

# VALENCIA COUNTY BOARD OF COMMISSIONERS

## Business Meeting

September 16, 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 9:05 AM.

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

**Approval of Agenda**

Mr. Trujillo requested Item B-1 and Item E in its entirety removed from the agenda. Commissioner Pinkston moved for approval with the minor changes listed above. Seconded by Commissioner Trujillo. Motion carried unanimously.

**Approval of Minutes**

September 2, 2005 – Business Meeting

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

**Public Requests**

None

**Discussion (Non-Action) Items**

**Presentation Retirement for Dolores Marquez – Older American Program – County Commissioners**

Commissioners recognized Dolores Marquez on her retirement. Ms. Marquez has served in the Older American Program for 26 years. Commissioner Pinkston thanked Ms. Marquez for her dedication and told her it had been a pleasure working with her. There will be a definite void with the senior program and she will be missed. Mary Ann Gonzales also thanked Ms. Marquez for her total dedication to the senior program. She made it a fun, enjoyable place to work. Ms. Marquez thanked the Commission and Mary Ann Gonzales for allowing her to work at something she loved.

**Commission Communication/Questions – County Commissioners**

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

Commissioner Pinkston reminded everyone on her town hall meeting at the Meadow Lake Community Center on September 22, 2005 at 7:00 PM.

**Action Items:**

***Board of Commissioners convene as Indigent Claims Board***

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

**a. Indigent Report – Barbara Baker (See Exhibit A)**

Ms. Baker presented the indigent claims from August 5, 2005 to September 2, 2005. There were 17 claims submitted and 21 denials. The amount of claims submitted was \$36,808.47 and Ms. Baker asked the Commission to approve \$47,223.58. Commissioner Kirkham moved for approval. Seconded by Commissioner Trujillo. Motion carried unanimously.

***Re-Convene Board as County Commissioners***

Commissioner Kirkham moved to reconvene as County Commissioners. Seconded by Commissioner Pinkston. Motion carried unanimously.

**b. Final Action on Ordinance Adoption – County Commissioners (See Exhibit B)**

**) 2 Ordinance 2005-05 “Fire & Emergency Services, relating to administration, providing for the establishment & administration of the County Fire Division of the Code Enforcement Department**

Commissioners and Ms. Wimberly discussed version 2 relating to the amendments that were recommended by the District Fire Chiefs based on their meeting of September 12, 2005. Mr. Trujillo said as a formality he would recommend that version 2 be introduced as the ordinance as part of this hearing and then have the amendments be considered, act on them item by item or as a whole, take action on the amendments and then go back to the original ordinance as amended.

Commissioner Gentry made a motion to accept the ordinance version #2 for consideration of amendments and action at this time. Seconded by Commissioner Pinkston. Discussion. Motion carried unanimously.

Commissioner Gentry made a motion to strike per ordinance version #2, page 2, line 41 & 42 (Fire Department at the pleasure of the Board of Commissioners) and insert (pursuant to the requirements of the Valencia County Personnel Policy). Seconded by Commissioner Pinkston. Motion carried unanimously.

Commissioner Pinkston moved for approval of Article 10 of the amendments, which creates the Valencia County Chiefs Association. Seconded by Commissioner Trujillo. Motion carried unanimously.

Commissioner Pinkston moved to adopt the remainder of the amendments as a whole instead of individually with the exception of Amendment #7 and Amendment #24 which have been covered. Seconded by Commissioner Trujillo. Discussion. Commissioner Pinkston withdrew her motion. Commissioner Trujillo withdrew his second.

Commissioner Pinkston moved to approve amendments 1,2,3,4,5,6,10,12,13,14,15,16,18,27,29,30. Seconded by Commissioner Trujillo. Motion carried unanimously.

Commissioner Trujillo moved for approval of page 3, line 54, strike the word "Chief's" and insert the word "Chiefs", page 3, line 55, strike the word "fire" and insert the word "district", page 3, line 76 strike the word "career" and insert the words "paid", Article 10 #32, in the title of each article, strike the "colon" after the article number and insert a "period". Seconded by Commissioner Kirkham. Motion carried unanimously.

Commissioner Trujillo moved to delete Amendment #17. Seconded by Commissioner Pinkston. Motion carried unanimously.

Commissioner Trujillo moved for approval to adopt Amendment #19. Seconded by Commissioner Pinkston. Motion carried unanimously.

