

VALENCIA COUNTY BOARD OF COMMISSIONERS

Business Meeting

April 21, 2006

PRESENT	ABSENT
Paul Trujillo, Chairman	
Ron Gentry, Vice-Chairman	
Mary J. Andersen, Member	
Georgia Otero-Kirkham, Member	
Lynette Pinkston, Member	
Michael R. Trujillo, County Manager	
Wimberly Law Firm, County Attorney	
Tina Gallegos, County Clerk	
Press and Public	

1. The meeting was called to order by Chairman Paul Trujillo at 9:06 AM.

2. Chairman Trujillo asked Bill Brown to lead the Pledge of Allegiance.

3. Approval of Agenda

Chairman Trujillo said Item 7c, Personnel Policy after conferring with his fellow Commissioners came to a consensus that we will not be voting on this item until the next Business Meeting. We need to listen to the comments of the County employees because this item deals with setting forth personnel rules and regulations. This item on the agenda will be removed. Also, Action Item 7f, Approval of Memorandum of Understanding between Central NM Correctional Facility and Animal Control will be removed. Commissioner Gentry moved for approval as amended. Seconded by Commissioner Pinkston. Motion carried unanimously.

4. Approval of Minutes

March 8, 2006 – Public Hearing Meeting
April 7, 2006 Business Meeting
April 12, 2006 – Public Hearing Meeting
Commissioner Kirkham moved for approval. Seconded by Commissioner Gentry. Motion carried unanimously.

5. Public Requests

None

6. Discussion (Non-Action) Items

a. Proclamation for Respect for Law Week by Breakfast Optimist Club of Belen – Patricia Torres (Exhibit A)

Ms. Torres along with Bob Reese discussed with the Commission a request to proclaim the week of May 14-20 Respect for Law Week. Ms. Torres said on Saturday, May 20 they will hold a Respect for Law Banquet. At this banquet, the Club will honor the officers of the year from Los Lunas, Belen, Bosque Farms, Valencia County Sheriff’s Office, NM State Police and Isleta Tribal Police Officers. The officers are presented with a plaque by their Chief of Police or the head of their departments. Certificates from the legislators from the State of New Mexico will be presented by Senator Michael Sanchez. Commissioner Pinkston directed Mr. Trujillo that Valencia County give the County officers a certificate also.

b. Introduce Val Tabor to Animal Control Advisory Board – District IV – Andrew di Camillo

Vice- Chairman Gentry presented the above item as Chairman Trujillo stepped out. Mr. di Camillo recommended Val Tabor to the Animal Control Advisory Board and will serve in Commissioner Gentry’s District. She has participated in the animal shelter program and rescue for years, both financial and physical participation. We recently had a vacancy and Mr. di Camillo urges the Commission’s support for Ms. Tabor. Commissioner Andersen moved approval to appoint Ms. Tabor in District IV. Seconded by Commissioner Pinkston. Motion carried unanimously.

c. Presentation on T-Mobile Lease Proposal Wireless Antenna Site El Cerro Mission – Dan Varela

Dan Varela gave a presentation on the T-Mobile proposal. Mr. Varela said T-Mobile would like to provide service to the El Cerro community and its surrounding area. The service at this time is very unreliable and in some areas there is no service at all. T-Mobiles engineers, after looking around the area, determined that the El Cerro Community Center would be an ideal piece of property for a wireless facility which is a little over 16 acres of land. Mr. Varela said the Commissioners are familiar with what is on the land now, a community center and a fire station, but there is enough ground space for T-Mobile to lease space for a wireless facility. Under normal circumstances, the company seeks out willing land owners and they negotiate ground leases and go through the zoning

