

VALENCIA COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting

February 7, 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 Rael at 9:00 AM.
2. **Chairman Rael led the Pledge of Allegiance.**
3. **Approval of Agenda**
Chairman Rael approved the agenda with no objection.
4. **Approval of Minutes**
December 15, 2006 – Business Meeting
December 21, 2006 – Emergency Meeting
January 5, 2007 – Business Meeting
January 10, 2007 – Public Hearing Meeting
Commissioner Kirkham moved for approval of the above minutes. Seconded by Commissioner Pinkston. Discussion. Chairman Rael stated on the January 5, 2007 the appointment to the Animal Control Advisory Board was Jane Rael and not James Rael. Commissioner Kirkham amended her motion to reflect the change. Commissioner Pinkston amended her second. Motion carried unanimously.
5. **Public Requests**
Judge Danny Hawkes and Judge Tina Gallegos discussed the court service monitor program and asked the Commission to look at renewing the contract. Judge Hawkes and Judge Gallegos asked respectively to be on the agenda to discuss the program and hopefully come to a decision that all can agree on for the benefit of the northern and southern portion of Valencia County for this service.
- Fermin Monciviez addressed the road situation on High Deal Road. Mr. Monciviez asked is it a county road for maintenance? Staff will get with Mr. Monciviez to assist him in this matter.
6. **Discussion (Non-Action) Items**
a) Department Reports – Department Directors (Exhibit A, B & C)
Chairman Rael acknowledged written reports from Eric Zamora, Public Works Director, project status report on the various fire stations from the Administrative Services Department, Vangie Gabaldon and a road report from Dan Trujillo, Road Superintendent.
- b) Reports from Boards, Commissions & Committees – County Commission**
Commissioner Kirkham reported on the town hall meeting that was held at the El Cerro Community Center. There were about 300 people in attendance. Commissioner Kirkham praised staff, Eric Zamora, Anthony Sevilla, Johnny Mirabal, Erik Tanner, Jorge Trujillo, Sheriff Rivera, and Charles Eaton. Commissioner Kirkham said the top priorities were roads, petitions were signed and at this time Commissioner Kirkham handed them over to the Public Works Director.
- Commissioner Pinkston said she was glad to see Commissioner Kirkham's attendance at her town hall meeting. She has been holding town hall meetings for over two years with great response. The Meadow Lake residents have been a great support in offering their help in District 1. Commissioner Pinkston gave an update on the fire department project and the Valencia County Kennel Club.
- Commissioner Medina thanked Ms. Gabaldon for the Jarales project as it is near completion.
- Commissioner Gentry said he would like to acknowledge the people from the Las Maravillas Association that are in attendance. We have worked on 14 road projects this week for paving reconstruction, we have two traffic lights that will be put in, we have sidewalks going in, street lighting on Golf Course Road, we have the Casa Colorada community center project started, and we have the striping on Manzano Expressway going out to bid. Commissioner Gentry said we have been very busy, these are not necessarily town hall meetings but with constituent services.
- Chairman Rael reported on a town hall meeting in Highland Meadows at the fire station. Ruben Chavez and Charles Eaton accompanied him. They discussed the status of the fire department

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improvements and the road situation. They discussed a homeowners association. Chairman Rael said this was an informative meeting.

Chairman Rael said the bridge at Highland Meadows was in the news. The bridge has a six ton capacity and the big buses have a bigger capacity which is creating a problem. It is also difficult with the propane trucks going through there. The railroad company cut off the grade level access to the people at the south end, by using that bridge, they are exceeding the weight limit. Mr. Apodaca said the inquiry that he made to the State Highway Transportation Department is that they have committed to funding a project to improve that weight capacity of the bridge. One of the suggestions to the schools was to use smaller buses instead of the larger buses so they will not exceed the weight limit until they get that project complete.

7. Action Items

a) Consideration of Appointment, Advisory Council for the Older American Program – Vangie Gabaldon (Exhibit D)

Ms. Gabaldon presented the recommendation list for the Older American Program Advisory Board. Commissioner Pinkston moved for approval of the list of individuals who have agreed to serve as members of the Advisory Council with the corrected spelling of Luz Chavez. Seconded by Commissioner Gentry. Motion carried unanimously.

b) Consideration of Appointment, Valencia Community Partnership Team – Francisco Apodaca

This item tabled by consensus.

c) Consideration of County Board of Registration – Sally Perea

Ms. Perea requested as per section 1-4-34 NMSA 1978 that the Commission appoint three registered voters who will constitute the Board of Registration, along with two alternates. The duties of the board is to oversee the purge process. Chairman Rael suggested since both party chairman's gave a list that we approve the first two on each list and flip a coin for the alternates that will be next in line. Commissioner Kirkham approved this procedure. Seconded by Commissioner Medina. Motion carried unanimously. Commissioner Kirkham moved for approval of Regina Chavez, Cecil Gomez, Ed Cooper, Joan Artiaga as Alternate and William Pratt as Alternate. Seconded by Commissioner Medina. Motion carried unanimously.

d) Financial:

i) Consideration of Joint Agency Grant; (VFA) Volunteer Fire & (RFA) Rural Assistance for Tome-Adelino Volunteer Fire Department – Charles Eaton (Exhibit E)

Mr. Eaton presented the above consideration. Commissioner Gentry approved the grant. Seconded by Commissioner Pinkston. Motion carried unanimously.

ii) Consideration of State Fire Marshal Grant; VFD-Highland Meadows & VFD-Jarales/Pueblitos – Charles Eaton (Exhibit F)

