

VALENCIA COUNTY BOARD OF COMMISSIONERS

Public Hearing Meeting

April 13, 2005

PRESENT	ABSENT
Mary J. Andersen, Chairman	
Georgia Otero-Kirkham, Vice-Chairman	
Paul Edward 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	

Chairman Mary Andersen called the Meeting to order at 5:00 PM.

Chairman Andersen asked Commissioner Trujillo to lead the Pledge of Allegiance.

Approval of Agenda

Commissioner Trujillo made a motion to approve the agenda. Seconded by Commissioner Kirkham. Motion carried unanimously.

Public Comments

None

Discussion (Non-Action) Items

Valley Improvement Association Temporary Closing of Property – Jacqueline Guilbault
Road by a Wetland at Comanche Springs area to protect Wetland
Road crossing across a bike path east of Desert View Intermediate School
Right-of-way on Tome Hill to protect the Slate Millipedes

Ms. Guilbault presented to the Commission three temporary projects along with the area maps. The first one is Comanche Springs area with the temporary closing of Bedia's Court where it extends and gives access to a wetland. The intent of this project is to protect the wetlands and go in and remove salt cedar and put in some native plants. This area is used as a shooting area and there is a lot of trash debris there so they will have to do a clean up. Ms. Guilbault said they want to stop off road vehicles because they are driving through the wetlands. The intent here again is to put up a fence, which the Natural Resource Conservation Service has applied for grant money and it looks like we will be getting this funding. The second project is Camino La Canada, an unpaved park and the intent is to protect the bicycle path. Ms. Guilbault said they would put up post and cable to keep the cars from destroying the bike path shoulders. The third project is a right-of-way of the Rio Del Oro Loop on Tome Hill. The intent is to protect the slate millipedes which are a species of concern that are found on the hill. Ms. Guilbault said they would put up post and cable to help protect the millipede's environment. **Exhibit A** Tape (1) 56

PUBLIC HEARING ITEMS

Amend Zone Maps from – Ruben Chavez
RR2 to RR1 & C1, AKA 661-A Jarales Road, Belen-David & Claudia Eylicio

County Clerk, Tina Gallegos read the oath to the public who intended to speak on this item. Mr. Chavez requested to amend the zone maps from RR2 to RR1 & C1. Mr. Chavez stated that Mr. And Mrs. Eylicio have operated a paint and body business at this location for over twenty years. The property has been in non-conforming status all this time. The Eylicio's have sold the residence, which is situated at the rear of this property. They will keep the shop, if zoned commercial and there is no minimum lot size and can remain separate. The home can remain on one acre if the zone designation is changed to rural residential. On March 16, 2005 the Planning and Zoning Commission held a public hearing and took testimony from both the applicant and the public. The Commission found that they have existed for twenty years; it is non-conforming but have been paying commercial taxes on the existing body shop. It is identified as commercial on the tax rolls and the zone maps and this request does not have any impact to the existing situation. Recommendation from the Planning and Zoning Commission was a 4-0 vote in favor of the zone change. Claudia Eylicio said the post office in Belen changed it to 661-B, which is the body shop, the home and the land is 661-A. **Exhibit B** Tape (1) 200

RR2 to C2, Tract 196-A Land of Margaret Jane Pyle, Belen – Jerrell & Linda Flowers

Mr. Chavez reported that there was a request to amend the zone maps from RR2 to C2 land of Margaret Jane Pyle, containing 6.460 acres located off the frontage road in Belen. Mr. Chavez stated that Mr. & Mrs. Flowers would like to start a Lumber Truss company. On March 16, 2005 the Planning and Zoning Commission held a public hearing and took testimony from both the applicant and the public and voted 4-0 in favor of the request. **Exhibit C** Tape (1) 400

Appeal of Conditional Use/Home Occupation AKA 23 Camino De Suenos, Belen – Sandra Guzman

Mr. Chavez reported on an appeal for a conditional use for a home occupation for a dog grooming business. Under Section 4.8.2 of the County's Ordinance, the Commission may either review the appeal on the record or have a de novo review. The Commission upon its review shall determine if an error was made and upon doing so may affirm, modify or reverse all or part of a previous decision made. On January 19, 2005 the Planning and Zoning Commission held a public hearing and took testimony from both the applicant and the public and voted 4-0 against the request.

Sandra Guzman, 23 Camino De Suenos in Belen said her reasoning for this appeal was when she was here at the meeting the Commission had questions to which she didn't have answers. There was concerns with the environmental issue surrounding disposal waste and the amount of water. Ms. Guzman said it takes 4 to 5 gallons of water per dog from start to finish. Ms. Guzman stated she had spoke with the Environmental Department, Mr. Romero and he said there was no problem with 4 to 5 dogs per day. He said the septic tank could handle this and took precaution with making sure there would not be any unnecessary drainage going down the septic tank. There were concerns with the road not being a cul-de-sac and Ms. Guzman said they are prepared to do a build-up barrier to accommodate this problem. Concerns were also property taxes and she spoke with the Chief Appraiser Olinda Reneau and found out they would not be affected with a small business.

Gilbert Trujillo said he opposed the change due to increase of traffic and increase of property taxes. Mr. Trujillo said also Ms. Guzman said they would build up the cul-de-sac and all they have is a 40 ft. easement to their property and his concern is the environmental impact the business would have.

Commissioner Stublefield made a motion to admit the additional testimony of Ms. Guzman and Mr. Trujillo to the record pursuant to Section 4.8.5 of the Zoning Ordinance. Seconded by Commissioner Gentry. Discussion. Motion carried unanimously. **Exhibit D** Tape (1) 600

County Manager's Report

Mr. Trujillo said he would have his report at the Business Meeting on Friday, April 15, 2005.

Chairman Andersen said all of the issues discussed in the public hearing tonight will have final action on Friday, April 15, 2005 at the Business Meeting at 9:00 AM.

The next Business Meeting of the Valencia County Board of County Commission will be held on Friday, April 15, 2005 at the Los Lunas Consolidated Schools Board Room at 9:00 AM.

Adjournment

Commissioner Trujillo made a motion to adjourn. Seconded by Commissioner Kirkham. Motion carried unanimously. Time 6:00 PM.

NOTE: All proposals, documents, items, etc., pertaining to items on the agenda of the April 13, 2005, 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**

GEORGIA OTERO-KIRKHAM, VICE-CHAIR

PAUL EDWARD TRUJILLO, MEMBER

**ss/
RON GENTRY, MEMBER**

**ss/
LYNETTE STUBLEFIELD, MEMBER**

ATTEST: ss/

TINA GALLEGOS, COUNTY CLERK

DATE: May 6, 2005