

**VALENCIA COUNTY BOARD OF COMMISSIONERS**

**Business Meeting**

**August 5, 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 9:10 AM.

**Chairman Andersen asked Carolyn Romero to lead the Pledge of Allegiance.**

**Approval of Agenda**

County Manager, Mike Trujillo asked that under action items 7 – C – 2 be deleted from the agenda. Commissioner Trujillo moved for approval. Seconded by Commissioner Pinkston. Motion carried unanimously.

**Approval of Minutes**

July 13, 2005 – Public Hearing Meeting

July 15, 2005 – Business Meeting

July 22, 2005 – Special Meeting

Commissioner Gentry asked that the minutes of July 15, 2005 Business Meeting that Page 2, fourth paragraph that the vote state, motion carried unanimously. Commissioner Gentry moved for approval. Seconded by Commissioner Trujillo. Motion carried unanimously.

**Public Requests**

None

**Discussion (Non-Action) Items**

**Recognition of Volunteers for County “Great American Clean-Up” – Cyndi Sluder**

Ms. Sluder recognized four volunteers La Asociacion de la Comunidad de San Clemente, Highland Meadows Fire Department, Thirteenth Judicial District, Judge Pope and the Historic Tome/Adelino Neighborhood Association. Ms. Sluder presented plaques for these individuals for all their help in keeping Valencia County clean. Carolyn Romero represented Highland Meadows Fire Department, Josie Maag represented San Clemente Asociacion and Cynthia Ferrari represented the Thirteenth Judicial District, Fabio Padilla was not able to attend for the Tome/Adelino Association. Chairman Andersen on behalf of the Commission thanked the above individuals for their participation in the clean-up program.

**Review of Solid Waste Ordinance – Commissioner Gentry**

Commissioner Gentry reviewed the solid waste ordinance with the Commission. He stated this ordinance has had a committee that worked on it for several years and after that nothing was done to it; it sat on a shelf and didn’t go anywhere. Solid Waste and trash pickup had been one of this Commission’s priorities and he would like to bring this ordinance before the Commission to be recognized, have legal counsel and staff review it and make sure it is up to policy standards. Commissioner Gentry said then it could be brought back after being updated for commission process. Commissioner Gentry said he would like to thank the committee for putting together such a comprehensive ordinance.

Commissioner Kirkham said solid waste is one of her committees and she was not contacted on any of them. Ms. Sluder said this ordinance was started in 2001 but in the future she will notify Commissioner Kirkham of any meetings.

Mr. Trujillo said it is on a priority list and will be looked into. Commissioner Gentry said it seems like we have a lot of things on a list and he would like to see this item go forward. **EXHIBIT A**

**Commission Communication/Questions – County Commissioners**

**Reports from Boards, Commission & Committees – County Commissioners**

Commissioner Pinkston suggested that at the Fire Meeting Workshop on August 8, 2005, she would like a list of the volunteers in each District and their certifications of both fire and EMS. She would like the dates of all of the elections for all fire districts so that they can be coordinated at the same time. Commissioner Pinkston also asked for copies of all departments SOP’s and by-laws.

Commissioner Kirkham asked Mr. Trujillo about the contracts for the roadwork money that we received from Santa Fe, have we received this yet, with school starting and bus routes? Mr. Trujillo

said the contracts are not in hand yet but he has heard from DFA that we will receive them the first or second week in August.

Chairman Andersen reported on the State Board of Transportation together with Loretta Tolefson, Council of Governments, Bill Moffat, Finance from the Los Lunas Schools, went to Chama and addressed the issues on Valencia County. Chairman Andersen had a map showing the progress on the building development that is currently being built or planned and there are 3000 homes. This does not include the 5000 acres south of Sun Ranch. It does show the two new schools on the east mesa. The second map that Chairman Andersen addressed showed the traffic patterns that are in effect now, the wider the red line the heavier that road is traveled. Once we get those 3000 homes this will be busy. This has made a big impact on the schools in Valencia County and one issue that was presented was the Manzano Expressway and the crisis this County is in to get that road rebuilt. Ms. Tolefson reported on the mobility study and Mr. Moffat reported on the situation with the busses that are traveled on the Manzano Expressway.

