

VALENCIA COUNTY BOARD OF COMMISSIONERS

Business Meeting

July 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	
Cynthia R. Wimberly, County Attorney	
Tina Gallegos, County Clerk	
Press and Public	

1. The meeting was called to order by Chairman Paul Trujillo at 9:00 AM.

2. Chairman Trujillo asked Sheriff Richard Perea to lead the Pledge of Allegiance.

3. Approval of Agenda

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

4. Approval of Minutes

July 7, 2006- Business Meeting

July 12, 2006 – Public Hearing Meeting

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

5. Public Requests

Sheriff Richard Perea introduced Desi Garcia, Director of Security for Los Lunas School District. Sheriff Perea said the County and School District are working on a proposal to provide better security. Mr. Garcia thanked the Commission for allowing him to speak. He will work with the County to utilize the resources that are available that will benefit both the schools and the county. Mr. Garcia said with the new High School that will be on the east side, security will be an issue to contend with.

William Lebrecht, 35 Sportsman Drive, Meadow Lake said he was before the Commission at the last Public Hearing meeting. His concern is still maintenance on those roads in that area. Mr. Lebrecht said he has another concern, abandoned homes in that area, which is a public safety concern. Commissioner Pinkston stated this road is in her District and together with staff are working on this matter.

6. Discussion (Non-Action) Items

a. Proclamation of “Family Day” National Center on Addiction & Substance Abuse (CASA) – Kathy Chavez (Exhibit A)

Mr. Trujillo said on behalf of Ms. Chavez, the Commission did adopt a proclamation like this one last year. This proclamation urges all citizens to recognize and participate in family day. Commissioners adopted the above proclamation.

b. Request to Adopt Roads for Maintenance in Highland Meadows – Kim M. Roberds (Exhibit B)

Michel Lecavilier and Jamie Roberds on behalf of Kim Roberds said they have had a lot of issues with their roads in Highland Meadows. Mr. Lecavilier read a letter from Kim Roberds concerning the recent floods in that area. They were without electricity for most of the night on July 6, 2006. If an emergency had been warranted, they would not have been able to respond. For firefighters that were on call, none of them would have been able to respond if a fire broke out. Mr. Lecavilier stated they pay taxes and are in need of gravel, roads built-up and maintenance on these roads. Commissioner Andersen said that they have asked Loretta Tollefson, Council of Governments to look at Highland Meadows to help the Commission establish a priority for roads in that area. Mr. Trujillo said Ms. Tollefson had done a site visit for that area. Commissioners said they would do what they can because these roads are a long time fix and in the meantime we will do what we can on an emergency basis.

c. Department Director’s Reports – Department Directors

d. Reports from Boards, Commissions & Committees – County Commission

Michael Oliver, Adult Detention Center Director, reported that on a daily basis the Detention Center maintains about 180 inmates. There is currently 5400 positions, we have experienced no deaths, no escapes or serious assaults to inmates or other staff since Valencia County assumed management on January 1, 2005. They have currently hired an EMT on board. We are currently under no

litigation. They have entered under a agreement with Quick Care Health Services with a savings cost to Valencia County. Mr. Oliver discussed the daily operations of the Detention Center and their involvement with other organizations. Mr. Oliver reported that the female detention facility section

**Minutes of July 21, 2006 Business Meeting**

has experienced a collapse of the sewer line in a cell block. All inmates have been evacuated to the main portion of the facility until repairs are completed.

Vangie Gabaldon, Administrative Services Director said she had submitted an extensive written report to the Commission than what she will report on. Ms. Gabaldon reported on the following activity that is going on in the County. Rio Grande Estates Fire Department is near completion, they have done an open house and will do a walk-thru on Monday, they should have certificate of occupancy by the end of July. The Highland Meadows Fire Department is completed with the exception of getting the well drilled. Jarales Community Center, Tome Adelino Community Center, and the Belen Public Health Care Facility, Health Care Facility, and Animal Control Facility have all gone to bid. The Belen Public Health Office and the Animal Control Facility have to be rebid. The Los Chavez Fire Department broke ground, construction will start soon. Casa Colorado Community Center and the Older American's kitchen are at present being prepared for bid. Meadow Lake Fire Station and Meadow Lake Community Center as well as the Valencia El Cerro Fire Station are in the design phase and will begin preparation for bid. Ms. Gabaldon said there will be a lot of construction work now in October and November. CDBG Abatement Project was discussed. **(Exhibit C)**

