

VALENCIA COUNTY BOARD OF COMMISSIONERS

Business Meeting

January 7, 2005

The Meeting was called to order by Chairman Mary Andersen at 9:00 AM

PRESENT	ABSENT
Mary Andersen, Chairman	
Georgia Otero Kirkham, Vice-Chairman	
Paul E. Trujillo, Member	
Ron Gentry , Member	
Lynette Stublefield, Member	
Michael R. Trujillo County Manager	
Wimberly Law Firm, County Attorney	
Tina Gallegos, County Clerk	
Press and Public	

The meeting was called to order by Chairman Mary Andersen.

Pledge of Allegiance led by Judge William Sanchez

Approval of Agenda

Motion to approve the agenda was made by Commissioner Trujillo. Commissioner Gentry seconded. Motion carried. 4-0.

Approval of Minutes

Motion to approve the Minutes of December 15, 2004 was made by Vice-Chair Kirkham. Commissioner Trujillo seconded. Motion carried. 4-0.

Public Requests

None

Action Items:

Request Approval of Schematic Plans Judicial Complex...Judge William Sanchez/Mike Trujillo

The bond to build the judicial complex was approved about a year and a half ago, Judge Sanchez said and they have been working on the project since September 2003. The total amount of the bond was 9.2 million. \$520,000.00 is to be used for renovating the courthouse for county use.

Commissioner Trujillo remarked the architects had noted between a 20% and 30% increase in construction cost due to inflation. He asked if it was budgeted for that. County Manager Mike Trujillo said the project had been approved in September 2003 and was not under way until April 2004. There was a six month gap. Steel price had increased from 30 to 40%, however, he has been working with the architect to insure that the cost will be within our budgeted amount. Two things reflected are that we do have interest on investment and that money can only be used for the project and the architect has contractually required to insure that he designs the facility within the maximum allowable construction cost.

Chair Andersen was concerned that the cost budget summary showed a total construction budget of \$8,052,000.00, but also stated is the current budget of \$145.00 a sq.ft and the architect is saying the budget should be increased to \$162.00 a sq.ft. This does not include the site preparation and the architect fee. She is concerned that they would be caught in a situation where there won't be enough money to finish the building or have a building thats half built.

County Manager Trujillo said the reason the architects fee were not showing was that early on when the contract was approved, they had done a breakdown of signing cost. So much is allowed for the construction part and the architects fees. This cost estimate is based on a lump sum. The next phase design will be a unit cost contract, which is required under contract to hire a cost estimators that will break down a unit cost that will be a more detailed construction cost. He was requesting the commission approve the schematic design analysis. In the next phase he would come back with a design development phase and then the construction documents. The last would be to go out to bid.

Chair Andersen said it was important to repeat again, that when the project was approved, the board was very careful to point out that this was the maximum dollar that would be spent.

Commissioner Stublefield made a motion to approve the Schematic Design Analysis. Vice-Chair Kirkham seconded. Motion carried. 4-0. **Exhibit A.**

Request Approval of EMS Budget Applications.....John Cherry

Mr. John Cherry was applying for EMS budgets out of the EMS Bureau. Each budget for each fire rescue requires the signature of the Chairman on the budget application and he was requesting approval. There were six rescues within the county and was a general budget application. The fire

rescues can request what they feel they need and the EMS Bureau issues what they feel they want to. The EMS Department of Health works by formula, as to how many calls they get.

Commissioner Stublefield made a motion to approve the EMS Budget Application. Commissioner Gentry seconded. Motion carried. 4-0. **Exhibit B.**

Agreements/Resolutions

State Employment Service Program for Host Agency Agreement.....Mary Ann Gonzales

Michael Steininger presented the commission an agreement between The Older Americans Program and the AARP Foundation Senior Community Service Employment Agency. This agency sponsors a work type arrangement for subsidize people and Ms. Gonzales was asking for approval to participate in the program. Commissioner Trujillo made a motion to approval. Commissioner Gentry seconded. Motion carried. 4-0. **Exhibit C.**

Manual Food Services Agreement Compass Group USA, Inc., Adult Detention

Michael Steininger

This item was approved at the last meeting and should not have been on the agenda.