process and approval process to get the sites approved. The proposal is that T-Mobile would like to lease approximately an area about 50 by 50 ground space and this would be for a lattice tower. T-Mobile realizes there is an ordinance in place and we would meet all those requirements. The company is willing to pay market rate for lease of this space. We would enter into an option and site lease agreement. The option that is needed because we don't always know whether or not it would be approved with the jurisdictions that deal with that. We want to make sure we comply with everything. If everything is approved then we proceed and build the site. Commissioner Andersen asked Mr. Trujillo if the 16 acres we have now for El Cerro will permit this without hampering us anytime in the future. Mr. Trujillo said he presented a copy of the master plan of the site to Mr. Varela so that we could select the site that would least interfere with any future proposed site. Commissioner Andersen said least is what she does not want to hear, she wants a word that says there is no way we are going to expand and that tower would not be in the way. Mr. Varela said what they are proposing is an area about 50 by 50 ground space only. Commissioner Andersen said she has found in her 3 ½ years on the Commission, no matter how well we plan, there is always something else that gets in the way. There comes a time when that tower might be in the way or we would need it for a road or a path or build a building and unless someone looks at it now, we could easily be in trouble down the road and she does not want that for T-Mobile or the Commission. Commissioner Pinkston wanted to confirm that T-Mobile would benefit the east mesa because she has T-Mobile and she cannot use it in her home, she has to go out to the road. Mr. Varela said T-Mobile will provide service to that area. Mr. Trujillo said this will be an item on the next business agenda. Commissioner Gentry said T-Mobile wants 50 by 50 ground space with one tower, we will have to have access dedicated to that tower, then as T-Mobile leases to other tower providers they will acquire additional space for their communication facilities. With this master lease, you lease it to six other people with six antennas, does this provide additional revenues for the County as you sublease that property? Mr. Varela said what they do is lease the ability for them to be on the tower and require ground space. They can engineer to accommodate two other carriers. Commissioner Kirkham said she is the Commissioner from that area and if T-Mobile could let the public know that this is going to happen or have a meeting at the community center and let them know what type of services they provide. Chairman Trujillo said regarding proposed advertisement to the community it would seem since the benefit is to T-Mobile, they should pay for that. And also public comments can be taken at a public hearing meeting. Mr. Varela discussed the procedures and process of how T-Mobile handles the situation. Commissioner discussion ensued.

d. Commissioner Communication or Questions – County Commission

Chairman Trujillo took over at this time. No Commissioner Communications or Questions.

e. Reports from Boards, Commission & Committees – County Commission

Commissioner Pinkston said she will be holding a town hall meeting on Thursday, April 27, 2006 at 7:00 PM at the Meadowlake Community Center.

Commissioner Kirkham said along with Commissioner Andersen and Commissioner Gentry, they attended a luncheon on Wednesday with the Mayors of Los Lunas, Belen, Bosque Farms and the Governor of Isleta. This was a very productive meeting, with issues and concerns of the County being discussed. Commissioner Andersen concurred with Commissioner Kirkham and along with that stated this was probably a very historical occasion with the different entities getting together. Commissioner Andersen said this was the first time she had ever been a part of this type of gathering. We have some monumental problems facing the County, they face Isleta also and working together we can make a difference. Commissioner Gentry said he agreed with Commissioner Andersen and Commissioner Kirkham.

7. ACTION ITEMS

Board of Commissioners convene as Indigent Claims Board

a. Indigent Board – Barbara Baker (Exhibit B)

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

Ms. Baker presented the Indigent Claims from March 2, 2006 to April 7, 2006. The amount of claims submitted was \$275,781.07. There were 88 claims submitted and 25 applicant denials. Ms. Baker asked the Commission to approve \$49,111.93. Commissioner Andersen moved approval. Seconded by Commissioner Gentry. Motion carried unanimously.

Reconvene as Board of County Commission

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

b. Resolution 2006-16, Adopt a County Road Program Tierra Bonita – Cyndi Sluder (Exhibit C)

Ms. Sluder presented the above resolution to adopt a county road program to clean and maintain our public rights of way along maintained county roads. Commissioner Andersen moved approval. Seconded by Commissioner Kirkham. Motion carried unanimously.

c. Ordinance 2006-____, Relating to Administration, Ordaining a Personnel Policy, setting forth personnel rules & regulations establishing consistent, basic policies & practices concerning relations between the County and its employees, declaring an emergency – County Commission

Removed from the Agenda

d. Recommendation for Public Works Director – County Commission

Mr. Trujillo said Commissioner Andersen and Commissioner Gentry interviewed three applicants for the Public Works Director. Mr. Trujillo said the three of them recommended Steven Decker as the new Public Works Director for Valencia County. Commissioner Gentry said in reviewing the applicants they were all qualified people in their professions but Mr. Decker had an outstanding amount of public works and planning and has an on the ground abilities to which this County needs. Commissioner Gentry said Mr. Decker will compliment the County and get the job done. Commissioner Andersen agreed with Commissioner Gentry and said she was very pleased to hear Mr. Decker speak of his past experiences. Commissioner Andersen said he was responsible for emergency operations for the state of Florida after one of the hurricanes. He brings with him a lot and she is looking forward to his immediate hire.

Chairman Trujillo said he spoke with Mr. Decker and he also was impressed with him and looks forward to working with him.

Commissioner Andersen moved for approval to hire Steven Decker as the Public Works Director. Seconded by Commissioner Gentry. Motion carried unanimously.

Commissioner Andersen said she would like to see a report of approved hiring in the County, it was done in the past but she has not seen it done lately. It was discussed to not put it on the agenda but still get the report. She has not seen this in about six months and would like to see this started on a regular basis. All Commissioners agreed.

e. Final Action on Public Hearing held April 12, 2006 – County Commission

1) Amend zone maps from RR2 to RR1 for Tract 15-A, Map 86 as recorded in Book 359 Page 9734 in the Valencia County Clerk's office, AKA 15 Miller/Carl Sower

Mr. Chavez presented the above item. Commissioner Gentry moved for approval. Seconded by Commissioner Pinkston. Motion carried unanimously.

