. Alba's attorney did a fine job in pointing out the laws. In drafting the moratorium, Commissioner Trujillo said he spoke to the various Commissioners and tried to obtain a sense in what might be viable with the Commission. Also speaking with staff he felt this moratorium was one that would be acceptable to the Commission and it was important to him that we take some action in this direction and he will be specific. Commissioner Trujillo said he had not looked at the Ordinances regarding power plants prior to

becoming a Commissioner so after being a Commissioner he went through and looked through the Ordinances carefully and the documentation provided to him by various interested parties. Commissioner Trujillo said in the ordinances he was surprised to find the ordinances were not listed as a permitted use, although the existing ordinance did provide for similar and conditional uses. Commissioner Trujillo said he is still perplexed how this became an I-3. Commissioner Trujillo said we need to approach this matter in a procedural manner because he feels that was not how it was handled in the past.

Commissioner Aguilar said she had a major concern with trying to impose a moratorium when there is limited information and it seems that the idea is good and there is a need for clarification but she is not sure if this is the mechanism and if this is the right way to do it. Commissioner Aguilar said she will come to the defense of staff and MRGCOG because in going back a few years there were plans devised in preparing our zoning ordinances, we were hoping to create a balanced community where you must have residential and industrial because you depend on gross receipts and on taxes to come in for support for County government. Commissioner Aguilar said she doesn't believe this is the proper instrument to act upon today.

Commissioner Andersen said she agreed with Commissioner Aguilar because she feels this is not the proper venue and if we need to look at zoning it should come through Planning and Zoning, the way we do all of our changes with ordinances and stick to the procedure involved. Any industrial company that wishes to come here is going to have to go through the P & Z procedures and we or they somewhere along the lines have the opportunity to decide each and every one of those individual cases. Commissioner Andersen said she will not support the moratorium.

Commissioner Padilla said the way he reads this ordinance is to sit back and look at our zoning regulations because this has become so controversial but he will support Commissioner Trujillo on this moratorium.

Commissioner Trujillo made a motion to adopt the moratorium. Seconded by Commissioner Padilla. Discussion. Commissioner Aguilar voted no. Commissioner Trujillo voted yes. Commissioner Padilla voted yes. Commissioner Andersen voted no. Chairman Daves broke the tie and voted yes. Motion carried. 3-2.

Break at 12:30 PM.

Commissioner Aguilar not present at this time of the meeting.

**Amend Comprehensive Zoning Ordinance 99-07, Manufactured Homes Rental Property Sec. 909-02**

Mr. Chavez said this is the final hearing on the amendment 99-07 which actually amends 909.02. Mr. Chavez said all mobile homes require a permanent foundation, however it has been P & Z policy that in two circumstances that it has not happened. One has been with rental property and the other one has been issued conditional uses on a temporary nature and the proposal before this Commission explains this and Mr. Chavez read the amendment.

Toby Lyon spoke on the amendment and said this amended ordinance is unconstitutional. Mr. Lyon handed out information to the Commission for their review.

Commissioner Aguilar present at this time in the meeting.

Commission discussed the amended ordinance on wording of 909.21. All agreed that aesthetics is an issue on mobile homes.

Commissioner Andersen made a motion to adopt this amendment to the ordinance as written with an additional word added (*skirted*) to the amendment 909.21 so that it now reads (The manufactured home shall be anchored, *skirted*, and if applicable comply with FEMA minimum regulations.) 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.

Chairman Daves left at 2:00 PM so Vice-Chair Trujillo took over at this time.

**Request Permission to Apply for CDBG Planning Grant (Comprehensive Planning) Ruben Chavez**

Mr. Chavez requested permission to apply for the CDBG planning grant. This grant is for the purpose of hiring a clean-up person to finish the Valencia County Comprehensive Plan so we can get this back on track and finish this desperately needed project. Commissioner Padilla made a motion for approval of this request. Seconded by Commissioner Andersen. Discussion. Commissioner Aguilar voted yes. Commissioner Padilla voted yes. Commissioner Andersen voted yes. Motion carried. 3-0.

