

VALENCIA COUNTY BOARD OF COMMISSIONERS

Business Meeting

July 15, 2005

PRESENT	ABSENT
Mary J. Andersen, Chairman	
Georgia Otero-Kirkham, Vice-Chairman	
Paul Edward Trujillo, Member	
Ron Gentry, Member	
Lynette Pinkston, 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 9:00 AM.

Chairman Andersen asked Judge William Sanchez to lead the Pledge of Allegiance.

Approval of Agenda

Mr. Trujillo asked that the approval of payroll and warrants be deleted. Commissioner Gentry moved for approval. Seconded by Commissioner Pinkston. Motion carried unanimously.

Approval of Minutes

July 1, 2005 Business Meeting
Commissioner Pinkston moved for approval. Seconded by Commissioner Gentry. Motion carried unanimously.

Public Requests

None

Discussion (Non-Action) Items

Commission Communications/Questions – County Commissioners
Reports from Boards, Commissions & Committees – County Commissioners
None

ACTION ITEMS

Board of Commissioners convenes as Indigent Claims Board

Commissioner Gentry moved to convene as the Indigent Board. Seconded by Commissioner Pinkston. Motion carried unanimously.

Indigent Reports & Appeals – Barbara Baker

Ms. Baker presented the Indigent Claims from June 1, 2005 to July 1, 2005. The total amount of claims submitted was \$87,068.52. Ms. Baker asked the Commission to approve \$22,099.58 and to deny \$64,968.94. There were 56 claims submitted and 16 applicant denials. Commissioner Kirkham moved for approval. Seconded by Commissioner Trujillo. Motion carried unanimously.

EXHIBIT A

Ms. Baker presented an appeal for Luanna Covarrubias which was denied, as the bill was a Medicare balance. Ms. Baker recommended approval of \$702.24. Commissioner Pinkston moved for approval. Seconded by Commissioner Trujillo. Motion carried unanimously. EXHIBIT B

Ms. Baker presented an appeal for Michael Horton which was denied due to income. Ms. Baker recommended approval of the Presbyterian Hospital bill for the amount of \$3,000.00 and the Living Cross Ambulance bill for the amount of \$400.00. Commissioner Trujillo moved for approval. Seconded by Commissioner Gentry. Motion carried unanimously. EXHIBIT C

Re-Convene Board as of County Commissioners

Commissioner Gentry moved for approval. Seconded by Commissioner Trujillo. Motion carried unanimously.

Selection of Site for Valencia County Judicial Complex – Mike Trujillo

Chairman Andersen reported that she met on two occasions with the Mayor of Los Lunas on the issues that the Village Council had presented when the State asked them to annex the land. Chairman Andersen said the Village Administrator believes that he cannot put the item for annexation on the Commission’s agenda until the State has provided a master plan for the use of that training school property. The State has not even begun a master plan, so if we were to wait for that approval, we would be months away. Given the fact that the Village is reluctant to make any move toward a decision to annex that land, then it behooves this Commission to move forward and

to make some decisions. Mr. Trujillo presented six potential sites analyzed for selection for the Judicial Complex. Mr. Trujillo stated that we are behind six months and has eaten into the square footage that we will actually be able to build. There is a significant concern being on a tight budget. Commission discussed the two existing courthouse sites, the Morris road site, the County road yard site, the hospital & training school site and the Don Pasqual school site. **EXHIBIT D**

Judge Pope said there has been a lot of work in design of the judicial complex. One particular site had been looked at too quickly and too intense without taking into consideration the possible drawbacks. If the site across from the courthouse, which he understands has problems, was the original tentative site that the architect and the county committee had looked at and if we had stayed with that site we would be in the ground breaking phase right now. But that is water under that particular bridge. Judge Pope said the design of this complex is unique and very functional and will be serving the County for over fifty years. He said his only advice to the Commission is not to be precipitous in the site and let the site be visible and fit into the scheme of the County seat with a fast growing Village.