#### **Action Items**

##### **Tierra Bonita Youth Group Contract (Salomon Estates) – Cyndi Sluder**

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

##### **Resolution 2005- 57, relating to delinquent property tax, waiving the extra penalty on delinquent taxes for the 2005 tax year – Diana Martinez-Coplen**

Mr. Steininger presented the above item on behalf of County Treasurer, Ms. Coplen. The Treasurer has recommended that the minimum penalty should be suspended for the current tax year. It has been determined that the minimum penalty is not equitable and that the simple imposition of a one percent penalty as provided for in the statute is more fair to the small taxpayers of the County. Commissioner Trujillo moved for approval. Seconded by Commissioner Kirkham. Motion carried unanimously. **EXHIBIT C**

##### **Lease of Real Property from State Property Control Division, GSD – Mike Trujillo**

###### **Cottage #3 – Los Lunas Public Health Building**

Mr. Trujillo requested approval of the revised lease agreement with State Property Control Division for a 5575 square foot building housing the Los Lunas Health Public Health. The new lease agreement clarifies that the lease is for a term beginning July 1, 2005 and ending July 30, 2015 renewable for three-five year options. Commissioner Gentry moved for approval. Seconded by Commissioner Pinkston. Motion carried unanimously. **EXHIBIT D**

##### **Agreement for Solid Waste/Waste Management Inc. – Mike Trujillo**

Mr. Trujillo requested approval of the renewal contract between Waste Management and Valencia County. Marlene Feuer, Waste Management stated that they are willing to continue to accept the waste at a slightly higher rate. The current contract was for a three-year term. This would be considered a professional services agreement that can be contracted up to eight years according to the State Procurement Code. This agreement is one year with two one-year renewals. Chairman Andersen asked with the new rate of 8% being higher than we are currently paying, what is the impact going to be on the budget? Mr. Trujillo said he would have those figures at the next business meeting. Commissioner Trujillo moved for approval. Seconded by Commissioner Kirkham. Motion carried unanimously. **EXHIBIT E**

##### **Adoption of CDBG –“Residential Antidisplacement & Relocation Assistance Plan & Certification” – Ruben Chavez**

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

##### **Adoption of a CDBG “Citizen Participation Plan”**

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

##### **Re-affirm a decision made by the Planning & Zoning Commission – vacating roads in a plat back in April 2000 – Ruben Chavez**

Chairman Andersen said the above item should state affirm a decision not re-affirm because this item never came before the Commission. Commissioner Gentry moved for approval. Seconded by Commissioner Kirkham. Motion carried unanimously. **EXHIBIT H**

##### **Request to Publish – Mike Trujillo**

###### **Fire – EMS Ordinance**

Mr. Trujillo presented the above ordinances for review to publish. Chairman Andersen asked why two drafts. Commissioner Gentry said the dated draft of August 5, 2005 is the workable ordinance draft. Commissioner Gentry recommended that we authorize publishing of the fire ordinance and stipulate that there are two proposals to be considered at those hearings. Then we can merge them if we need to or we can vote on one or the other but in our publication state that there are two options. Commissioner Pinkston stated she had several discussions on both drafts, the first one staff drew up and the second we had originally requested that it be similar to Sandoval County and there are some things that are not similar and there is a question to that but she would like to see both drafts published. Commission discussion ensued. Commissioner Trujillo said he did not see a problem with the draft that Commissioner Gentry has proposed. Chairman Andersen made a motion to deny the request to publish the Fire EMS ordinance until after the fire chiefs have reviewed both

drafts and we can combine the provisions into one. Seconded by Commissioner Kirkham. Chairman Andersen voted yes. Commissioner Kirkham voted yes. Chairman Andersen stated the motion has died for lack of votes. Commissioner Gentry moved that we put the ordinance up for notice that we are going to publish and mention two options to be considered. Seconded by Commissioner Pinkston. Commissioner Pinkston voted yes. Commissioner Kirkham voted no. Chairman Andersen voted no. Commissioner Gentry voted yes. Commissioner Trujillo voted yes. Motion carried 3-2. **EXHIBITS I & J**

**Request to Publish – Mike Trujillo**  
**Public Nuisance Ordinance**

Commissioner Kirkham moved for approval. Seconded by Commissioner Gentry. Discussion. Commissioner Gentry had a concern with the exclusions in dealing with agricultural property and it also excludes any commercial nuisance that is now in existence. Commissioner Kirkham amended her motion to publish with the exclusion of section 3.1, 3.2, and 3.4. Seconded by Commissioner Gentry. Motion carried unanimously. **EXHIBIT K**

