

VALENCIA COUNTY BOARD OF COMMISSIONERS

Business Meeting

November 4, 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	

The meeting was called to order by Chairman Mary Andersen at 9:03 AM.

Chairman Andersen asked Loretta Tollefson to lead the Pledge of Allegiance.

Approval of Agenda

Chairman Andersen requested that Item 7-b-6 be moved to the bottom of the agenda. Commissioner Kirkham moved for approval. Seconded by Commissioner Pinkston. Motion carried unanimously.

Approval of Minutes

October 21, 2005 – Business Meeting

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

Public Requests

None

Discussion (Non-Action) Items

a. Commission Communication/Questions – County Commissioners

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

Commissioner Gentry reported on the Transit District Organizational meeting. There is a request for \$250,000 state legislative funding and Council of Governments will be the organization that handles the administration program. Commissioner Gentry said we are getting on board with the Regional Transit District which will start working on commuter services and bus services for long range planning. Commissioner Gentry said Valencia, Sandoval and Bernalillo are the three counties that are involved in getting this organization going.

Commissioner Kirkham reported that she and Andrew di Camillo spent time looking at two possible sites for the Valencia El Cerro Fire Department. One site is by the Valencia Elementary School and the other is on El Cerro Loop Road. Commissioner Kirkham said we are fast tracking and moving this forward. We should have some information on both sites at our next meeting.

Chairman Andersen said she visited with the Albuquerque Chamber with relation to Denver and Phoenix on the regional efforts. Chairman Andersen said she discussed impact fees with Lawrence Rael, COG and asked him to prepare a study session at our next meeting so we all understand the intricacies of trying to get a impact fee applied in Valencia County. It isn't just taking money in; it is committments that we make that require budget approval from the county.

Mr. Trujillo said in getting back to Commissioner Kirkham's report Commissioner Pinkston is also involved in looking at the sites for the Valencia El Cerro Fire Department because her district cuts into the Valencia El Cerro Fire District.

Commissioner Gentry said he handed out to the Commission in reference to the previous meeting a memo request on speed humps in District IV and to his understanding there was going to be a hold on these pending research of the cost, safety factors, emergency vehicles, etc. Commissioner Gentry said after reading the newspaper article he thought it proper to submit those that he turned down from his constituents in the last six months. Commissioner Gentry said he has presented his list for the five different requests which is 21 speed humps and his request is for engineering approval and funding availability.

Commissioner Trujillo said along with Commissioner Gentry he also has submitted a request for 20 speed humps.

Mr. Trujillo said along with the County budget we will also request additional legislative appropriation consideration when the time comes by our respective legislators. Chairman Andersen said she has

always felt that we do need to get together with our legislators before the session and discuss our capital improvement program. Chairman Andersen said she has asked Mr. Trujillo to set up a study session with our legislators.

Chairman Andersen said she got a letter from Council of Governments and NM State University on a conference, Keeping New Mexico Agricultural Growing. Chairman Andersen said she hoped the Commission would try to attend this conference.

Commissioner Gentry said over a past period of time he has had a lot of constituent complaints about law enforcement. We seem to have a growing crime in Valencia County and most of his constituents say they have been told by the officers that they are short handed, underpaid and to call your Commissioners. Commissioner Gentry said he takes this as a real serious issue and a concern from both the law enforcement department and our constituents. He would like to see to better help our law enforcement either budget review which is in January and February or to have a workshop with the Commission and Sheriff's Department. Commissioner Gentry said he would like to see a documented presentation to curtail the crime problem either with funding or other support to have a better understanding of the problems.

Mr. Trujillo said this brings up the December 16th Commission meeting, we have been advised by the Schools that the Schools Board Room is unavailable. We have found a location across the street at the Middle School Library. This might be the time to discuss the law enforcement issue. Commission discussion and the consensus was to have study session after the Business Meeting on the 16th with the Sheriff's Department.