Resolution 2005- Authorizing an Election for Adoption of Municipal Police PERA

Sheriff Perea

Sheriff Perea presented the same resolution that had been adapted by the last commission at the December 17th meeting and sent to the PERA Board. The resolution had not been worded to fit their standards, so it was sent back to have the title reworded to read "A Resolution Authorizing An Election for Adoption Of Municipal Police Member Coverage Plan 5 and Authorizing 57.06 % Pick Up Of Member Contributions." County Manager Mike Trujillo asked that the date of the election be changed from February to March 2nd.

Vice-Chair Georgia Kirkham noted that the Minutes of December 15th indicated that this would be upon budget availability and should it not be indicated on this resolution. Manager Trujillo said it should be indicated in the motion. Commissioner Gentry suggested including it in the last Whereas. Attorney Cynthia Wimberly said there was no problem with adding that language on it. Under the law she didn't see why they would turn it down, but administratively, they might have a different opinion of the law.

Commissioner Gentry made a motion to approve the resolution adding, after the last Whereas and after Valencia County, the words, Subject to Budget Review & Available Funding. Vice-Chair Kirkham seconded. Motion carried. 4-0. **Resolution 2005-03. Exhibit D.**

Resolution 2005, Medicaid Program Cuts.....Beverly Brin

Beverly Brin was requesting the commission pass this resolution asking the Governor and the Legislation to fully fund Medicaid this year. Last year it was cut by 1 1/2 %. This resolution was created by the statewide Medicaid coalition in an effort to help protect health services to the disabled, the poor, the children and the elderly. One of the principals of this resolution is that for every state dollar put into the program, the Federal Government matches three to four dollars. This plays an important role on economic health of our state bringing more than 1.8 billion dollars a year in federal funds.

Mr. Mike Tibbits, CEO of Adelante, one of the largest non-profit organization in New Mexico, employs two hundred people in Valencia County. 1 1/2 % may not seem like a lot of cuts, Mr. Tibbits said, but it was several thousand dollars and last year they faced a crisis in the field of disabilities.

Vice-Chair Kirkham asked for an example of the programs this would impact. Ms. Brin said early intervention was one. This were children from infant to three years old who are either diagnosed with a disability or a delay. Also, children that were in automobile accidents. This program funds service coordinators, development specialists, occupational, physical and speech therapists to work with the children.

Commissioner Trujillo made a motion to adopt the resolution. Commissioner Gentry seconded. Motion carried. 4-0. **Resolution 2005-04. Exhibit E.**

Commissioner Gentry asked that a copy of this resolution be sent to all of our legislators.

Resolution 2005, Amendment to County Travel Policy.....Mike Trujillo

These amendments had been discussed during the commission workshop. It was decided that if there were funds available, it should be handled administratively. This proposed policy would do that. Manager Mike Trujillo had added a sentence that says, if insuffiencent budgeted funds exists, the elected official or department head may request a budget adjustment approved by the board. Based on Roberts Rules of Orders, it had a "standing an advisory Boards, Commissions and Committees and he was changing the wording to call them "standing or special Boards, Commissions and Committees.

Commissioner Gentry said the amended travel policy grants the County Manager to approve all travel requests. If other than approved requests come in, then it comes before the commission, and the commission determines where it comes from if it's appropriate.

County Manager said that at budget hearings, elected officials ask for travel money, and try to budget for as much as they think they will need. As long as they are within their budgeted amount, they can use it wherever they see the need.

Vice-Chair Kirkham's concern was, and being a believer in attending classes and training, she did not want to see them giving up something because it wasn't in the budget or was not anticipated to

happen. She also asked how they kept track of travel. There is a form used as a travel voucher and a travel request.

County Manager said some departments do not have money in their budget to travel and statutory we are allowed to pay up to 80% of the anticipated travel. Commissioner Trujillo asked what problems this resolution addresses. County Manager said it was a timely matter. Since it has to come to the commission, sometimes conferences are postponed and when it comes up again it doesn't get back on the agenda on time. This becomes a time consuming wasteful effort.

