

VALENCIA COUNTY BOARD OF COMMISSIONERS

Business Meeting

October 21, 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	
Sally Perea, Chief Deputy Clerk	Tina Gallegos, County Clerk
Press and Public	

The Meeting was called to order by Chairman Mary Andersen at 9:05 AM.

Chairman Andersen asked Julie Hutchins to lead the Pledge of Allegiance.

Approval of Agenda

Commissioner Kirkham made a motion that Item 7D, 1, the appeal of P & Z Commission decision on Jesus Miramontes be removed from the agenda to another meeting. Seconded by Commissioner Gentry. Motion carried unanimously. Commissioner Trujillo moved for approval of the agenda as amended. Seconded by Commissioner Gentry. Motion carried unanimously.

Approval of Minutes

October 7, 2005 – Business Meeting

October 12, 2005 – Public Meeting

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

Public Requests

None

Discussion (Non-Action) Items

a. Presentation by County Extension Service – Julie Hutchins

Ms. Hutchins, Interim County Director for the County Extension Service gave a slide presentation on the services that they provide to Valencia County. Ms. Hutchins said agriculture is one of the services provided and currently they are looking to hire an agent. Mr. Holguin recently retired. Horticulture, noxious weeds and animal agriculture education are other examples. The Extension Service works with the northern and southern pueblos. They also provide recertification for ranchers on farms that are done annually. Ms. Hutchins explained what they are doing with the salt cedar control in the area. Ms. Hutchins introduced four 4-H members, Dustie Powell, Kaitlyn Martin, Caitlin Rowe and Jessica Tafoya to speak on 4-H programs that they are involved in. There is 350 members that are involved in the 4-H program, the 4<sup>th</sup> largest group in the State of New Mexico. They gave a presentation on how the 4-H program works for Valencia County in life skills, leadership development, after school programs, community service, public speaking, being able to serve on a county level and learning parliamentary procedures. Ms. Hutchins presented Chairman Andersen with a plaque for the services that she provided to the Extension Program. Chairman Andersen thanked Ms. Hutchins for bringing the young people here today. She said if this is an example of what you are doing in your 4-H endeavors then you are to be congratulated.

b. Commission Communications/Questions – County Commissioners

c. Reports from Boards, Commissions & Committees – County Commissioners

Commissioner Pinkston stated that she will be holding another town meeting in Meadow Lake on Monday, October 24, 2005 at 7:00 PM. This meeting will be to start the Homeowners Association Program.

Chairman Andersen reported on the meeting with the Transportation Steering Committee. There is a draft with the Valencia County Mobility Plan which Loretta Tollefson, Council of Governments, will be taking out for public comment and distribution. Chairman Andersen reported on the meeting with the State Highway Commission Board that was held in Reserve, New Mexico. At this meeting, Cabinet Secretary Rhonda Faught and Steve Harris, Chief Engineer for the State attended. The Manzano Expressway is not only on the GRIP 2 but has been pushed up to a three year time frame. Chairman Andersen said there was representation from Valencia County at that meeting. It was a productive meeting and it looks like we are going to get that road fixed before we start driving on it.

Action Items:

a. Approval of updated Valencia Community Partnership Health Council Membership

Roster –Peggy Gutjahr

Jeannette Garcia, on behalf of Peggy Gutjahr, said the vision of the Valencia Community Partnership is a community living and working and planning in a healthy supportive environment. The mission is dedicated to a quality of life in Valencia County. Ms. Garcia said right now health priorities are substance abuse, teen pregnancy, domestic violence, elder abuse, and access to health care crime and transportation. Ms. Garcia requested approval of the membership roster which is a requirement of the grant, the fiscal agent is YDI. Commissioner Kirkham moved for approval. Seconded by Commissioner Trujillo. Motion carried unanimously.

***Board of Commissioners convenes as Indigent Claims Board***

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

***Indigent Reports, Appeals, History – Barbara Baker***

Ms. Baker presented the indigent claims from September 2, 2005 to October 6, 2005. The total amount of claims submitted is \$195,823.89. There were 75 claims submitted and 24 denials. Ms. Baker recommended Commission approval of \$31,725.91. Commissioner Trujillo moved for approval. Seconded by Commissioner Gentry. Motion carried unanimously. **(See Exhibit A)**

Ms. Baker presented two appeals. The first appeal is for Kevin Kinser who was denied as he has Medicare but cannot pay due to his financial status. If approved Valencia County Indigent would pay \$702.24 to Presbyterian Hospital. The second appeal is for Valencia County inmate, Margaret Calles. She was denied as the bill was received after the 90 day limit. If approved Valencia Indigent would pay \$1,438.15 to Cibola General Hospital. Commissioner Kirkham moved for approval. Seconded by Commissioner Trujillo. Motion carried unanimously. **(See Exhibit B & C)**

Ms. Baker presented an Indigent History Report from July 1, 2004 to June 30, 2005 and a July 1, 2002 to June 30, 2003 to the Commission for review. **(See Exhibit D)**

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

Commissioner Kirkham moved to reconvene as the Board of County Commissioners. Seconded by Commissioner Trujillo. Motion carried unanimously.