**Request Final Approval –Development Plan Proposal-Senior Living Systems – Ruben Chavez**

Mr. Chavez said on May 6, 2003 this Commission approved the zone change for planned development for Senior Living Systems. The location for this property is Highway 47 and South El Cerro Loop. Mr. Chavez said along with the zone change planned development requires final approval to the proposed development plan as presented at the time of the zone change request.

Mr. Chavez said the Director for Senior Living Systems was present and would like to give a brief summary. Suzette Lindemuth gave history of the planned proposal for Senior Living Systems and would like the Commission to give final approval of this development plan. Commissioner Andersen made a motion for approval of this request with conditions set forth by the Highway Department. Seconded by Commissioner Padilla. Discussion. Commissioner Aguilar voted yes. Commissioner Padilla voted yes. Commissioner Andersen voted yes. Motion carried. 3-0.

## **DEPARTMENT REQUESTS/REPORTS**

### **Request Dedication and Maintenance:**

#### **Merced Road and Manana Road – Joe Jamieson/Dan Trujillo**

Joe Jamieson said he is before this Commission to request the dedication and maintenance of Merced Road and Manana Road. After discussion with Mr. Jamieson and the Commission there was questions that the roads did not meet the necessary specifications. Vice-Chair Trujillo said this is Commissioner Andersen's District and what would her recommendation be. Commissioner Andersen said her concern is safety and said there is no fifty foot turning radius required by emergency vehicles and road maintenance and therefore she is hesitant to recommend approval. Commissioner Andersen made a motion to postpone this approval for thirty days until we can determine whether or not it is possible to put a turning lane there and it has been her position for some time that we do not accept a road that doesn't meet County standards. Seconded by Commissioner Padilla. Discussion. Commissioner Aguilar voted yes. Commissioner Padilla voted yes. Commissioner Andersen voted yes. Motion carried. 3-0.

Chairman Daves returned to the meeting.

#### **Jerusalem Place and Genesis Place – Mike McCartney/Dan Trujillo**

Mike McCartney requested that Genesis Place and Jerusalem Place be accepted for maintenance. They are located in Pacitos Del Cielo Unit 5, which is the Habitat for Humanity unit. Commissioner Aguilar said this is her District and she would recommend and make a motion for approval of the dedication and maintenance of these roads. 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.

#### **Benito Lane – Al Lopez/Dan Trujillo**

Mr. Lopez requested that Benito Lane be accepted for maintenance. It is located within Santiago Estates Subdivision. Commissioner Padilla said this is in his District and going on the recommendation of the Road Superintendent made a motion for approval and accept Benito Lane for maintenance. 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.

### ***Board of Commissioners Convenes as Indigent Board***

#### **Indigent Report – Barbara Baker**

#### ***Board of Commissioners Re-convenes as Valencia County Board of Commissioners***

Commissioner Aguilar made a motion to convene as the Indigent Board. 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.

Ms. Baker presented her report on the Indigent Claims from April 23, 2003 to May 20, 2003. There were 66 claims submitted and 24 denials. The amount of claims was \$178,187.07 and Ms. Baker asked the Commission to approve \$38,047.63. Commissioner Padilla made a motion to accept the Indigent Report as presented by Ms. Baker. 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.

Commissioner Andersen made a motion to reconvene as Board of Commissioners. 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.

### **Request for Permission to Publish**

#### **Fire Excise Tax Election –(September 23, 2003) – John Cherry/Lawrence Kaneshiro**

#### **General Obligation Bond –(September 23, 2003) – Paul Trujillo/Lawrence Kaneshiro**

#### **Amendment to Animal Control Ordinance, Section 4.1.01 – Rabies Vaccinations –**

#### **Anne N. Aragon**

Mr. Cherry on behalf of the Fire Excise Tax Election stated this is for the continuance on the Fire Excise Tax (1/4 %) and there is going to be a Governor's call election that will go out on September 23, 2003. Mr. Cherry said we are asking permission to place the ¼ % on that Governor's call election and he understands that this is at no cost to us. Commissioner Trujillo made a motion to accept the request to publish as presented by Mr. Cherry. Seconded by Commissioner Padilla. Discussion. Commissioner Aguilar voted yes. Commissioner Trujillo voted yes. Commissioner Padilla voted yes. Commissioner Andersen. Motion carried. 4-0.