Commissioner Trujillo made a motion to approve amending the Travel Policy. Vice-Chair Kirkham seconded. Motion carried. 4-0. **Resolution 2005-05. Exhibit F.**

Financial Items:

Resolution 2005, Purchase Tanker/Pumper for Peralta Fire Department.....Michael Steininger

The next items were primarily for budget purposes in order to get DFA approval. In 2003 the commission had approved for the Peralta Fire Department to purchase a tanker and a pumper, however it had not gotten incorporated into this year's budget. This resolution would adjust the budget to cover the expense. Commissioner Stublefield made a motion to approve. Commissioner Trujillo seconded. Motion carried. 4-0. **Resolution 2005-06. Exhibit G.**

Resolution 2005, Traffic Safety for Sheriff's Department

The Sheriff's Department, in participation with the New Mexico Department of Transportation program called Click it or Ticket, was asking for authorization to receive the re-imbursement of \$1,008.00 for the overtime that will incur in the participation of the program. Vice-Chair Georgia Kirkham made a motion to approve. Commissioner Stublefield seconded. Motion carried. 4-0. **Resolution 2005-07. Exhibit H.**

Resolution 2005, LLEBG Grant Equipment Purchase Tasers-for Sheriff's Department

The Sheriff's Department had done a presentation at a previous meeting and requested permission to apply for an LLEBG Grant for funding for Tasers and Michael Steininger was asking for authorization to receive these funds. Commissioner Stublefield made a motion to approve. Vice-Chair Kirkham seconded. Motion carried. 4-0. **Resolution 2005-08. Exhibit I.**

Resolution 2005, Senior Employment Program Grant

Authorizes the Senior Older American's Program to receive from the North Central New Mexico Economic Development District an additional \$3,000.00 to supplement the funds in their Senior Employment Program. Commissioner Stublefield made a motion to approve. Commissioner Trujillo seconded. Motion carried. 4-0. **Resolution 2005-09. Exhibit J.**

Resolution 2005, Adult Detention Revenues

At the last commission meeting a Detention Center Budget had been presented, however expenditures was the only thing presented because that was the only thing changing. However since the accounts are changing to differentiate between when it was operated by Cornell and by the County, a transfer from Revenue Fund 407 needs to be transferred to the new Fund 422. Commissioner Gentry made a motion to approve. Commissioner Trujillo seconded. Motion carried. 4-0. **Resolution 2005-10. Exhibit K.**

Resolution 2005, Los Chavez fire Department Ambulance Purchase

This request had been done at the December 15th meeting when Mr. John Cherry had requested the Los Chavez Department to ride on the bid of Belen for a new ambulance. This was approved subject to a more updated authorization from the City of Belen. This resolution was requesting a transfer out of the Los Chavez Fire Department Reserve Fund into their Capitol Outlay Budget. Commissioner Stublefield made a motion to approve. Commissioner Trujillo seconded. Motion carried. 4-0.

Resolution 2005-11. Exhibit L.

Resolution 2005, Misc. Funds Transfers

This items, the Wildland Fire Fund, the Electronic Fed. Tax Payment fund and the Adult Detention Canteen Fund all had errors that had occurred two years ago, but have been carried forward and rather than continuing to carry these balances, he was requesting to correct the balance. Commissioner Trujillo made a motion to approve. Commissioner Stublefield seconded. 4-0. **Resolution 2005-12. Exhibit M.**

Approval of Emergency Funds Grant Applications for Tome-Adelino Fire Department Michael Steininger

This Department was requesting permission to file an application for Title for emergency funds to the Federal Government. One is for \$6,000.00 to provide urban interface training. The other application is for \$4,900.00 to operate their equipment for the Urban Interface Firefighting. The fire department will have to match 10% of both. Commissioner Stublefield asked Mr. Cherry how many members in the Tome/Adelino Department. Mr. Cherry said there were 28 members. This training will not only apply to Tome/Adelino, it will apply to all districts.

Commissioner Stublefield made a motion to approve. Commissioner Trujillo seconded. Motion carried. 4-0. **Exhibit N.**

Approval of Fixed assets Settlement with Cornell Corrections, Inc.

Michael Steininger

In the disengagement of the contract with Cornell, they had proposed an initial offer of \$300,000.00 for the computer system and all assets in the jail. Staff had gone back and documented how much of it was already paid for. We could not prove everything and in the end it was two items. One was the Jail Management Software which was the \$200,000. clause in the contract. They brought it down to \$125,000. and we settled for \$50,000. The system has been operational and we had no downtime.