***c. Resolution 2005-69 & 2005-70, Assigning Polling Places for 2006 Elections – Tina Gallegos***

Sally Perea, Chief Deputy Clerk asked on behalf of Tina Gallegos to approve two resolutions, one naming polling locations for each precinct in Valencia County as per state statute and the other naming absentee and absentee in person voting locations. Commissioner Kirkham moved for approval naming polling locations. Seconded by Commissioner Trujillo. Motion carried unanimously. Commissioner Kirkham moved for approval naming absentee and absentee in person voting locations. Seconded by Commissioner Pinkston. Motion carried unanimously. **(See Exhibit E & F)**

***d. Final Action on Public Hearing held October 12, 2005 – Ruben Chavez (Removed from Agenda)***

***e. Accept Findings of Fact & Conclusions – County Commissioners***

***1) RR2 to RR1 AKA 06 R.J. Aragon Road, Los Lunas/Juan L. Aragon***

Commissioner Gentry moved to table the above item. Seconded by Commissioner Pinkston. Motion carried unanimously.

***2) RR2 to RR1 AKA 04 Vista Hermosa, Peralta, David Sanchez***

Commissioner Kirkham moved for approval. Seconded by Commissioner Pinkston. Motion carried unanimously. **(See Exhibit G)**

***3) RR2 to C1 AKA 09 El Cerro Road, Los Lunas/David Bris/Steven Chavez, PC***

Commissioner Pinkston moved for approval. Seconded by Commissioner Kirkham. Motion carried unanimously. **(See Exhibit H)**

***f. Selection of Architect – Mike Trujillo***

***1) Valencia El Cerro Fire Station***

Commissioner Kirkham moved for approval with the recommendation of the evaluation committee ranking ASCG, Inc as the first ranked firm for this project. Seconded by Commissioner Pinkston. Motion carried unanimously. **(See Exhibit I)**

***2) OAP Kitchen Renovation***

Commissioner Pinkston moved for approval with the recommendation of the evaluation committee of Soleil West Architects for this project. Seconded by Commissioner Trujillo. Motion carried unanimously. **(See Exhibit J)**

***3) Animal Control Facility***

Commissioner Kirkham moved for approval of Village Architects, formerly John Friedman firm who designed the existing building and schematics for the addition and also due to their knowledge of the program requirements of Animal Control. Seconded by Commissioner Pinkston. Motion carried unanimously. **(See Exhibit K)**

**g. Selection of Engineer for speed humps projects – Dan Trujillo/Mike Trujillo**

Mike Trujillo said the legislature has provided funding in the amount of \$30,000 to install speed humps on Otero and Fire Station Roads. Molzen Corbin provided design and site selection for Fire Station Road a few years ago but funding was not available until this year. ASG, Inc. has expressed an interest in providing this service and staff recommends ASG, Inc. firm to oversee this project. Commissioner Kirkham moved for approval. Seconded by Commissioner Pinkston. Motion carried unanimously. **(See Exhibit L)**

**h. Consideration of a Railroad Traffic Impact Study – Mike Trujillo**

Commission discussed double tracking of Burlington Northern Santa Fe (BNSF) main line. There is an increasing amount of freight traffic which has occurred in the past few years and shows every sign of continuing. Portions of BNSF's transcontinental main line which have not been double tracked act as constraints on train movements in both directions. Trains must be stopped to wait their turn to use the single tracked portions, which results in significant delays while trains are sitting at rail/highway crossings. These closure times significantly impact emergency personnel, facilities and response times. On a normal day BNSF will run over 80 trains through Abo Canyon, as part of shipments on its transcontinental main line. The busiest days of the week are normally Thursdays through Sundays, when over 100 trains traverse Abo Canyon. Due to this traffic, trains have to wait at times as long as three and one-half hours before being able to proceed. To relieve the current and impending impacts to the County, a grade separation project has been proposed, on or near the Jarales rail grade crossing. Commission asked if Acting Fire Marshal Charles Eaton and Fire Chief Rubin, Rio Grande Estates work on the Hwy 304 crossing statistics. Commissioner Gentry made a motion that the Commission instruct the County Manager to request from the Council of Governments a traffic impact study for Valencia County and compile a statistic that was discussed. Seconded by Commissioner Pinkston. Motion carried unanimously. **(See Exhibit M)**

**i. Request to publish: An Ordinance amending Sec.7.2.3 Subdivision Regulations – Mike Trujillo**

Commissioner Gentry moved for approval to publish. Seconded by Commissioner Pinkston. Motion carried unanimously. **(See Exhibit N)**

