

VALENCIA COUNTY BOARD OF COMMISSIONERS

Business Meeting

August 11, 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	
Sally Perea, Chief Deputy Clerk	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 Jane Moorman to lead the Pledge of Allegiance.**

3. **Approval of Agenda**

Mr. Trujillo said on the agenda it has been scheduled for the Bi-Annual Jail Visitation, there are a few things going on over there, does the Commission wish to reschedule? Commission consensus was to reschedule for next Friday. Commissioner Gentry said under Executive Session, to add reorganization and personnel appointment. Chairman Trujillo said this will be included in Executive Session. Commissioner Gentry said 7 (b) Approval of Agreement Administrative Services Director to be discussed in Executive Session. Commission consensus was to move 7 (b) to after Executive Session. Commissioner Kirkham moved for approval as amended above. Seconded by Commissioner Pinkston. Motion carried unanimously.

4. **Approval of Minutes**

July 21, 2006 – Business Meeting

August 2, 2006 – Emergency Special Meeting

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

5. **Public Requests**

Marjorie Conner, with the AARP Chapter from Rio Communities said they are sponsoring a candidate's meeting on September 23, 2006 at Noon at the Belen Multi-Purpose Park and everyone is invited.

6. **Discussion (Non-Action) Items**

a. **Proclamation “Literacy Week” September 3-9, 2006 – Laurie Engelhard (Exhibit A)**

Jill Ogelsby, Executive Director of Valencia County Literacy Council, on behalf of Laurie Engelhard read the proclamation for Literacy Week, September 3-9, 2006. Ms. Ogelsby thanked the Commission for their support of literacy. Commissioner Kirkham mentioned with the consensus with the Commission that the community centers are available for this type of program so at any time if they need a place to hold classes to check with staff for availability of the centers. Commissioner Andersen asked what else was the Literacy Council doing? Ms. Ogelsby said they were having a scrabble tournament and everyone is invited. It is being held at the Valencia Campus and will go on through the month of September.

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

Commissioner Pinkston and Mr. Trujillo reported on the Juvenile Detention Center meeting that they both attended in Sandoval County.

Commissioner Kirkham said that she along with Commissioner Andersen and Commissioner Pinkston attended the National Association of Counties Conference in Chicago. Commissioner Kirkham said they all came back with ideas that they can put to use.

Commissioner Pinkston reported on the National Association of Counties Conference in Chicago. Commissioner Pinkston said she will be sharing information that she brought back with her at the next meeting.

Chairman Trujillo reported that he, Cynthia Wimberly and Judge Sanchez attended a Water Law Conference in Santa Fe. Cyndi Wimberly said the topics that were discussed were water rights issues, water quality, water rights adjudication, domestic well regulations and the Gila River settlement.

Chairman Trujillo said he and Commissioner Kirkham were approached by a potential donor for a animal shelter drop-off and they will be pursuing this donation.

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7. Action Items

a. Approval of Infrastructure Capital Improvement Plan FY 2008/2012, Review – Ruben Chavez/Vangie Gabaldon (Exhibit B)

Mr. Chavez said this is a review of the five year plan of the ICIP identifying the needs of Valencia County. Commissioner Andersen asked why this was a review and not approval? Mr. Trujillo said this will be an item for adoption at the next Business Meeting on Friday. This is just a review of the priority list for the Commission to oversee. After lengthy discussion, the Commission decided to prioritize the projects within Districts and submit them via e-mail to staff for adoption at the next meeting.

b. Approval of Agreement Administrative Services Director – County Commission
Item moved to the bottom of the agenda after Executive Session.

c. Resolution 2006-34, Relating to Administration, Establishing an Administrative Line of Authority During Emergency Situation or a Disaster – Mike Trujillo (Exhibit C)

Mr. Trujillo said based on the emergency meeting that was held on August 2, 2006 this Commission established a line of authority for emergency purposes only. Commissioner Gentry moved for approval. Seconded by Commissioner Pinkston. Commissioner Pinkston voted yes. Commissioner Kirkham voted yes. Commissioner Gentry voted yes. Commissioner Andersen voted no. Chairman Trujillo voted yes. Motion carried 4-1.

d. Financial Matters

1) Resolution 2006-35, Relating to Delinquent Property Tax Waiving the Extra Penalty on Delinquent Taxes for the 2006 Tax Year – Diana Martinez-Coplen (Exhibit D)

Ms. Coplen recommended that the minimum property tax penalty of five dollars (\$5.00) should be suspended for the current tax year. It has been determined that the minimum penalty is not equitable and that the simple imposition of a one percent (1%) penalty as provided for in the statute is more fair to the small taxpayers of the County. Commissioner Pinkston moved for approval. Seconded by Commissioner Kirkham. Motion carried unanimously.