**Mutual Aid Agreement with Bernalillo County for Fire & Rescue Services – Charles Eaton**

Mr. Eaton brought this agreement before the Commission. Commissioner Pinkston moved for approval. Seconded by Commissioner Trujillo. Motion carried unanimously. **EXHIBIT L**

**Financial Items:**

**Approve contract with NMED – Special Appropriations Projects – Michael Steininger**  
**Regional Water & Sewer Master Plan**  
**Landfill Closure Projects**  
**Solid Waste Transport Trailers**

Mr. Steininger brought the above agreements before the Commission. Commissioner Trujillo moved for approval. Seconded by Commissioner Gentry. Motion carried unanimously. **EXHIBIT M, N & O**

**Approval of Change Orders – Mike Trujillo**  
**Jarales Community Center, Project #1, #2**

Mr. Trujillo requested approval of a change order for the Jarales Community Center project. Commissioner Trujillo was concerned with the lack of security at this project because the fence had been removed and the materials exposed deal with hazardous waste. Commissioner Trujillo moved for approval. Seconded by Commissioner Gentry. Motion carried unanimously. **EXHIBIT P**

**Golf Course Road Lighting**

Mr. Trujillo requested approval of a change order on the contract for Golf Course Road Lighting. Commissioner Gentry moved for approval. Seconded by Commissioner Kirkham. Motion carried unanimously. **EXHIBIT Q**

**North Central NM Economic Development Awards/Contracts FY 2005/2006 –Michael Steininger**

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

**Approval of Payroll & Warrants – Michael Steininger**

Mr. Steininger presented the computer printout list of all the checks issued by the Manager's Office on July 15, 2005 covering vendor bills processed on that date. Check #81554 thru Check #81624 inclusive for a total of \$565,571.41. **EXHIBIT S**

Mr. Steininger presented the computer printout list of all the checks issued by the Manager's Office on July 28, 2005 covering vendor bills processed on that date. Check #81658 thru Check #81760 for a total of \$373,078.90. **EXHIBIT T**

Mr. Steininger presented the computer printout list of all the checks issued by the Manager's Office on July 8, 2005 covering payroll process on that date. Payroll Check #68097 thru Payroll Check #68340 inclusive. Deduction Check #81519 thru Deduction Check #81553 inclusive for a listing total of \$264,830.83. **EXHIBIT U**

Mr. Steininger presented the computer printout list of all the checks issued by the Manager's Office on July 22, 2005 covering payroll process on that date. Payroll Check #68341 thru Payroll Check #68572 inclusive. Deduction Check #81625 thru Deduction Check # 81657 inclusive for a listing total of \$274,460.81. **EXHIBIT V**

As of August 3, 2005 the approximate cash balance was \$2,631,000.00.

Commissioner Trujillo moved for approval of the above payroll and warrants. Seconded by Commissioner Gentry. Motion carried unanimously.

**Executive Session**

Commissioner Kirkham moved for approval to enter into executive session. Seconded by Commissioner Pinkston. Commissioner Trujillo voted yes. Commissioner Gentry voted yes. Commissioner Kirkham voted yes. Commissioner Pinkston voted yes. Motion carried unanimously.

Commissioner Pinkston moved for approval to enter regular session. Seconded by Commissioner Trujillo. Commissioner Trujillo voted yes. Chairman Andersen voted yes. Commissioner Kirkham voted yes. Commissioner Pinkston voted yes. Motion carried unanimously.

Mr. Trujillo reported that during executive session commission discussed two personnel matters and one pending litigation. No final action was taken.

Commissioner Pinkston moved for ratification. Seconded by Commissioner Gentry. Commissioner Trujillo voted yes. Commissioner Gentry voted yes. Chairman Andersen voted yes. Commissioner Kirkham voted yes. Commissioner Pinkston voted yes. Motion carried unanimously.

**County Manager's Report**

Juvenile Detention Budget 2004/2005 – Final **EXHIBIT W**

County Surplus Auction @ County Road Yard – August 7, 2005 **EXHIBIT X**

Mr. Trujillo discussed the above items, information only.

The next Public Hearing Meeting of the Valencia County Board of County Commission will be held on August 10, 2005 at 5:00 PM in the County Commission Room at the Valencia County Courthouse. The next Business Meeting will be held on August 19, 2005 at 9:00 AM in the Los Lunas Consolidated School Board Room.

**Adjournment**

Meeting adjourned at 11:10 AM.

**NOTE:** All proposals, documents, items, etc., pertaining to items on the agenda of the August 5, 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**

**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 19, 2005**