Commissioner Trujillo on behalf of the General Obligation Bond said he would like to ask a representative from the 13<sup>th</sup> Judicial District Court present this. Greg Ireland, Court Administrator for the 13<sup>th</sup> District Court said he has an outline he will go through and the Judges can ask any questions to the Commission at any time. Mr. Ireland said the Court is growing out of its current space and despite all the accommodations that the County has provided and with the new Judgeship coming into Valencia County space is a priority. This is a Governor appointed Judge's position based on

recommendations by a committee that was set forth for this particular process. In discussion on how to accommodate all these needs, we have approached the Commission for a new Courthouse. Mr. Ireland handed out a rough estimate based on the Judges space needs and also trying to predict the needs of the total project, which will include three courtrooms, plus security provisions. Discussion ensued on the needs of space and security. Judge Pope spoke on behalf of the needs and the growth that Valencia County has incurred over the years for space. Judge Sanchez said he felt that Mr. Ireland pretty much covered the much needed space for the Judges and the way they are housed now with Judge Pope in a mobile home basically with no security and his office in a deplorable environment and security a big problem. Mr. Kaneshiro explained the time frame to get this on the ballot for September 23, 2003 election and we would need a firm decision to be made by the second meeting in July to decide whether this will be on the ballot or not. Commissioner Trujillo asked Mr. Garde what needs to be done here at this time. Mr. Garde stated given the fact we have a deadline at the last meeting in July to get this in, his suggestion would be at the next meeting to have prepared a similar document that Sandoval County did when they went through their process and have this ready by the next meeting. So at the next meeting we would take action and have the preparation process ready. Commissioner Aguilar said what is on the agenda is General Obligation Bond and it doesn't state what it is for to take action. Mr. Ireland said this is a very sensitive situation and we need to look at this process carefully. Commissioner Trujillo said based on our attorneys recommendation to meet the deadline for the next meeting in July he would make a motion to that affect that we give staff the time for preparation whatever is necessary for the next Regular Commission 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.

Ms. Aragon on behalf of the request to publish the amendment to the Animal Control Ordinance, the New Mexico Department of Health has presented her with an addition to State Rabies Vaccination Regulation for the state of New Mexico and at this time asking to publish the request. This is in Section 4.1.01 and what this request does is add a three-year vaccination statement to this ordinance. Commissioner Padilla made a motion to accept this request to publish the amendment as presented by Ms. Aragon. Seconded by Commissioner Andersen. Discussion. Commissioner Aguilar voted yes. Commissioner Padilla voted yes. Commissioner Andersen voted yes. Motion carried. 3-0. Commissioner Trujillo absent for voting.

#### **Resolution – Approve Purchase of Voting Machines – Lawrence Kaneshiro – Deleted from Agenda**

#### **Report to the Commission on the disposition of the County's Nuclear Density Machine – Edward Archuleta**

Mr. Archuleta made a request to the Commission to remove from inventory a nuclear density machine that is in the inventory of the Road Department. We have followed procedures per State Statute and the guidance of our attorney. The value of the machine has been deemed to be less than \$5,000 and is no longer economical for County use. The particular machine was purchased in 1995 for \$4,975.00 and he understands it is not used at all so the County will no longer be required to obtain the annual license fee of \$1,700 because of the material it contains. We are asking that it be removed from the inventory and that we sell it on a sealed bid. Commissioner Padilla made a motion of the request as presented by Mr. Archuleta to remove the density machine from County inventory. Seconded by Commissioner Andersen. Discussion. Commissioner Trujillo voted yes. Commissioner Padilla voted yes. Commissioner Andersen voted yes. Motion carried. 3-0. Commissioner Aguilar absent for voting.

