

VALENCIA COUNTY BOARD OF COMMISSIONERS

Public Hearing Meeting

January 10, 2007

PRESENT	ABSENT
Pedro G Rael, Chairman	
Georgia Otero-Kirkham, Vice-Chairman	
David R Medina, Member	
Ron Gentry, Member	
Lynette Pinkston, Member	
Francisco Apodaca, County Manager	
Cynthia R. Wimberly, County Attorney	
Sally Perea, County Clerk	
Press and Public	

1. The meeting was called to order by Chairman Pedro Rael at 5:04 PM.

2. Chairman Rael asked Commissioner Medina to lead the Pledge of Allegiance.

Chairman Rael turned the meeting over to Vice-Chairman Kirkham.

3. Approval of Agenda

Commissioner Pinkston moved to approve the agenda. Seconded by Commissioner Medina. Motion carried unanimously.

4. Public Requests

Angela Rivas, 06 Deluvina in El Cerro said she would like to have her road graveled. Ms. Rivas said this has been a big concern in her area. Vice-Chairman Kirkham asked Ms. Rivas to talk to staff, Eric Zamora, Public Works Director, to help with this matter.

5. Discussion (Non-Action) Items

County Clerk, Sally Perea, administered the oath to the public wishing to give testimony at tonight's hearing.

6. Public Hearing Items:

a) Request to Amend Zone Maps from RR-2 to RR-1 for the purpose of creating two lots Tr. A-1 of Lands of JA & BK Smith, containing 2.27 acres, AKA 311 La Entrada, Los Lunas, NM (Tabled October 11, 2006) – James Aranda/Ann Waterworth/Phoebe Conway (Exhibit A)

Mr. Aranda presented the above request for consideration to amend the zone map from RR-2 to RR-1. Mr. Aranda gave a brief background on the applicant Ms. Waterworth, she would like to split the property into two one acre tracts, sell the original house and live in the modified structure. According to testimony from the October P & Z Commission meeting, the structure is substandard and has been modified without any of the required permits. Ms. Waterworth's request was heard at the October 11, 2006 County Public Hearing meeting but was tabled at the subsequent Business Meeting. Planning and Zoning staff recommends that the Commission deny this zone change request. A number of adjoining property owners have expressed concern about this request, as they felt a land split is not appropriate for the area. The substandard condition of the modified structure also inhibits the applicant's ability to proceed with the proposed use and comply with all county ordinances.

Phoebe Conway, Premier GMAC Real Estate stated that her concern was for Ms. Waterworth who did not realize that she was not allowed to build another home on the lot. She would like to split the land so that she can sell the original home and keep the one that is almost finished.

Michele Palmer, Premier GMAC Real Estate Agent for Ms. Waterworth spoke on behalf of Ms. Waterworth. Ms. Palmer said that what was required of them was to find a general contractor and go out to the premises to give them an estimate of completion and make the house inhabitable to issue a certificate of occupancy and to see what the cost would be for that. A lot of things have been done incorrectly from starting construction on a building that was on site when Ms. Waterworth purchased the property from misinformation that she received from the selling agent at the time. If this is not allowed it will become a deteriorating building, which this is not good for the neighborhood.

Ms. Waterworth discussed her situation with the commission. Ms. Waterworth said she just wants to live in the house, she has done everything the right way. Ms. Waterworth said she wants to keep one acre and sell the other one with the house on it. She is handicapped and in a wheelchair and all she wants is to keep one acre and sell the other.

Commissioners discussed the septic systems. Commission asked for the photographs so that the new commissioners could take a look at those. Ms. Conway said she would make those available to the commission.

b) Request to Amend Zone Maps from I-1 to I-2 to produce Living Lava Block, Tr. 17-A, containing 3.69 acres, AKA Desert Green Chemical 1355 Hwy 116, Belen, NM – James Aranda/Ken Detjen

Commissioner Rael moved to table this item. Seconded by Commissioner Medina. Motion carried unanimously.

7. The next Regular Business Meeting of the Valencia County Board of County Commission will be held on January 17, 2007 at 9:00 AM in the County Commission Room at the Valencia County Courthouse.

Adjournment

Vice-Chairman Kirkham adjourned the meeting. Time 5:57 PM.

<p>NOTE: All proposals, documents, items, etc., pertaining to items on the agenda of the January 10, 2007 Meeting (presented to the Board of County Commissioners) are attached in consecutive order as stated in these minutes.</p>

VALENCIA COUNTY BOARD OF COMMISSIONERS

**ss/
PEDRO G. RAEI, CHAIRMAN**

**ss/
GEORGIA OTERO-KIRKHAM, VICE-CHAIRMAN**

**ss/
DAVID R. MEDINA, MEMBER**

**ss/
RON GENTRY, MEMBER**

**ss/
LYNETTE PINKSTON, MEMBER**

ATTEST: ss/

SALLY PEREA, COUNTY CLERK

DATE: February 7, 2007