Judge Sanchez said he had hoped to come before the Commission if the Los Lunas Hospital and Training School site is not annexed by the Village, the committee would then recommend site A and B. But after speaking with the Village Administrator, it seems like it will be impossible to get it back on the agenda any time soon. The State would have to repetition and republish. Judge Sanchez said he is frustrated and shares the frustration with Judge Pope, the committee and this Commission because when we started the process with the hospital and training site he spoke to the Village Council members and three out of four supported the idea of the complex being placed on display on main street, state owned property being gifted to the County. Judge Sanchez said they went so far as getting a resolution passed by the legislature but had we known that the Village Council was going to be noncommittal, we would never have lost the last six months of time. We had an opportunity to have this complex built on the perfect site and was always assured three of the four members that we had the support for that location. We got the traffic study done, basically did everything we were supposed to do. The committee would like this Commission to make a decision today so we can go forward. Judge Sanchez said the committee supports Don Pasqual for the first site and Morris Road for the second site the.

After Commission discussion, looking at the different slideshow sites, Commissioner Gentry made a motion to designate the site on the south side on the corner of Highway 314 and request that administration expedite whatever the State needs and set up as quickly as possible with the Village to annex that site that is feasible within the next week. Seconded by Commissioner Kirkham. Discussion. Commissioner Trujillo said he would support this motion if it were amended to include the swamp area, as an alternate should that negotiation with the Council fall through. Commissioner Gentry amended his motion to include the alternate site. Amended second by Commissioner Kirkham. Commissioner Pinkston voted yes. Commissioner Kirkham voted yes. Commissioner Gentry voted yes. Commissioner Trujillo voted yes. Motion carried unanimously.

Amend the Master Plan from Residential to Commercial – Blk. 1, Unit 2, Lot 1-A – Kim Gardner/Ruben Chavez

Commissioner Gentry moved for approval. Seconded by Commissioner Pinkston. Motion carried unanimously. **EXHIBIT E**

RR2 to I-2, Tr 1 Lands of Larry Miller AKA 599 Jarales Rd Belen – Larry Miller/Ruben Chavez

Commissioner Kirkham moved for approval of the zone change. Seconded by Commissioner Pinkston. Discussion. Commissioner Trujillo stated he would have liked discussion before the motion. He had Mr. Trujillo speak to Mr. Chavez about an option that he thinks would address the concerns of the residents of the area and not prevent Mr. Miller from proceeding with what he intends to do. He did this because he felt that this Commission would not agree with the residents, which are in his District in terms of denying this request. There is an option here and he would like Mr. Trujillo to present on the map and ask Commissioner Kirkham to consider this before proceeding with a vote. Mr. Trujillo drew a line approximately 10 feet on the outside of the roadway to the proposed building site. After discussion, the line on the east side of the property was extended to include the eastern most drainage pond. The result was to rezone to I-2, the area occupied by the building part and defined by the roadway and have the remaining west and south property as an RR2 designation. Commissioner Trujillo said one concern of the neighbors was by designating the entire piece of property as I-2 should Mr. Miller in the future choose to close his operation or sell it then there is no guarantee as to what industry would come in as an I-2 designation. Also, the expansion of that industrial area into their residential area is a concern. This plan would allow Mr. Miller to do what he proposed to do with a conditional use being issued on the RR2. Commissioner Pinkston asked what kind of a time frame do we have if we need to redo a survey? Mr. Trujillo said Mr. Miller probably has a surveyor working on this. This will not have to go back to either the P & Z Commission or County Commission this could be done administratively since this would be a two lot split, so once the survey is provided, we could move quickly. Chairman Andersen said even though this was not the process, she would like to hear from Mr. Miller. Mr. Miller thanked the Commission for the opportunity to have a say as to what happens to his land. He does like this idea because he is going to live by his neighbors and he wants them to feel good about him. Mr. Miller asked if the line could come down and come straight east, parallel with the property. Commissioner Kirkham amended her motion for approval of zone change as designated on the map to industrial I-2. Amended second by Commissioner Pinkston. Discussion. Commissioner Trujillo had a concern with the dynamite. Commissioner Kirkham made a motion for approval of the zone change as

designated on the map, based on this new plan to I-2 and to eliminate the use of explosives as soon as the building is done. Seconded by Commissioner Pinkston. Commissioner Trujillo voted no. Commissioner Gentry voted yes. Commissioner Pinkston voted yes. Commissioner Kirkham voted yes. Chairman Andersen voted yes. Motion carried 4-1. **EXHIBIT F (SEE MAP ON FILE)**