#### **Request for Out of State Travel – Sheriff's Department – Richard Perea**

##### **Golden, Colorado – May 27, 2003 – May 30, 2003 (Preferred Training Solutions)**

Mr. Martinez on behalf of Sheriff Perea has requested approval for out of state travel for Deputy Aaron Jones to attend training in Golden, Colorado on May 27, 2003 through May 30, 2003 and this would be a three night stay and per diem upon return. Commissioner Trujillo made a motion for approval of this request for out of state travel as presented by Mr. Martinez. Seconded by Commissioner Andersen. Discussion. Commissioner Trujillo voted yes. Commissioner Padilla voted yes. Commissioner Andersen voted yes. Motion carried. 3-0. Commissioner Aguilar absent for voting.

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

##### **Award of Bid #540 – Jacqueline Guilbault**

##### **Rio Del Oro, Bicycle Path – Phase 2**

Jacqueline Guilbault, Valley Improvement Association has asked for Commission approval to award bid #540 on behalf of the Rio Del Oro Bicycle Path, Phase 2. This is part of the Rio Del Oro project that started several years ago and is funded by the New Mexico State Highway and Transportation Department and with VIA paying matching funds and the County as the fiscal and lead agent for this project. It is approximately ½ mile of bicycle path that connects to the first phase of Rio Del Oro pathway and also to the greenways which is also another bicycle path. The overall intent is to make that area a pedestrian community and provide bicycle safety and walking transportation. There were three bidders and we accepted the low bidder of Albuquerque Asphalt Inc. in the amount of \$56,830.41 and the project would start in late June and be completed in August. Commissioner Padilla made a motion for approval based on the recommendation as presented by Ms. Guilbault to accept and award the bid #540 to Albuquerque Asphalt, Inc. 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.

**APPROVAL OF PAYROLL/WARRANTS – JAMES FERNANDEZ**

Mr. Archuleta presented the computer printout lists of all checks issued by the Manager's Office on May 30, 2003 covering payroll process on that date. Payroll Check #57728 thru Payroll Check #57900 inclusive. Deduction Check #72570 thru Deduction Check 72596 inclusive for a listing total of \$183,895.72 and of that amount \$116,611.58 is from the General Fund. Commissioner Aguilar made a motion for approval as presented by Mr. Archuleta. 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. Archuleta presented the computer printout lists of all the checks issued by the Manager's Office on May 22, 2003 covering vendor bills processed on that date. Check #72565 thru Check #72569 inclusive for the total of \$68,449.12 and of that amount \$3,766.55 is from the General Fund. Commissioner Padilla made a motion for approval as presented by Mr. Archuleta. 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.

Mr. Archuleta presented the computer printout lists of all the checks issued by the Manager's Office on May 29, 2003 covering vendor bills processed on that date. Check #72597 thru Check #72688 inclusive for the total of \$97,442.11 and of that amount \$43,822.21 is from the General Fund. Commissioner Andersen made a motion for approval as presented by Mr. Archuleta. 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.

**MANAGER'S REPORT:**

**Request for Workshop date for ICIP – Edward Archuleta**

Mr. Archuleta requested from the Commission a workshop date be set for the ICIP meeting. The plan needs to be submitted by July 31, 2003. After discussion by the Commission and based on the recommendation of Mr. Archuleta it was set for Tuesday, July 8, 2003 at 9:00 AM.

**Manager's Report – James Fernandez**

**Jail Monitor's Report – Informational**

Mr. Fernandez reported for the period of May 16, 2003 to May 29, 2003 the average prisoner count was 170 and of that amount 140 were males and 29 were females. Mr. Fernandez reported also that this past weekend was the last time we would be housing Bernalillo County inmates and they were removed from the facility on Sunday.

The next Regular Meeting of the Valencia County Board of County Commission will be held on June 17, 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 Andersen 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 3:30 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/  
GARY DAVES, CHAIRMAN**

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

**AURELIO H. PADILLA, MEMBER**

**ALICIA AGUILAR, MEMBER**

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

**ATTEST: ss/**

**TINA GALLEGOS, COUNTY CLERK**

**DATE: August 5, 2003**