Commissioner Trujillo moved to delete Amendment #20. Seconded by Commissioner Pinkston. Motion carried unanimously.

Commissioner Trujillo moved to accept Amendment #21. Seconded by Commissioner Pinkston. Motion carried unanimously.

Commissioner Trujillo moved to strike Amendment #22. Seconded by Commissioner Pinkston. Motion carried unanimously.

Commissioner Trujillo reinstated his motion to leave Amendment #22. Seconded by Commissioner Gentry. Motion carried unanimously.

Commissioner Trujillo moved to omit page 6, line 209, Amendment #25. Seconded by Commissioner Pinkston. Motion carried unanimously.

Commissioner Trujillo moved to adopt Amendment #26, page 6, line 217. Seconded by Commissioner Kirkham. Commissioner Pinkston voted no. Commissioner Kirkham voted yes. Commissioner Gentry voted no. Commissioner Trujillo voted yes. Chairman Andersen voted yes. Motion carried 3-2.

Commissioner Gentry moved to delete Amendment 28. Seconded by Commissioner Trujillo. Motion carried unanimously.

Commissioner Pinkston made a motion to adopt Amendment 23. Seconded by Commissioner Gentry. Discussion. Motion carried unanimously.

Commissioner Pinkston made a motion to approve the Ordinance 2005-05 as amended. Seconded by Commissioner Trujillo. Commissioner Trujillo voted yes. Commissioner Gentry voted yes. Commissioner Kirkham voted yes. Commissioner Pinkston voted yes. Chairman Andersen voted yes. Motion carried 5-0.

**c. Selection of architect review committee – Mike Trujillo**

**1) OAP Kitchen renovation (See Exhibit C)**

The legislature has appropriated funds for the renovation of the kitchen at the old Los Lunas Hospital and Training School to be used as the main kitchen for the Older American Program in the amount of \$272,930. A total of \$620,000 is anticipated to fully complete the renovation project.

Staff recommends a committee consisting of two Commissioners, two staff members and a member of the user agency. The recommendations are Chairman Andersen, Commissioner Pinkston, staff members, Mike Trujillo and Michael Steininger and user agency, Mary Ann Gonzales.

**2) Valencia/El Cerro Fire Station (See Exhibit C)**

The legislature has appropriated funds for construction of a new fire station for the Valencia/El Cerro Fire Department in the amount of \$590,000.

Again staff recommends a committee. The recommendations are Commissioner Pinkston and Commissioner Kirkham, staff, Mike Trujillo and Andrew di Camillo and user agency Tim Martinez, Fire Chief.

Commissioner Trujillo moved for approval to accept the above committee assignments. Seconded by Commissioner Gentry. Motion carried unanimously.

**d. Final Action on Public Hearing held September 14, 2005 – Ruben Chavez**

**1) Amend to master plan of Enchanted Mesa – Frank Seminara/Agent Alicia Aguilar**

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

**2) Change the zone designation from RR1 to C1 – Anthony Gabaldon**

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

**3) Grant a zone change from RR2 to RR1 (tabled 8-17-05) – Juan Aragon**

Commissioner Kirkham abstained on this item. Commissioner Trujillo moved for approval. Seconded by Commissioner Pinkston. Discussion. Motion carried unanimously.

**4) Amendment to the zoning map from RR2 to RR1, AKA 63-B Peralta Blvd – Elfego Moya**

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

**5) Appeal made regarding a decision made by the zoning administrator/Sec. 4.8 of the Valencia County Ordinance – David Blacklock**

Commissioner Kirkham made a motion to deny the appeal. Seconded by Chairman Andersen. Discussion. Commissioner Gentry said this issue is in regard to the 10,000 ft. hay barn and for the record he has reservations approving something like this. This is to be used for the owner's individual product and not a commercial venture. Motion carried unanimously to deny the appeal.

**6) Appeal for a decision made by the Planning & Zoning Commission – Jesus Miramontes**

Tabled

**7) Provide a map interpretation as provided in Sec. 1.4.2-H in the Valencia County Ordinance – Marlin Fretten**

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

**8) Partial vacation of plat unusable lots in Eastland Hills – Cypress Gardens, Lots 346A, 348A, 351A, 369A, 370A, 371A, 372A – Patricia Owens**

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

**f. Financial Items**

**1) Award #584 “ Highland Meadows Fire Station – Interior Completion – Phase II” – Mike Trujillo (See Exhibit D)**

The bid was awarded to TFC Construction for Bid Lot 1 in the amount of \$44,000 and Bid Lot 2 to Flores Sheet Metal, Inc. in the amount of \$13,900.00. Commissioner Trujillo moved for approval. Seconded by Commissioner Pinkston. Discussion. Motion carried unanimously.