2) Resolution 2006-36, Increase Expenditure Purchase of 2 Door Cab/Chassis – Charles Eaton (Exhibit E)

a) Tome/Adelino Fire Department

b) Meadow Lake Fire Department

Mr. Eaton requested approval of the above purchases, discussion followed Commissioner Pinkston moved for approval of both items. Seconded by Commissioner Gentry. Motion carried unanimously.

3) Resolution 2006-37, NCNMEDD Area Agency State Funded Senior Employment – Vangie Gabaldon (Exhibit F)

Ms. Gabaldon stated the original contract was signed two months ago, this request is to approve an amendment to the State Funded Senior Employment Program between NCNMEDD and Valencia County. The purpose of the amendment is to add funds and add an additional position to the program and make a change to the contract. The original language is applicable to this amendment, Section 1. Scope of Work, amended at paragraph F, replacing the words, Two (2) with Three (3) and Section 2, Compensation and Method of Payment is amended in three places, replacing the words Twelve thousand one hundred four dollars (\$12,104.00) with Eighteen thousand thirty one dollars (\$18,031.00) an increase of \$5,927. Commissioner Andersen moved for approval. Seconded by Commissioner Pinkston. Motion carried unanimously.

4) Award of Bids – Vangie Gabaldon

a) IFB #598 – Tome Dominquez De Mendoza Community Center (Exhibit G)

Ms. Gabaldon requested to award Bid #598 to FAMCO, Inc. in the amount of \$622,000.00 for the above item. This is for the base bid only. Commissioner Gentry moved for approval. Seconded by Commissioner Pinkston. Motion carried unanimously.

b) IFB #601- Jarales Community Center Renovation Interior Improvements (Exhibit H)

Ms. Gabaldon requested to award Bid #601 to Interior Renovations, Jarales Community Center to Rivercrest Construction Company in the amount of \$274,200.00. Chairman Trujillo moved for approval. Seconded by Commissioner Pinkston. Motion carried unanimously.

c) IFB #602A – Jarales CC, Exterior Stucco (Exhibit H)

Ms. Gabaldon requested to award Bid #602A, Stucco, Patch, Repair and Paint, Jarales Community Center to Rivercrest Construction Company in the amount of \$21,254.00. Chairman Trujillo moved for approval. Seconded by Commissioner Gentry. Motion carried unanimously.

d) IFB #604 – Jarales CC, Water Well (Exhibit H)

Ms. Gabaldon requested to award Bid #604, Installation of Water Well, Jarales Community Center to Rivercrest Construction Company in the amount of \$10,000.00. Chairman Trujillo moved for approval. Seconded by Commissioner Gentry. Motion carried unanimously.

5) Approval of Capital Cooperative Agreements 2006 Legislative Appropriations – Francisco Apodaca
a) Road Improvement Projects - \$195,750 (Exhibit I)

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b) Traffic Lights – Hwy 304 & 47 Manzano Expressway & Marigold Blvd. - \$300,000 (Exhibit J)

c) Traffic Lights – El Cerro Loop for Valencia El Cerro Volunteer Fire District - \$90,000 (Exhibit K)

Vice-Chairman Gentry took over the meeting. Mr. Apodaca presented the above legislative appropriations. Commissioner Andersen moved for approval of all three agreements. Seconded by Commissioner Pinkston. Motion carried unanimously.

6) Approval of DFA/LGD Legislative Appropriations Agreement, Meadow Lake Fire Station, Judicial District Courthouse, Health Care Complex - \$630,000 – Vangie Gabaldon (Exhibit L)

Ms. Gabaldon requested approval of the 2006 Legislative Severance Tax Bond Appropriations totaling \$630,000.00. These are for the three above mentioned projects. The financial impact of this request will be a positive one since these funds will support the completion of the Judicial Complex project, allow us to expand on the health care facility project and move forward with the addition to the Meadow Lake Fire Station. Commissioner Andersen moved for approval. Seconded by Commissioner Pinkston. Motion carried unanimously.

