

**VALENCIA COUNTY BOARD OF COMMISSIONERS**

**Special Meeting**

**Consideration Final 2003/2004 Fiscal Year Budget**

**July 29, 2003**

Chairman Gary Daves called the Meeting to order at 10:10 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 10:10 A.M. Tina Gallegos, County Clerk read the agenda for the Special Meeting of July 29, 2003.

**Executive Session**

**Chairman Daves asked Sheriff Richard Perea to lead the Pledge of Allegiance.**

**Approval of Agenda**

Chairman Daves said the agenda shows as Item 2 Executive Session and in discussion with the County Manager and upon his recommendation that there are no imperatives to enter into executive session. Commissioner Trujillo made a motion for approval of the agenda with the deletion of the executive 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.

Beverly Gonzales, County Assessor said she received her budget book this morning and in going through it on one of her employees, and she did bring this to Mr. Fernandez’s attention, her Deputy Assessor I, in the budget it reflects her not getting the raise. Ms. Gonzales said as she understands it Mr. Archuleta will fix that one. Her salary is currently \$8.00. Mr. Archuleta said the budget analyst and personnel director reviewed the salary schedules so that adjustment will need to be made with concurrence with the personnel area. That adjustment would equal to \$1,194.96. Ms. Anaya said this employee is coming off of probationary status on July 14, 2003 and did go from \$7.50 to \$8.00. Chairman Daves said under this budget when does this take affect. Ms. Gonzales said she would like that adjustment made. Mr. Archuleta said there is the same situation that we know of in another department where an employee is coming off of probation. As you may recall the motion that was made on the raises excluded those employees that were on probation and there are some coming off of probation in the month of July. Since they already got the 50c raise it was his understanding that they did not get the additional 50c that was approved by the Board. Ms. Anaya said her feel on this is that we have had employees here for quite awhile that have not received an increase for several years and then to have someone get off probation receive, or at the end of their probation get another 50c. She feels that in coming off probation they have earned the 50c and we need to start looking at the employees who have not gotten increases over the years and we need to be careful on how we do that.

Ms. Gonzales said the raise did not reflect her Chief Deputy so that leaves her Chief Appraiser making more than that position now. She feels that Chief Deputies also should have been given a raise and she would like to see something there. Also for the Elected Officials, the Commission decided not to give any of the elected officials an increase but when that was passed last year at the session by the Commission in December that we were going to receive that increase barring there be monies available. She was hoping the Board would have approved that also.

Tina Gallegos, County Clerk said within her three budgets, Recording/Filing, Bureau of Elections and Clerk’s Equipment Fund. In looking at this as was discussed in the preliminary she doesn’t have any problems with the budget except for under her Bureau of Elections mileage and per diem was taken out as this is used for her poll workers. Ms. Gallegos said she does appreciate the 50c for the County employees and hopes it does get approved in today’s budget. She also agrees with Ms. Gonzales in the aspect as far as the Chief Deputies because as she understood it the elected officials would not get one but if we don’t give it to the Chief Deputies now, does that mean they will be able to get it when the elected officials get a raise?

Robert Borum said his purpose here today deals with one specific item in the proposed fiscal budget for Valencia County. That item deals with the purchase of the new electronic voting machines for Valencia County. Mr. Borum said he feels certain that the Commission has not been fully advised in this matter and his intent is to bring the other side of this issue to the Commission. He would like for the Commission to put a hold on any new voting equipment and study the matter further. Mr. Borum feels that the current 1242 system works and works well. Why do we need to fix something that is not broken or why do we need to fix it with new equipment and new debt? Mr. Borum went into detail on how he has been involved with using the current system that Valencia County is currently using and gave a two-page background of that knowledge. But in summary he feels that this Commission needs to withdraw and revoke any authorization of the County Clerk to procure new election equipment for Valencia County.

Commissioner Aguilar said based on the information that has come before us she would like to hear from the County Manager and the County Clerk. This would provide a better understanding because Mr. Borum was not at the meeting where this was discussed. Commissioner Aguilar said in looking back on her notes the new machines would cut down on space and even understanding our financial burden there was 0% financing, we would have 115 new machines but the budget would only have an impact of about \$3,000 but we would be ahead of what is being federally and state mandated.