2) Preliminary Plat review for Sierra Madre Unit 2 Subdivision, Tr. 10 of Sierra Vista a Plat of the westerly portion of Rio Del Oro Unit 19 within the Tome Grant projected Sections 7, 8, 17, & 18/Steve Crawford/Curb Inc.

Mr. Chavez presented the above item. Commissioner Kirkham moved for approval. Seconded by Commissioner Pinkston. Motion carried unanimously.

f. Approval of Memorandum of Understanding between Central New Mexico Correctional Facility & Animal Control Division, CE – Andrew di Camillo

Removed from the agenda.

g. Financial Matters

1) Award Bid #595 – Construction for Greenways Trail, Phase IV – Jacqueline Guilbault (Exhibit D)

Ms. Guilbault requested Commissioners to approve and award bid to Star Paving Company. This is no financial impact to the County. Commissioner Andersen moved for approval. Seconded by Commissioner Pinkston. Motion carried unanimously.

2) Approval of 2006-2007 Fire Protection Fund Grant Award – Andrew di Camillo (Exhibit E)

Mr. di Camillo presented the application that is required by the Fire Districts to participate in the distribution of the Fire Protection Fund for the 2006-2007 fiscal year. The application is due in the State Fire Marshal's office on or before April 30, 2006. Mr. di Camillo recommended approval. Charles Eaton, Fire Chief said this fund application is going to reflect a 20% interest in which the legislature just enacted. There are already plans to use this money to correct some of the deficiencies that the County has. Commissioner Andersen moved for approval. Seconded by Commissioner Gentry. Motion carried unanimously.

3) Approval of Payroll & Warrants – Mike Trujillo

Mr. Trujillo presented the computer printout list of all the checks issued by the Manager's Office on April 14, 2006 covering vendor bills processed on that date. Check #84522 thru Check #84656 inclusive for a total of \$142,608.58. **(Exhibit E)**

Mr. Trujillo presented the computer printout list of all the checks by the Manager's Office on April 14, 2006 covering payroll process on that date. Payroll Check #72681 thru Payroll Check #72907 inclusive. Deduction Check #84485 thru Deduction Check #84521 inclusive for a listing total of \$274,728.73. **(Exhibit F)**

Commissioner Andersen moved approval. Seconded by Commissioner Pinkston. Motion carried unanimously.

8. Executive Session

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

Chairman Trujillo moved to enter into regular session. Seconded by Commissioner Pinkston. Motion carried unanimously.

Ms. Wimberly reported that personnel matters were discussed, new pending litigation, there are two suits filed against the County, personnel organization was discussed and no final action was taken. Commissioner Pinkston moved for approval of the above report as to what was discussed in executive session. Seconded by Commissioner Kirkham. Roll call vote. Commissioner Andersen voted yes. Commissioner Pinkston voted yes. Commissioner Kirkham voted yes. Commissioner Gentry voted yes. Chairman Trujillo voted yes. Motion carried 5-0.

9. County Manager's Report (Informational Only)

Commission Budget Hearing Dates for County Departments

Mr. Trujillo said he is ready to present the budget and staff will contact each Commissioner for a time and date. Mr. Trujillo said he received a letter from the Thirteenth Judicial District and there are some issues he is concerned with. After the Clerk uses the Commission Room for early voting, the Commission Chambers will be ours on the first and third Fridays of the month. Animal Control facility expansion was advertised in the local newspaper. The Belen Public Health Building is ready to go to bid, as is Tome Adelino Community Center for next month. There is dirt being moved on Morris Road for the Judicial Complex. The Older American Kitchen is getting cleaned out. Los Chavez Fire Dept. has begun construction.

10. The next Business Meeting of the Valencia County Board of County Commission will be held on May 5, 2006 at 9:00 AM in the County Commission Room at the Valencia County Courthouse. The next Public Hearing Meeting will be held on May 10, 2006 at 5:00 PM, place to be announced.

11. Adjournment

Commissioner Gentry moved to adjourn. Seconded by Commissioner Pinkston. Motion carried unanimously. Time 11:34 AM.

<p>NOTE: All proposals, documents, items, etc., pertaining to items on the agenda of the April 21, 2006 Business 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/
PAUL EDWARD TRUJILLO CHAIRMAN

ss/
RON GENTRY, VICE-CHAIRMAN

ss/
MARY J. ANDERSEN, MEMBER

ss/
GEORGIA OTERO-KIRKHAM, MEMBER

ss/
LYNETTE PINKSTON, MEMBER

ATTEST: ss/

TINA GALLEGOS, COUNTY CLERK

DATE: May 5, 2006