Francisco Apodaca, Public Works Director reported on the work and daily maintenance schedule for the road department. Mr. Apodaca said this schedule is from July 10, 2006 thru July 14, 2006. The reason for July 10 is when he came on board with Valencia County. Mr. Apodaca said one of the goals is to get the crew back on a regular maintenance schedule. A new PC is being installed at the Road Dept. along with a new software package that will help us in maintenance for example , we will be able to locate that particular road and see what work is being done or will be done or if it is a dedicated County road and so forth. Mr. Apodaca said he is working on the Solid Waste and Code Enforcement issues that is happening within the County. Mr. Apodaca said he is familiarizing himself with the County Ordinances so that these can be enforced if need be. **(Exhibit D)**

**7. Action Items**

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

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

**a. Indigent Report – Barbara Baker (Exhibit E)**

Ms. Baker presented the Indigent Claims from June 2, 2006 to July 7, 2006. There were 85 claims submitted, there were 18 applicant denials, the amount of claims submitted was \$508,515.63 and Ms. Baker asked the Commission to approve \$72,323,46. Commissioner Andersen moved for approval. Seconded by Commissioner Pinkston. Motion carried unanimously.

***Reconvene as Board of County Commission***

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

**b. Resolution 2006-28, Adopting the State Plan for Deferred Compensation Public Employees Retirement Association of New Mexico – Mike Trujillo (Exhibit F)**

Mr. Trujillo said Valencia County had chosen to not partake in the above plan so this resolution will allow the County employees to participate in deferred compensation. Commissioner Kirkham moved for approval. Seconded by Commissioner Andersen. Motion carried unanimously.

**c. Approval of contracts for County clean-up for Los Lunas FFA –Cyndi Sluder (Exhibit G)**

Ms. Sluder requested the approval of two contracts for clean-up to clean the Belen Sheriff's Posse for approximately (10) days. The group is the Los Lunas FFA. Commissioner Andersen moved for approval. Seconded by Commissioner Kirkham. Discussion. Motion carried unanimously.

**d. Quarterly Report activities for Tierra Bonita Program – Cyndi Sluder (Exhibit H)**

Ms. Sluder submitted the quarterly report for Tierra Bonita. This report consists of events held, how many volunteers there were, how many hours were involved and clean-up. This includes how many pounds of trash were collected and also beautification, as to how many trees were planted, homes painted, graffiti sites removed and then also education, as to how many workshops were held and the attendance. Ms. Sluder introduces three of the youth that have helped in the above clean-up and beautification. Discussion on removing the trash dumpster from Highland Meadows and Commissioners concurred to leave it there until the budget is reviewed and come up with a solution to this matter. Ms. Sluder said they are currently prosecuting three illegal dump sites in the County, one through the Sheriff's Office and two through the Code Enforcement Director.

**e. Accept Findings of Fact & Conclusion of Law Decisions – County Commission**

**1) Amend the zone map from PD (Planned Development) to C2 (Commercial Type 2) for the purpose of a small wood processing facility & welding, 1 Unit G, Lots,**

**2,3,4,11,13, Tract A; Subdivision Lands of Rio Grande Estates, AKA 09 Prairie Wind Lane, Belen, NM/Donald Hertzler (Exhibit I)**

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

**f. Final Action on Public Hearing held July 16, 2006 – County Commission**

**Minutes of July 21, 2006 Business Meeting**

**1) Amend zone map from C-1 to C-2 to bring property use into compliance, Unit 4, Tract 9, Green Valley Estates, AKA 2606 AKA Hwy 47, Los Lunas, NM/Thomas Bizzell (Exhibit J)**

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

**2) Amend zone map from RR-2 to RR-1 for the purpose of creating two (2) lots, Tract A-2, Map 86, located off of Pleasant View, Los Chavez, NM/Gerald Chavez (Exhibit K)**

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

**3) Amend zone map from RR-2 to RR-1 for the purpose of creating four lots, Tract 1-A-1-A-1-D, Map 81, AKA 1124 Curfman Road, Los Lunas, NM/Eloy Rodarte (Exhibit L)**