Action Items:

a. Selection of Consultants

1) Jarales Community Center – Architect Selection

Mr. Trujillo said the request selection of an architect to design Phase II work on the Jarales Community Center. Mr. Trujillo recommended the firm of G. Patrick Lynch & Associates for this project. Commissioner Trujillo said regarding the current company that is handling the renovation portion there have been problems in getting them to move forward. Mr. Trujillo said he did meet with the contractors to set up a time frame in which to complete this project as they are behind schedule. Commissioner Trujillo recommended that we pull this job from them and have no other allowances. Mr. Trujillo said if this is done the bonding company will take two to four months to come up with another contractor and this would delay the project even further. Commissioners discussed the quality of work and Mr. Trujillo said his concern is not the quality of work but timeliness and the subcontractors that were used. This is where the delay occurred. Commissioner Trujillo said the bonding company needs to be notified that the company is 66 days behind schedule. Mr. Trujillo said he has a letter going out to the bonding company with those concerns. Commissioner Trujillo moved for approval of the firm G. Patrick Lynch & Associates. Seconded by Commissioner Pinkston. Motion carried unanimously. **(See Exhibit A)**

b. Financial Items

1) Resolution 2005- 76, Auction Sale Proceeds

Mr. Steininger said this resolution is transferring money from Valencia El Cerro Fire department to Tome Fire Department, only procedural. Commissioner Pinkston moved for approval. Seconded by Commissioner Trujillo. Motion carried unanimously. **(See Exhibit B)**

2) Resolution 2005-77, authorizing & approving submission of a complete application for financial assistance & project approval to the NM Finance Authority Los Chavez Fire Department project – Brian Culp

Mr. Steininger requested approval of the above application for financial assistance. Commissioner Gentry brought up a concern with what has been policy is that the gross receipts is divided by the nine fire districts. Commissioner Gentry said he is concerned in taking the gross receipts tax which is very general and in giving the Commission and administration the latitude to develop the Fire and EMS system. Commissioner Pinkston said she had a concern as did Commissioner Gentry that the gross receipts is split nine ways amongst the fire districts. Some departments have all the bells and whistles, while other departments are operating on old equipment that some of those funds could be used in those districts that need the funding. Commissioner Pinkston said she is not against the fire stations but we need to come up with other funding sources before approval. Mr. Trujillo said if this Commission chooses not to approve this, we would cancel the bid, restructure it, redesign it and go back out to bid. Commissioner Trujillo said he understands the concerns but we need to act on this request now and moved for approval. Seconded by Chairman Andersen. Commissioner Trujillo voted yes. Commissioner Gentry voted no. Commissioner Kirkham voted yes. Commissioner Pinkston voted no. Chairman Andersen voted yes. Poll of the vote 3-2. Motion carried. Commissioner Gentry said he voted no because of the fiscal policy not because of the implementation of the fire department and we should have found another funding source. **(See Exhibit C)**

3) Bid Award #587 Los Chavez Fire Station – Brian Culp

Mr. Trujillo said bids were opened for construction for a new Los Chavez Fire Station, based on a recommendation from Fire Chief Brian Culp, the awarding bid goes to CC Construction in the amount of \$504,560.00 contingent on funding approval from the New Mexico Finance Authority. Commissioner Trujillo moved for approval. Seconded by Commissioner Kirkham. Commissioner Trujillo voted yes. Commissioner Gentry voted no. Commissioner Kirkham voted yes.