Ms. Gallegos asked to respond briefly to Mr. Borum's presentation. Ms. Gallegos said she agrees with most everything that Mr. Borum has mentioned because the 1242 voting machines have been a very good workhorse for Valencia County; they are a good machine, very stable and very accurate machine. This County has not experienced any problems with the 1242 but she was not before this Commission because she had experienced problems, she was before this Commission because of Federal and State mandates and also dollar amounts of purchasing voting equipment was at a better price versus if we waited two years for the 2006 compliance order. The 1242's do have the upgrades available that Mr. Borum also mentioned but when you are looking at upgrading cartridges plus buying voting machines plus buying the attachments, which so far has not been approved federally or within the state that would meet the compliance order for the handicapped and the disabled. The cost was still going to be high. If we didn't do something this year, we would be forced to purchase and upgrade the equipment to get her to the compliance order. Ms. Gallegos said she feels confident that Valencia County is ready for this new voting equipment. As Mr. Borum mentioned election night in bringing those three different voting systems to communicate at the end of the night is a very difficult process for her office and she does have a good staff and they are capable of doing that. We need to make their job easier because on election night if we can't get results and that has never been the case for Valencia County but we were headed there in operating of the three different software systems that would not communicate. We didn't bring all the voting machines in at that last meeting because this Commission trusted her to bring back a recommendation and that is what she did. She has looked at all the equipment and feels confident this Commission made the right decision and Mr. Borum was not here that night but her hope is still that the public and the Commission is still comfortable with that choice because it was a good one.

Mr. Archuleta said the annual payment is \$51,866.00, in the preliminary we had approved approximately \$49,000, there were some changes from the preliminary to the final presentation from the Clerk, but the existing machines have a payment due in December of \$41,332.00 so in the budget you will see in that account lease purchase at \$93,218.00 and that is assuming the existing machines are not sold and we have to make that payment. Next year you will see lease purchase at \$67,486.00 that is assuming the new lease payment plus \$15,600.00, which will be the required payment for next year.

Ms. Gallegos gave a brief report on the selling of the voting machines. She has made contacts with several cities in Philadelphia, Virgin Islands and the Conservancy District in Albuquerque. We will be advertising in the election publication magazine and there is a strong push by her office to sell the voting machines. Ms. Gallegos said she has spoke with the Secretary of State's office because she does not want the County to pay two lease payments. Ms. Gallegos said so at worst case scenario if she does not sell these voting machines, she will not purchase the new voting machines until January of 2004 which means her \$41,000 payment in December will remain what it was for last year. Ms. Gallegos said she will have from January to December 2004 to sell the machines and this will give a year to sell these machines without it being a financial burden on the County. So the \$93,218.00 in the budget for the lease payment she will not need and will put a hold on the order until January so that does not happen.

Mr. Archuleta said we can make that change in Ms. Gallegos' budget to reflect that. Commissioner Trujillo asked Ms. Gallegos for a brief history on the machines that are in use today. Ms. Gallegos said we purchased the 1242 voting machines in 1994 and at that time the County Clerk did not recommend this voting machine. The Secretary of State's Office does recommend and certify the voting machines that are used. The AVC voting machine that the County Clerk did recommend is still being used today. The company that made the Sequoia AVC is the same company that has the Edge Touch Screen. Discussion ensued.

#### **Soil & Water Conservation**

Dodie Hoffman, Supervisor of the Soil & Water Conservation Board said she was before the Commission again for them to reconsider entering into the budget \$8,000 and this would be a total of \$10,000 as previously the Commission did budget \$2,000.

Commissioner Aguilar said it is important to start at the top, we have an \$844,000 deficit, we meet our 3/12's requirement at the end of this year and going into this next fiscal year, but we do not meet our 3/12's at the end of the next fiscal year. Commissioner Aguilar said to her this is a critical concern and she would like to hear from administration as to what recommendations they have before we can make any adjustments.

Commissioners discussed different situations as to what can be done to fix the deficit and where to start. The Adult Detention Center takes up 1/3 of the budget and this Commission did propose in a prior meeting doing an RFP or audit finding and when can this be done. We need to review the expenditures and see how we can help our employees in getting what they deserve and different organizations the help they need.

Mr. Archuleta proceeded with the budget and brought to the Commission's attention some changes within the budget transfer line items. We ended this fiscal year with a cash balance of \$2,273,814.00 and we will be starting this fiscal year 2003-2004 with that balance. The General Fund Revenues and Transfers in is \$9,172,052.00 and General Fund Expenditures and Transfers out is \$10,079,282.00. The ending cash balance is \$1,366,584.00 for the fiscal year 2003-2004. We have expenditures exceeding revenues by \$907,230.00.

Mr. Archuleta said this budget does reflect the raises for the employees beginning the first pay period in August, which was requested by the Commission. Those that were excluded are elected officials, appointed positions, law enforcement, vacant positions, new positions and individuals on probation. It has been brought to our attention on two of those employees that it was done incorrectly or an issue yet to be resolved.