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

**4) Vacate an alley within the Lake View Acres Subdivision as filed on 2/9/1960 and recorded in Cabinet B Page 187/Rick Shaver (Exhibit M)**

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

**5) Reverse a decision made by the Planning & Zoning Commission on a request for variance to the Zoning Ordinance as identified in Section 11.8 Mobile Home Standards Section 24 & 25, Blk D, Unit 2, Lot 1, Valle Valencia Ranchitos, AKA 45 Avenida Valencia, Los Lunas/Ruth Perea**

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

**g. Approval to vacate an alley within the Lake View Acres Quitclaim Deed – County Commission (Exhibit N)**

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

**h. Approval of agreement with Francisco Apodaca for Public Works Director – Mike Trujillo (Exhibit O)**

Commissioner Andersen moved for approval of the above agreement. Seconded by Commissioner Pinkston. Motion carried unanimously.

**i. Financial Matters**

**1) Resolution 2006-29, Relating to Finance, Adopting the Final 2006-2007 Fiscal Year Budget and Requesting State Approval – Mike Trujillo (Exhibit P)**

Mr. Trujillo requested the Commission adopt the final budget and requesting State approval. Commissioner Pinkston moved for approval. Seconded by Commissioner Kirkham. Motion carried unanimously.

**2) Resolution 2006-30, Intra/Inter Budget Transfer Year-End FY 05-06 at 6-30-2006 – Mike Trujillo (Exhibit Q)**

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

**3) Resolution 2006-31, Budget Increases Year-End FY 05-06 at 6-30-2006 – Mike Trujillo (Exhibit R)**

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

**4) Resolution 2006-32, Relating to agreements, designating the Commission Chair, County Manager, & Administrative Services Director, Public Works Director to sign specific documents in relationship to grant agreements processing – Mike Trujillo (Exhibit S)**

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

**j. Approval of NMDOT 2006/2007 Cooperative Program Agreements – Francisco Apodaca**

**1) CAP -3-07 (422) Control #87315-\$317,324.00 (Exhibit T)**

Mr. Apodaca stated the above agreement is for the improvements to various roads that will consist of pavement rehab/blading and shaping and miscellaneous construction.

**2) SP-3-07 (953) Control #87316-\$169,461.33 (Exhibit U)**

Mr. Apodaca stated the above agreement is for improvements to Shawn Ct, La Entrada and various roads.

**3) SB-7707 (972) Control #87317-\$272,089.33 (Exhibit V)**

Mr. Apodaca stated the above agreement is for the school bus road improvements to N. Rio del Oro, Dalies Road and various roads.

Commissioner Pinkston moved for approval of the above (3) agreements. Seconded by Commissioner Andersen. Motion carried unanimously.

**k. Approval of Special Appropriations Projects – Francisco Apodaca**

**Minutes of July 21, 2006 Business Meeting**

**1) 06-1267-GF Fire Department well (Highland Meadows) - \$30,000(Exhibit W)**

**2) 06-1268-GF Water/Wastewater System Master Plan - \$1,500,000 (Exhibit X)**

Mr. Apodaca said this request is to approve two special appropriations with NM Environment Department in the amount of \$1,800,000.00. The contracts are for a Fire Department well and water and waste water system master plan. There is no fiscal impact to the County. Commissioner Andersen moved for approval. Seconded by Commissioner Pinkston. Motion carried unanimously.

**I. Approval of award of bids – Vangie Gabaldon**

**1) #596 – Belen Public Health Office – Contractor Bid Review (Exhibit Y)**

Ms. Gabaldon said the bids were received and opened on June 15, 2006, following review of the bids submitted, it was determined that the amounts exceeded the maximum allowable construction cost of the project budget. In addition, we received a protest from Gerald A. Martin, Ltd regarding the apparent two lowest bidders, CC Construction and Vigil Contracting requesting that they be deemed non responsive. Based on this situation, we are requesting rejection of all bids and approval to re-bid this project. Commissioner Andersen moved for approval to reject all bids and approval to re-bid. Seconded by Commissioner Pinkston. Motion carried unanimously.