Commissioner Pinkston voted no. Chairman Andersen voted yes. Poll of the vote 3-2. Motion carried. **(See Exhibit D)**

4) Resolution 2005-78, Casa Colorado Community Center project budget – Michael Steininger

Mr. Steininger said this resolution is for Casa Colorado Community Center. The budget amount is \$50,000. It was always of the impression that this money was awarded to the Belen School District. They put a new roof on the building. When the Belen Schools submitted for reimbursement they were informed that money actually belonged to the County. Since the County thought it did belong to the school, we are now budgeting so we can reimburse the school district for the money that they spent on our behalf. Commissioner Gentry moved for approval. Seconded by Commissioner Pinkston. Motion carried unanimously. **(See Exhibit E)**

5) Purchase 2005-79, Purchase of Sheriff's Office vehicles (6) – Bill Martinez

Mr. Steininger said this request is for six new vehicles. The money will come out of their reserves. Jeff Noah and Mark Lujan spoke on behalf of Undersheriff Martinez on the need to repair some of the old vehicles and the request for new ones. Commissioner Kirkham moved for approval. Seconded by Commissioner Trujillo. Motion carried unanimously. **(See Exhibit F)**

6) Resolution 2005-, Emergency Services Division Budget Increase – Andrew di Camillo (Moved to take action at the bottom of the agenda)

7) Resolution 2005-80, LLEBG FY 04/05 Overtime Salaries & Equipment – Michael Steininger

Mr. Steininger requested approval on funding that was still in the budget for last year. In preparing this year's budget we failed to carry this over. Commissioner Pinkston moved for approval. Seconded by Commissioner Kirkham. Motion carried unanimously. **(See Exhibit G)**

c. Approval EMS Fund Act Project Application Grant for Tome-Adelino Fire Station – Andrew di Camillo

Mr. di Camillo requested approval for training. Total cost of the training is \$4760.00 and will take place at the fire station and community center for EMS and fire training. The contact person is Kim Hollingshead, Assistant Chief. Commissioner Pinkston stated the due date of November 1, 2005 is on the application. Mr. Trujillo said they have granted them an extension of ten days. Commissioner Pinkston asked if the other departments were aware of this training and why just one department asking for this. Mr. di Camillo said it is standard practice for each station to act individually on these types of opportunities. Commissioner Gentry said now that we have the extension we should make this application available for each fire district or EMS district. Commissioner Gentry made a motion that we approve this application and extend it to the other EMS stations and apply that grant for all of them. Seconded by Commissioner Pinkston. Motion carried unanimously. **(See Exhibit H)**

d. Accept Findings of Fact & Conclusions of Law Decision (Sept. 14, 2005) – County Commissioners

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

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

2) Change the zone designations from RR1 to C1/Anthony Gabaldon

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

3) Grant a zone change from RR2 to RR1/Juan Aragon

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

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. **(See Exhibit L)**

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

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

6) Provide a map interpretation as provided in Sec. 1.4.2-H in the Valencia County Zoning Ordinance/Marlin Frettem

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

7) Partial vacation of plat unusable lots in East Hills – Cypress Gardens/Patricia Owens

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

e. 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 28, 2005 covering payroll process on that date. Payroll Check #69953 thru Payroll Check #70183 inclusive. Deduction Check #82604 thru Deduction Check #82636 inclusive for a listing total of \$272,547.91. **(See Exhibit P)**

Mr. Steininger presented the computer printout list of all the checks issued by the Manager's Office on October 28, 2005 covering vendor bills processed on that date. Check #82637 thru Check #82637 inclusive for a total of \$44,512.15. **(See Exhibit Q)**

Mr. Steininger presented the computer printout list of all the checks issued by the Manager's Office October 21, 2005 covering vendor bills process on that date. Check #82496 thru Check #82603 inclusive for a total of \$263,881.14. **(See Exhibit R)**

Mr. Steininger presented the computer printout list of all the checks issued by the Manager's Office on November 3, 2005 covering vendor bills processed on that date. Check #82638 thru Check #82746 for a total of \$211,496.19. **(See Exhibit S)**

As of November 2, 2005 there was \$2,083,000.00 in the General Fund.