**j. Financial Items:**

**1) Resolution 2005-71, Wetland Program Development Grant “Comanche Springs Project – Michael Steininger**

Commissioner Trujillo moved for approval. Seconded by Commissioner Pinkston. Motion carried unanimously. **(See Exhibit O)**

**2) Resolution 2005-72, Budget Increase Road Equipment – Michael Steininger**

Commissioner Pinkston moved for approval. Seconded by Commissioner Trujillo. Motion carried unanimously. **(See Exhibit P)**

**3) Resolution 2005-73, NMDOT- Overtime/Enforcement – Bill Martinez**

Commissioner Gentry moved for approval. Seconded by Commissioner Pinkston. Motion carried unanimously. **(See Exhibit Q)**

**4) Resolution 2005-74, NMDOT – Occupant Protection Enforcement**

Commissioner Gentry moved for approval. Seconded by Commissioner Pinkston. Motion carried unanimously. **(See Exhibit R)**

**5) Resolution 2005-75, NMDOT – DWI Enforcement**

Commissioner Gentry moved for approval. Seconded by Commissioner Trujillo. Motion carried unanimously. **(See Exhibit S)**

**6) Reconsideration of land purchase for Valencia-El Cerro Fire Station-Omar Road – Andrew di Camillo**

Commissioner Kirkham moved to rescind the consideration for land purchase on the above item. Seconded by Commissioner Pinkston. Motion carried unanimously.

**7) Award Bid #157 – Rio Grande Estates Fire Department Addition – Mike Trujillo**

Commissioner Gentry moved for approval to award bid to CC Construction. Seconded by Commissioner Kirkham. Motion carried unanimously. **(See Exhibit T)**

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

Mr. Steininger presented the computer printout list of all the checks issued by the Manager's Office on October 11, 2005 covering vendor bills processed on that date. Check #82457 thru Check #82460 inclusive for a total of \$3,323.22. **(See Exhibit U)**

Mr. Steininger presented the computer printout list of all the checks issued by the Manager's Office on October 20, 2005 covering vendor bills processed on that date. Check #82495 thru Check #82495 for a total of \$7,494.99. **(See Exhibit V)**

Mr. Steininger presented the computer printout list of all the checks issued by the Manager's Office on October 14, 2004 covering payroll processed on that date. Payroll Check #69719 thru Payroll Check #69952 inclusive. Deduction Check #82461 thru Deduction Check #82494 inclusive. Listing total of \$269,680.64. **(See Exhibit W)**

The General Fund balance as of October 18, 2005 is \$2,299,414.00.

Commissioner Pinkston moved for approval. Seconded by Commissioner Trujillo. Motion carried unanimously. Commissioner Kirkham absent for this vote.

### **Executive Session**

Commissioner Gentry moved to enter into executive session. Seconded by Commissioner Trujillo. Commissioner Trujillo voted yes. Commissioner Gentry voted yes. Commissioner Pinkston voted yes. Chairman Andersen voted yes. Motion carried 4-0. Commissioner Kirkham was absent for this vote.

Commissioner Pinkston moved to enter into regular session. 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.

Mr. Trujillo reported as to what was discussed in executive session. Discussed was pending and threatened litigation, Curfman Road proceedings and a personnel matter involving a deputy sheriff, our Cynthia Wimberly updated the Commission on an Animal Control issue that required her intervention in the court system, pending information on Falcon Ridge situation. No action was taken.

Commissioner Trujillo moved to accept report. Seconded by Commissioner Gentry. Commissioner Trujillo voted yes. Commissioner Gentry voted yes. Commissioner Kirkham voted yes. Commissioner Pinkston voted yes. Chairman Andersen voted yes. Motion carried 5-0.

### **County Manager's Report**

Mr. Trujillo said at the next Business Meeting of November 4, 2005 there will be a workshop on the Public Nuisance Abatement Ordinance which has been revised.

Mr. Trujillo asked the Commission to meet with Tom Swisstack, Bernalillo County Juvenile Detention Administrator and the Metro District Judges to discuss savings to Valencia County on the housing of juveniles and the electronic monitoring system.

Chairman Andersen reported on the Hurricane Katrina collection in the amount of \$2,223.28 that Valencia County residents collected and will be forwarded on to the American Red Cross.

Chairman Andersen asked for a workshop with Hugh Byers, Information Technology and Triadic Enterprises.

Mr. Trujillo and Commissioner Gentry reported on the road projects. Commissioner Gentry complimented Dan Trujillo, Road Dept. on such an aggressive road schedule.

**The next Business Meeting of the Valencia Board of County Commission will be held on November 4, 2005 at 9:00 AM in the Los Lunas Consolidated Board Room.**

**The next Public Meeting of the Valencia County Board of County Commission will be held on November 9, 2005 at 5:00 PM in the County Commission Room at the Valencia County Courthouse.**

### **Adjournment**

Adjournment at 11:25 AM.

**NOTE:** All proposals, documents, items, etc., pertaining to items on the agenda of the October 21, 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: November 4, 2005**