On the phone system we were able to document \$60,000. out of \$160,000.00. We could not prove that we paid for that system. A letter from Rodney Coulter, attested to the fact that we never reimbursed it. Short of taking it to court, it was settled for \$25,000.00, which was book value.

The remaining assets, \$10,000.00, covered desks, copiers, some computers, printers and miscellaneous. All but \$5,000.00 had been budgeted.

All inmate uniforms, linens, bedding & housekeeping supplies, \$11,611.67 will be covered by the commissary account.

Michael emphasized that Rodney Coulter was the sole reason why the agreement got to where it did. Was it a win win solution, Michael asked? In the long run it was because it was becoming evident that if it wasn't resolved, it would end up in court.

Vice-Chair Kirkham asked how much of it was not budgeted. Michael said a one time \$25,000.00 on the inmate management software and \$30,000.00 had been budgeted for all the remaining assets and the final bill came in at \$35,000.00. In total is was \$25,000.00 to \$30,000.00.

County Manager Mike Trujillo emphasized what Michael Steininger had said. What he hadn't said was that they got a server with that as well as IT time for making the transfers, so sever to eight thousand dollars can be taken off the \$50,000.00, so we really paid about \$42,000 for the software.

Commissioner Trujillo made a motion to approve. Commissioner Stublefield seconded. Motion carried. 4-0. **Exhibit O.**

Approval of Payroll & Warrants.....Michael Steininger

Michael Steininger presented the commission a printout with three Warrants totaling \$747,773.75 and two Payroll totaling \$407,772.79 for a total \$1,155,546.50. The General Fund balance is \$3,908,609.17. Commissioner Trujillo made a motion to approve. Vice-Chair Kirkham seconded. Motion carried. 4-0. **Exhibits P,Q,R,S,T.**

County Manager's Report

Manager Trujillo brought to the commission's attention the fact that Michael Steininger had been a volunteer fireman and unless there was any objection from the commission, he was allowing him to do that. The agreement before was that anything involving the volunteer fire department, he could not prepare documentations nor have final approval, so that there would not appearance of conflict.

Manager Trujillo let the commission know the Legislative Session was starting at noon on January 18th, 2005. If anyone was still interested to contact Marilyn in the Manager's office.

The NM Association id-Winter Conference starts on Monday the 24th through the 26th.

The minutes for the commission meetings had been discussed with the deputy clerk and asked if the commission would like abbreviated minutes, knowing that the meetings are recorded and kept for a period of 5 years. Commissioner Gentry said that abbreviated minutes would be good and would like to see the tapes kept for a minumum of 5 years. Commisisoner Gentry made a motion to abbreviate the minutes and preserve all tapes and records for a minumum of 6 years. Chair Andersen seconded. Motion carried. 4-0.

Next Commission Meetings:

January 12, 2005, Public Hearing Meeting in the Commission Room

January 21, 2005, Regular Commission Business Meeting, Los Lunas Consolidated School

Under Section 10-15-1 NMSA 1978, the Commission went into Executive Session.

Commissioner Stublefield made a motion to go into Executive Session. Commissioner Trujillo seconded. Commissioner Trujillo voted yes. Commissioner Gentry voted yes. Vice-Chair Kirkham voted yes. Commissioner Stublefield voted yes. Chairman Andersen voted yes. Motion carried.

5-0.

Commissioner Gentry made a motion to return to regular meeting . Commissioner Trujillo seconded. Motion carried. 4-0.

The next Public Hearing Meeting of the Valencia County Board of County Commission will be held on January 12, 2005 at 5:00 PM in the County Commission Room at the Valencia County Courthouse.

Adjournment 10:50AM

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

VALENCIA COUNTY BOARD OF COMMISSIONERS

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

**ss/
GEORGIA OTERO-KIRKHAM, VICE-CHAIR**

**ss/
PAUL EDWARD TRUJILLO, MEMBER**

**ss/
RON GENTRY, MEMBER**

**ss/
LYNETTE STUBLEFIELD, MEMBER**

ATTEST: ss/

TINA GALLEGOS, COUNTY CLERK

DATE: January 21, 2005