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

f. Highland Meadows FD Mutual-Aid Agreement with Laguna Pueblo – Andrew di Camillo

Mr. di Camillo presented the above agreement for approval to the Commission. Commissioner Pinkston moved for approval. Seconded by Commissioner Trujillo. Motion carried unanimously. **(See Exhibit T)**

g. Resolution 2005-81, establishing an Animal Control Advisory Board – Andrew di Camillo

Mr. di Camillo presented the above resolution to re-establish the Animal Control Advisory Board. Mr. di Camillo introduced volunteer Mark Rosenblum. Mr. Rosenblum as well as a number of animal control volunteers have contributed out of their pockets the software that we utilize to collaborate and collect on the animal saturation points that we have around the County. We can now identify those breeds and the type of conditions that they are coming from. Commissioner Gentry moved for approval. Seconded by Commissioner Kirkham. Motion carried unanimously. **(See Exhibit U)**

h. Approval of agreement with NMDOT – RGEFD Signal Flashers – Andrew di Camillo

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

Executive Session

Commissioner Pinkston moved to enter into executive session. 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.

Commissioner Pinkston moved to enter into regular session. Seconded by Commissioner Kirkham. 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. Personnel matters, pending personnel termination, emergency services organization in terms of positions that would be needed in hiring and firing, a promotion that is allowed in the open meetings act, pending litigation regarding the grand jury investigation on a animal control issue by Marcy Britton, update only, these items were discussed and no action taken.

Commissioner Trujillo moved for approval of the above report. 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.

6) Resolution 2005-82, Emergency Services Division Budget Increase – Andrew di Camillo (Moved to take action at the bottom of the agenda)

Chairman Andersen said we now need to take action on the above item that we moved to the bottom of the agenda. Mr. Trujillo said we passed an ordinance that now established emergency services division under the code enforcement department. In carrying out the full intent of that ordinance, we will need four positions because of budget we recommend the first two items, first to fund a fire chief which we would advertise immediately, and the second the acting fire marshal increase. Looking at the EMS coordinator and the administrative assistant position as part of the budget review in January or February, we recommend that in the resolution that we strike the amount of \$2,962,078 and replace \$38,288.00 under the deputy fire marshal change that to acting fire marshal and insert the amount of \$8,736.00 then the adjustment for full time salaries fire chief position, \$29,552.00. This offsets the General Fund increase of \$38,288.00. Mr. Trujillo said the recommendation is that the two items for EMS Coordinator and Administrative Assistant be stricken from the resolution. Commissioner Gentry moved for approval. Seconded by Commissioner Pinkston. Motion carried unanimously.

County Manager's Report (Informational Only)
Casa Colorada donation of property by Belen Public Schools
Mobility Plan (Draft) Public Hearing meeting on November 9, 2005
Discuss Business meeting location for December 16, 2005 meeting
Building for new Regional 911 Dispatch Authority

Mr. Trujillo reported on the Judicial Complex meeting with the Village Planning and Zoning Commission. We received a 4-0 vote from the Village P & Z Commission on the annexation. It will go before the Village Council at their next meeting to annex the property at the corner of Morris and 314, the 10 acre site for construction of the new Judicial Complex. There will be a meeting with the Village Council on November 17, 2005 in seeking that final annexation. Mr. Trujillo said he has removed the Regional 911 dispatch out of the judicial complex budget and drawings. He met with State Public Control, we now have a building at the Hospital and Training School for the Regional 911 Dispatch. Mr. Trujillo asked Commission to allow him to prepare a lease with the State of New Mexico and Valencia County to assume the lease of that building for (0) dollars a year. Commission allowed Mr. Trujillo to go forward.

Mr. Trujillo said all County offices will be closed Friday, November 11, 2005 in observance of Veteran's Day.

Mr. Trujillo said we received notice on the modified landfill closure plan should be approved by the State of New Mexico within a couple of weeks.

The next Public Hearing 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. The next Business Meeting will be held at 9:00 AM at the Los Lunas Consolidated Board Room.

Adjournment

Adjournment at 11:25 AM.

NOTE: All proposals, documents, items, etc., pertaining to items on the agenda of the November 4, 2005 Meeting (presented to the Board of County Commissioners) are attached in consecutive order as stated in these minutes.
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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: December 2, 2005