Mr. Eaton presented the above consideration. Commissioner Pinkston moved for approval of the grant. Seconded by Commissioner Kirkham. Discussion. Commissioner Pinkston gave a directive to be hand delivered immediately. Motion carried unanimously.

iii) Consideration of Agreement Electric Line Extension (Company-Built System) & Electric Line Extension Revenue Credit Guarantee Agreement with PNM, Tome-Adelino Community Center – Vangie Gabaldon (Exhibit G)

Ms. Gabaldon considered the above consideration agreement. The new line extension will provide service for the Tome-Adelino Community Center project. Commissioner Gentry moved for approval. Seconded by Commissioner Pinkston. Motion carried unanimously.

iv) Consideration of RFB #611, Base Course Price Agreement – Eric Zamora (Exhibit H)

Mr. Zamora asked for approval of RFB #611, Base Course Price Agreement to all vendors supplying bids. The Public Works Department is recommending that all vendors be included in the award for the supply of the base material. Commissioner Kirkham moved for approval. Seconded by Commissioner Medina. Motion carried unanimously.

v) Consideration of Capital Cooperative Agreements, 2006 Legislative Appropriations; ST 7661 (223) \$50,000 for Harrison Road (Exhibit I)

ST 7561 (228) \$100,000 for District 5 Roads

ST 7661 (224) \$175,000 for Monterey Roads – Eric Zamora

Mr. Zamora presented the above capital cooperative agreements, 2006 legislative appropriations. Commissioner Pinkston moved for approval. Seconded by Commissioner Kirkham. Motion carried unanimously.

vi) Consideration of Sub-Grant Agreement; FEMA-1659 DR-NM, El Cerro & Manzano Expressway, Meadow Lakes Roads, High Deal Rd, Holiday Dr., Cuervo Lane, Manzano View Rd., Diablo Drive & Damon St. – Eric Zamora (Exhibit J)

Mr. Zamora presented the above consideration agreement for approval. Commissioner Pinkston moved for approval. Seconded by Commissioner Gentry. Motion carried unanimously.

viii) Consideration of Approval: Payroll/Warrants – Francisco Apodaca

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Mr. Apodaca presented the computer printout list of all the checks issued by the Manager's Office on January 26, 2007, covering vendor bills processed on that date. Check #88276 thru Check #88279 inclusive, for a listing total of \$1,600.00. **(Exhibit K)**

Mr. Apodaca presented the computer printout list of all the checks issued by the Manager's Office on February 1, 2007, covering vendor bills processed on that date. Check #88311 thru Check #88508 inclusive for a total of \$1,221,663.85. **(Exhibit L)**

Mr. Apodaca presented the computer printout of all the checks issued by the Manager's Office on February 2, 2007 covering payroll processed on that date. Payroll Check #77894 thru Payroll Check #78122 inclusive. Deduction Check #88280 thru Deduction Check #88310 inclusive for a listing total of \$272,879.15. **(Exhibit M)**

Commissioner Gentry moved for approval of payroll and warrants. Seconded by Commissioner Pinkston. Discussion. Motion carried unanimously.

8. Executive Session- Pursuant to Section 10-15-1 NMSA 1978, the following matters may be discussed in closed session: a. limited personnel matters; including without limitation court security personnel, b. pending or threatened litigation, including without limitation the Torres Tort Claims Act Notice, 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 Medina. Roll call vote. Commissioner Pinkston voted yes. Commissioner Kirkham voted yes. Commissioner Medina voted yes. Commissioner Gentry voted yes. Chairman Rael voted yes. Motion carried 5-0.
Time 10:11 AM.

Commissioner Kirkham moved to enter back into regular session. Seconded by Commissioner Medina. Motion carried. Time 1:37 PM.

Ms. Wimberly reported issues that were discussed, personnel assignments within the Sheriff's Department with respect to court transports, court security and reserve deputies. We discussed with outside counsel the Torres Tort Claims Act Notice, the status of the lawsuit pending with Mr. Jones, we discussed a settlement negotiation status on that issue, the status of the Rio Grande Industrial Park, Valencia County adjudicatory matter that is presently pending before the Court of Appeals, we discussed the adjudicatory matters under the open meetings act in general regarding the process. No final action was taken.

Commissioner Kirkham moved to accept the above report as to matters that were discussed in executive session and that no final action was taken. Seconded by Commissioner Medina. Roll call vote. Commissioner Pinkston voted yes. Commissioner Kirkham voted yes. Commissioner Gentry voted yes. Commissioner Medina voted yes. Chairman Rael voted yes. Motion carried 5-0.

9. County Manager's Report (Information Only)

Mr. Apodaca gave a report on the hospital board meeting that he and Commissioner Pinkston attended. The committee went through a site selection, discussed services and financing. Mr. Apodaca said he will have a full report at the next meeting.

10. The next Regular Meeting of the Valencia County Board of County Commission will be held on February 14, 2007 at 5:00 PM in the County Commission Room at the Valencia County Courthouse.

11. Adjournment

After all documentation has been signed, Commissioner Kirkham moved for adjournment. Seconded by consensus. Motion carried unanimously. Time 1:42 PM.

NOTE: All proposals, documents, items, etc., pertaining to items on the agenda of the February 7, 2007 Meeting (presented to the Board of County Commissioners) are attached in consecutive order as stated in these minutes.

VALENCIA COUNTY BOARD OF COMMISSIONERS

**ss/
PEDRO G. RAEL, 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 21, 2007