**2) Award #585 “ Foods-Non-Foods, Meat, Fish, Poultry & Dairy” – Mary Ann Gonzales (See Exhibit E)**

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

**3) Award #583A “ Base Course Material” – Dan Trujillo/Mike Trujillo (See Exhibit F)**

Commissioner Trujillo moved for approval. Seconded by Chairman Andersen. Motion carried unanimously.

**4) Purchase of Highland Meadows Property & Water Well – Andrew di Camillo (See Exhibit G)**

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

**5) Agreements for 2005 Legislative Appropriations – Mike Trujillo**

**a. NMDOT – Golf Course Lighting - \$80,000 (See Exhibit H)**

**b. NMDOT – Severance Tax Bond & General Fund Projects - \$710,101 (See Exhibit I)**

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

**6) Resolution 2005-63, Project Agreement w/NMDOT "Traffic Safety Bureau" – Bill Martinez (See Exhibit J)**

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

**7) Resolution 2005-64, Receipt of County Auction Proceeds – Michael Steininger (See Exhibit K)**

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

**8) Resolution 2005-65, Budget Adjustment Purchase "Front End Loader" Road Division – Dan Trujillo (See Exhibit L)**

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

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

Mr. Steininger presented the computer printout list of all the checks issued by the Manager's Office on September 2, 2005 covering payroll process on that date. Payroll Check #69035 thru Payroll Check #69262 inclusive. Deduction Check #82058 thru Deduction Check #82090 inclusive for a listing total of \$273,382.93. **(See Exhibit M)**

Mr. Steininger presented the computer printout list of all the checks issued by the Manager's Office on September 16, 2005 covering payroll process on that date. Payroll Check #69263 thru Payroll Check #69491 inclusive. Deduction Check #82183 thru Deduction Check #82215 inclusive for a listing total of \$272,482.46. **(See Exhibit N)**

Mr. Steininger presented the computer printout list of all the checks issued by the Manager's Office on September 13, 2005 covering vendor bills processed on that date. Check #82176 thru Check #82182 inclusive for a total of \$1,310.00. **(See Exhibit O)**

Mr. Steininger presented the computer printout list of all the checks issued by the Manager's Office on September 9, 2005, covering vendor bills processed on that date. Check #82091 thru Check #82175 inclusive for a listing total of \$99,181.59. **(See Exhibit P)**

The cash balance in the General Fund is \$1,676,462.00.

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

**Executive Session**

Commissioner Gentry moved to enter into executive session. Seconded by Commissioner Pinkston. Commissioner Trujillo voted yes. Commissioner Gentry voted yes. Chairman Andersen voted yes. Commissioner Kirkham voted yes. Commissioner Pinkston voted yes. Motion carried 5-0.

Commissioner Gentry moved to enter back into regular session. Seconded by Commissioner Trujillo. Commissioner Trujillo voted yes. Commissioner Gentry voted yes. Chairman Andersen voted yes. Commissioner Kirkham voted yes. Commissioner Pinkston voted yes. Motion carried 5-0.

Mr. Trujillo reported that during executive session personnel issues were discussed. No action taken.

Commissioner Kirkham moved to accept the report as presented by Mr. Trujillo. Seconded by Commissioner Trujillo. 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**

Mr. Trujillo reminded Commissioners that under state statute they are required to inspect the jail twice a year. The last visit was in January 2005, after that we need to report to District Court and the District Attorney. Mr. Trujillo said at the next Business Meeting if the Commissioners are in agreement to visit the jail then so we can do the proper advertisement.

Mr. Trujillo said we received a letter of approval for our budget with the local government division and at the next meeting will be on the agenda for record purposes.

The next Business Meeting of the Valencia County Board of County Commission will be held on October 7, 2005 at 9:00 AM in the County Commission Room at the Valencia County Courthouse. The next Public Hearing Meeting will be held on October 12, 2005 at 5:00 PM in the County Commission Room.

**Adjournment**

Adjournment at 1:00 PM.

**NOTE:** All proposals, documents, items, etc., pertaining to items on the agenda of the September 16, 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: October 7, 2005**