RR2 to C1 – Tr A Land of Harley E. Tiley, AKA 11 El Cerro Rd Los Lunas – George Parker/Ruben Chavez

Commissioner Kirkham moved for approval. Seconded by Commissioner Pinkston. Motion carried unanimously. **EXHIBIT G**

Final Review – Amendment of Manzero Plaza of the Proposed Apartment Complex Unit 2 El Cerro Mission, Located off El Cerro Mission Blvd. & Manzano Expressway–Bill Campbell/Ruben Chavez

Commissioner Trujillo moved for approval. Seconded by Commissioner Pinkston. Motion carried unanimously. **EXHIBIT H**

Schedule Special Commission meeting for Final Budget Adoption – Mike Trujillo

Commission discussed possible dates and Friday, July 22, 2005 at 2:00 PM was the consensus. The meeting will be held in the County Manager's Office.

Financial Items

Surplus of Fire – EMS Apparatus – John Cherry/Andrew di Camillo

Mr. Cherry said this was the final list for the auction. Commissioner Pinkston moved for approval of the surplus items. Seconded by Commissioner Gentry. Motion carried unanimously. Commissioner Trujillo absent for this item. **EXHIBIT I**

Executive Session

Commissioner Gentry moved for approval. Seconded by Commissioner Trujillo. Commissioner Gentry voted yes. Commissioner Trujillo voted yes. Commissioner Kirkham voted yes. Commissioner Pinkston voted yes. Chairman Andersen voted yes. Motion carried 5-0.

Commissioner Gentry moved to enter back into regular session. Seconded by Commissioner Trujillo. Commissioner Pinkston voted yes. Commissioner Kirkham voted yes. Commissioner Gentry voted yes. Commissioner Trujillo voted yes. Motion carried unanimously.

Mr. Trujillo reported as to what was discussed in executive session. Under pending or threatened legal matters Commissioners discussed four legal issues. No action taken.

Commissioner Trujillo moved to accept the report as to what was discussed in executive session. Seconded by Commissioner Gentry. Commissioner Pinkston voted yes. Commissioner Kirkham voted yes. Commissioner Gentry voted yes. Commissioner Trujillo voted yes. Chairman Andersen voted yes. Motion carried 5-0.

County Manager's Report

Fire & EMS Semi-Annual Report

Judicial Complex Budget Status Report

Proposed ICIP Meeting Schedule

August 5 -ICIP – Workshop after Commission Business Meeting

August 10 – ICIP Public Hearing at Commission Meeting

August 19 – ICIP Adoption at Commission Meeting

Mr. Trujillo presented the Judicial Complex Budget Status Report. **EXHIBIT J**

At the next meeting will present the Fire & EMS Semi-Annual Report. Mr. Trujillo discussed the above ICIP dates with the Commission.

The next Business Meeting of the Valencia County Board of County Commission will be held on Friday, August 5, 2005 at 9:00 AM at the Los Lunas Consolidated Schools Board Room. The next Public Hearing Meeting will be held Wednesday, August 10, 2005 at the Valencia County Courthouse Commission Room at 5:00 PM.

Adjournment

Commission adjourned meeting at 11:10 AM.

<p>NOTE: All proposals, documents, items, etc., pertaining to items on the agenda of the Friday, July 15, 2005 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/
MARY J. ANDERSEN, CHAIR

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

**ss/
PAUL EDWARD TRUJILLO, MEMBER**

**ss/
RON GENTRY, MEMBER**

**ss/
LYNETTE PINKSTON, MEMBER**

ATTEST: ss/

TINA GALLEGOS, COUNTY CLERK

DATE: August 5, 2005