**2) #599 – Jarales Community Center – Window Remodeling(Exhibit Z)**

**3) #603 – Jarales Community Center – Earthwork Contract (Exhibit Z)**

Ms. Gabaldon requested approval of bid award to Advanced Environmental Solutions, Inc. on Bid #599, Jarales Community Center for the window remodeling project in the amount of \$85,257.00. Chairman Trujillo moved for approval. Seconded by Commissioner Pinkston. Motion carried unanimously.

Ms. Gabaldon also requested approval to award the base bid to HO Construction, Inc. in the amount of \$32,500.00 on Bid #603 Jarales Community Center for earthwork, sidewalks, and ramps. Chairman Trujillo moved for approval. Seconded by Commissioner Andersen. Motion carried unanimously.

**m. Approval of Payroll & Warrants – Mike Trujillo**

Mr. Trujillo presented the computer printout list of all the checks issued by the Manager's Office on July 14, 2006, covering vendor bills processed on that date. Check #85879 thru Check #85959 inclusive for a total of \$1,524,687.52. **(Exhibit AA)**

Mr. Trujillo presented the computer printout list of all the checks issued by the Manager's Office on July 21, 2006 covering payroll process on that date. Payroll Check #74314 thru Payroll Check #74549 inclusive. Deduction Check #85961 thru Deduction Check #85991 inclusive for a listing total of \$282,395.97. **(Exhibit BB)**

Mr. Trujillo presented the computer printout list of all the checks issued by the Manager's Office on July 21, 2006, covering vendor bills processed on that date. Check #85993 thru Check #85993 inclusive for a total of \$527.24. **(Exhibit CC)**

Mr. Trujillo presented the computer printout list of all the checks issued by the Manager's Office on July 18, 2006 covering vendor bills processed on that date. Check #85960 thru Check #85960 inclusive for a total of \$1,065.40. **(Exhibit DD)**

Mr. Trujillo presented the computer printout list of all the checks issued by the Manager's Office on July 19, 2006 covering vendor bills processed on that date. Check #85992 thru Check #85992 inclusive for a total of \$45.00. **(Exhibit EE)**

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

Chairman Trujillo called for a 10 minute break.

**Executive Session – Pursuant to Section 10-15-1 NMSA 1978, the following matters may be discussed in closed session: a. limited personnel matters; b. pending or threatened litigation, and c. other specific limited topics that are allowed or authorized under the stated statute.**

**1) Discussion on Code Enforcement Director Position**

Commissioner Andersen moved to enter into executive session. Seconded by Commissioner Pinkston. Roll call vote. Commissioner Andersen voted yes. Commissioner Pinkston voted yes. Commissioner Kirkham voted yes. Chairman Trujillo voted yes. Motion carried 4-0.

Commissioner Andersen moved to enter back into regular session. Seconded by Commissioner Pinkston. Motion carried unanimously.

Mr. Trujillo reported that during executive session as to what was discussed, five different personnel matters, four pending or threatened litigation issues. No action taken.

Commissioner Andersen moved to accept the above report as to what was discussed in executive session. Seconded by Commissioner Pinkston. Roll call vote. Commissioner Kirkham voted yes. Commissioner Pinkston voted yes. Commissioner Andersen voted yes. Chairman Trujillo voted yes. Motion carried 4-0.

**County Manager's Report (*Informational Only*)**

**August 4<sup>th</sup> Commission Business Meeting rescheduled to August 11th**

**2008-2012 – ICIP Recommendations (Exhibit FF)**

Commissioners discussed having a workshop with the UNM Continuing Ed for August 12, 2006 at 9:00 AM.

**Minutes of July 21, 2006 Business Meeting**

Commissioners discussed the ICIP plan needs.

**The next Public Hearing Meeting of the Valencia County Board of County Commission will be held on August 9, 2006 at 5:00 PM in the County Commission Room at the Valencia County Courthouse. The next Business Meeting will be held on August 11, 2006 at 9:00 AM at the Los Lunas Schools Consolidated Board Room.**

**Adjournment**

Commissioner Andersen moved to adjourn. Seconded by Commissioner Pinkston. Motion carried unanimously. Time 12:26 PM.

<b>NOTE:</b> All proposals, documents, items, etc., pertaining to items on the agenda of the <b>July 21, 2006, Business Meeting</b> (presented to the Board of County Commissioners) are attached in consecutive order as stated in these minutes.
--

**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: August 11, 2006**