Commissioner Andersen made a motion that the 50c an hour raise be also applied to the Chief Deputy of the Assessor, Treasurer, and the Clerk and to the Road Superintendent. Seconded by Commissioner Trujillo. Discussion. Commissioner Andersen voted yes. Commissioner Padilla voted yes. Commissioner Trujillo voted yes. Commissioner Aguilar voted no. Motion carried. 3-1.

Chairman Daves said we took no action to the employees whose probation ended in July.

Break @ 12:15 PM. Return @ 1:25 PM.

Mr. Archuleta explained the revenues and the county equalization monies and the firefighters stipend program.

Commissioner Andersen asked staff is there anywhere in this budget that we can cut costs and she would like to hear their recommendations. Mr. Fernandez had suggestions in the County Clerk's budget in the Bureau of Elections, the lease payment line item. The Solid Waste appropriations be looked at and Mr. Fernandez said he spoke with Representative Kandy Cordova on that issue as well as appropriations on a voting machine warehouse. There were two new positions that were funded a PC Analyst and an Enforcement Officer. Mr. Fernandez said if we hold off on these suggestions it would help in this budget.

Commissioner Andersen made a motion to eliminate from the budget the lease payment for the purpose of the new voting machines for the fiscal year 2003-2004 budget and the purchase would be put off until the 2004-2005 so that first lease payment would take place then and that amount is \$51,866.00. Seconded by Commissioner Padilla. Discussion. Commissioner Andersen voted yes. Commissioner Padilla voted yes. Commissioner Trujillo voted yes. Commissioner Aguilar abstained. Motion carried. 3-1.

Commissioner Andersen made a motion to remove the line item of \$60,000 for solid waste expenditures capital outlay. Seconded by Commissioner Trujillo. Discussion. Commissioner Andersen voted yes. Commissioner Padilla voted yes. Commissioner Trujillo voted yes. Commissioner Aguilar abstained. Motion carried. 3-1.

County Assessor, Beverly Gonzales said on her 420-valuation maintenance fund she didn't know that anything had been done to this fund. Mr. Archuleta said there were some adjustments made to the revenue to balance this fund. Ms. Gonzales said she thought this was covered on the loan she borrowed from the State. The expenditures were adjusted in some line items based on what was actually spent this last fiscal year. Ms. Gonzales said she feels her budget has been taken advantage of and she was not aware this fund was revised.

Chairman Daves said his feel on this is that the respective offices be made aware of any changes. Commissioner Andersen said she would like to leave the budget as it is and we can make any budget changes later and work with Mr. Archuleta on this budget. Chairman Daves said absent a motion on this issue we will leave the budget as it is.

Mr. Archuleta said the gross receipts revenues for capital outlay will increase by \$115,000 to begin a fleet rotation program.

Commissioner Andersen made a motion to increase the capital outlay amount in the Sheriff's Gross Receipts fund to \$200,252.00. Seconded by Commissioner Trujillo. Discussion. Commissioner Andersen voted yes. Commissioner Padilla voted yes. Commissioner Trujillo voted yes. Commissioner Aguilar abstained. Motion carried. 3-1.

Commissioner Andersen made a motion based on the County Manager's recommendation that we eliminate for now the PC Analyst and the Enforcement Officer positions from the budget and this should help with the 3/12's requirement. Seconded by Commissioner Trujillo. Discussion. Commissioner Andersen voted yes. Commissioner Padilla voted yes. Commissioner Trujillo voted yes. Commissioner Aguilar abstained. Motion carried. 3-1.

Commission and Mr. Cherry discussed the stipend program for the firefighters. No action taken. Commissioner Aguilar said this is on the agenda for Tuesday's meeting so we should wait and take action then because we can submit a change to the budget then.

Commissioner Trujillo made a motion to fund the additional \$8,000 to Soil and Water Conservation. Seconded by Commissioner Andersen. Discussion. Commissioner Andersen voted yes. Commissioner Padilla voted yes. Commissioner Trujillo voted yes. Commissioner Aguilar abstained. Motion carried. 3-1.

Mr. Archuleta said in adding the raise to the Chief Deputy's and the two employees that were discussed earlier on probation and the elimination from the two positions, taking out the expenditure in solid waste and the clerk's bureau of election we will meet the 3/12's requirement.

Chairman Daves said unless there is a motion by the Commission we did not authorize any change from someone coming off probation in July will not get the additional 50c come August.