7) Approval of Payroll & Warrants – Mike Trujillo

Mr. Trujillo presented the computer printout list of all the checks issued by the Manager's Office on August 8, 2006 covering payroll processed on that date. Payroll Check #74550 thru Payroll Check #74782 inclusive. Deduction Check #86110 thru Deduction Check #86138 inclusive for a listing total of \$274,942.63. **(Exhibit M)**

Mr. Trujillo presented the computer printout list of all the checks issued by the Manager's Office on August 4, 2006, covering vendor bills processed on that date. Check #86139 thru Check #86186 inclusive for a total of \$120,123.87. **(Exhibit N)**

Mr. Trujillo presented the computer printout list of all the checks issued by the Manager's Office on August 1, 2006, covering vendor bills processed on that date. Check #86107 thru Check #86109 inclusive for a total of \$1,017.87. **(Exhibit O)**

Mr. Trujillo presented the computer printout list of all the checks issued by the Manager's Office on July 28, 2006, covering vendor bills processed on that date. Check #85994 thru Check #86106 inclusive for a total of \$666,926.33. **(Exhibit P)**

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

Chairman Trujillo returned to the meeting.

Francisco Apodaca, Public Works Director reported on the flooding that is still going in the County. This mainly in the Highland Meadow area. Mr. Apodaca showed pictures of the flooded areas. Mr. Apodaca discussed the washed out roads in that area and the temporary roads that were put in for ingress and egress. Together with the State Highway Dept, the County had to move fast to establish roads for the people that live in that area to get out. Mr. Apodaca thanked everyone for all of the support that helped out in this emergency situation.

8. 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.

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

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

County Attorney, Cynthia Wimberly reported as to what was discussed in executive session, litigation matters concerning a settlement conference on the Sisson vs. Valencia County case, status of the Kathy Jackson vs. Valencia County case, various personnel matters were discussed. Chairman Trujillo stated under personnel, the County Manager was discussed. Ms. Wymberly said the County reorganization, restructuring the Code Enforcement and the Public Works Department and the Administrative Services Division was discussed. Also discussed was the Administrative Services contract.

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

9. County Manager's Report

MRCOG Annual Banquet – Award Presentation, August 11, 2006, 7:00 PM

UNM Desk Audit Workshop – August 12, 2006, Saturday 9:00 AM in the Commission Room

County Manager, Mike Trujillo said he will not be present tomorrow for the UNM Desk Audit Workshop, pursuant to the Commission's request, he will be submitting his letter of resignation effective at the end of the business day today.

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Chairman Trujillo said with that Mr. Apodaca would like to request that he assume the duties of interim County Manager and that would be effective as of the end of the business day today. Chairman Trujillo said to Mr. Apodaca to advise the proper administration and let them know that he will be acting in this capacity and will continue to act as interim County Manager until the Commission directs otherwise or makes some other decision regarding that position.

Mike Trujillo said he would like to say that he is very glad to have served Valencia County and has worked very hard to turn this County around and that Valencia County is preceding in a corrective manner. Mr. Trujillo said he will show up for a brief time on Monday to return the laptop computer equipment and accessories. Also Ms. Abril is out on vacation for a couple of weeks, however, his name is on all depositories and will need to make accommodations to contact the bank to have Mr. Apodaca's name on there.

Chairman Trujillo thanked Mr. Trujillo on behalf of the County Commission, they would like to thank him for the services he has rendered to the Commission and residents of Valencia County during his time here.

10. The next Business Meeting of the Valencia County Board of County Commission will be held on August 18, 2006 in the County Commission Room at the Valencia County Courthouse.

11. Adjournment

Commissioners adjourned at 1:41 PM.

12. Bi-Annual Jail Visitation (By County Commission, Immediately following Meeting)

Chairman Trujillo said the Jail Visitation has been put off for a later date.

NOTE: All proposals, documents, items, etc., pertaining to items on the agenda of the August 11, 2006, Business Meeting (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 18, 2006