Mr. Archuleta again then refigured in adding the four appointed employees who were left out which the total is \$4780.00, the elimination of the two positions, taking out the expenditure in the solid waste fund and the clerk's bureau of election the total savings is \$56,602.00.

Commission discussed Ms. Gonzales, Older American Program request to move the voting machines from the Del Rio Community Center. Commissioner Aguilar said at a previous meeting it was discussed that staff and the County Clerk get together and find some other means of storage for the machines. Mr. Fernandez said this did happen in talking to Representative Kandy Cordova there were appropriation monies available for a 2000 square foot warehouse. Mr. Fernandez said this depends on the purchase of also the new voting machines and the sale of the old ones.

Commissioner Trujillo made a motion for the sake of time constraint and that staff be instructed to come back with options to find other means for voting machine storage by the next meeting of August 19, 2003. 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 said based on these changes before us for fiscal year 2003-2004, we have expenditures at \$9,917,707.00 and that exceeds revenues by \$745,655.00. The following year 2004-2005 based on the projected revenues, transfers out and expenditures we have \$9,756,345.00 and that exceeds revenues by \$316,466.00.

Chairman Daves read a letter from Richard Chavez in the form of a memo dated March 7, 2003 and it is to the Commission and County Manager. It has been mentioned at Commission meetings that the County can only squeeze so much out of its turnip to meet operation costs, we as employees all have our personal turnips to squeeze to meet our expenses. Speaking for himself he has squeezed his turnip dry a long time ago, how much longer must we keep telling our families and our children no when they ask us for something.

Chairman Daves said we have obligations and that is why he wants this Commission to be prudent in the budget and it is critically important that we do what this budget says in terms of a raise and all other expenditures he has no problem with. Chairman Daves said he would like to hear from other Commissioners.

Commissioner Andersen said as Mr. Chavez stated in his memo, you can only squeeze the turnip so many times and if we are going to change the condition of this County, we have to look at how to raise revenue and how do we decrease expenses. One of the ways she is firmly convinced that we can decrease expenses is do an in depth study of Cornell and figure out if we can afford to continue with that facility. We need to look at whether we are taxing the proper rates even if we have to go to Santa Fe. We need to look at roads, fire safety how much we charge at the landfill; all of these things need to be looked at.

Commissioner Aguilar said it doesn't matter what she says on the jail facility because it falls on deaf ears but she thinks it is something that has been blamed and talked about so much, we need to be direct in what we are doing. For this Commission to put it at rest it needs some resolution.

Commissioner Trujillo said he agrees with both Commissioners with this recurring problem with the budget and we need to adequately look at those large expenditures, Cornell being one of them as well as the Juvenile Detention. He agrees with Commissioner Aguilar that we need to be forceful and assertive as to going out for an RFP and what savings we can expect by looking at other ways in running that facility.

Commissioner Padilla said the consensus of the Commission is finding out the actual figures would be in the savings of the Cornell facility. Given the opportunity we can look at our Business Manager and County Manager in coming up with a plan or study on how to create more revenue and where are our shortfalls.

Commissioner Trujillo made a motion for staff, Mr. Archuleta and Mr. Fernandez to prepare an analysis as far as the savings that could be expected on the market for Adult Detention and also Juvenile Detention by the meeting of August 19, 2003. 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.

Commissioner Padilla made a motion to accept the revised budget as it has been presented. Seconded by Commissioner Trujillo. Discussion. Commissioner Andersen voted yes. Commissioner Padilla voted yes. Commissioner Trujillo voted yes. Commissioner Aguilar voted no. Motion carried. 3-1.

Mr. Fernandez said the last item before you is the consideration of the service agreements of the housing of inmates at the Adult Detention facility. It is the direction of this Board that we approach the entities to see if they would accept at keeping the rate at \$81.17 and the response was no. We have provided an analysis of the cost and we have come up with a figure of \$61.17 and Mr. Fernandez said he would recommend the Commission accept this rate for the City of Belen, Village of Los Lunas, Village of Bosque Farms and Pueblo of Isleta. The other item is the service agreement with the County of Socorro who is looking at housing inmates within Valencia County. This rate would be at \$65.00.

Commissioner Andersen made a motion for approval of the service agreements as presented by Mr. Fernandez at the rate of \$61.17. 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.

The next Regular Meeting of the Valencia County Board of County Commission will be held on August 5, 2003 at 9:00 AM Executive Session and 10:00 Regular Session in the County Commission Room at the Valencia County Courthouse.

## Adjournment

Commissioner Trujillo made a motion to adjourn. 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. Time being 4:00 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

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: September 2, 2003