

VALENCIA COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting

March 21, 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	
Debbie Ridley, Office Manager, County Clerk	Sally Perea, County Clerk
Press and Public	

1. The meeting was called to order by Chairman Pedro Rael at 9:00 AM.

2. **Chairman Rael led the Pledge of Allegiance.**

3. **Approval of Agenda**

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

Chairman Rael stated Commissioner Medina was unable to attend today’s meeting due to a death in the family.

4. **Approval of Minutes**

February 14, 2007 – Public Hearing (Amended)

February 21, 2007 – Business Meeting

March 7, 2007 Business Meeting

Commissioner Kirkham moved for approval for all three sets of minutes. Seconded by Commissioner Pinkston. Motion carried unanimously.

5. **Public Requests**

None

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

a) Acknowledgement of Appreciation for Services Rendered – County Commission
Michael Oliver – Cody Prestwood

Sheriff Rivera spoke on behalf of Cody Prestwood’s 25 years of dedicated service to Valencia County. Sheriff Rivera stated that in his 18 years of service to the County he has learned from Mr. Prestwood and it has been beneficial to the county’s law enforcement department. Chairman Rael presented the plaque to Captain Prestwood, he will be missed. Commissioner Pinkston thanked him for his years of service and it has been a pleasure seeing him around the courthouse. Mark Lujan, Valencia County Sheriff’s Deputy said the county will not be the same without Captain Prestwood, our streets won’t be the same but we will carry on the work that he has done. Mr. Prestwood thanked everyone for their appreciation.

Derek Williams, Adult Detention congratulated Michael Oliver on his 25 years of service. Mr. Williams said he began working with Mr. Oliver in 2005 as Deputy Director when the county took over as private sector of the Detention Center. Mr. Williams said he has learned from Mr. Oliver and speaking on behalf of the jail staff, they all appreciate the time he has put in for the County. Commissioner Kirkham stated that Mr. Oliver was adept at putting budget’s together and she has mentioned several time he ought to pursue teaching a class. She thanked him for all of his hard work that he has done for the County. Mr. Apodaca, County Manager, said on behalf of administration, he was relieved when Mr. Oliver came on board to run the jail. Mr. Apodaca said he knew the day to day operations were run efficiently and he has been an asset to this operation. There was doubt that the County would not make it, but Mr. Oliver proved them all wrong, he has saved money for the County, as this is such a hardship for all Counties. He has done with little and made a lot. Mr. Apodaca said he showed example for all facilities and made this one a model to show. It has been his pleasure to work with him. Chairman Rael presented Mr. Oliver with a plaque on behalf of Valencia County. Mr. Oliver thanked his wife for standing by him for 26 years, without her support and encouragement would have been difficult. He appreciates what the commission and staff have done for him, when he took over the jail in 2005, he wondered what did I do, but it has been well worth the effort in the County standing alone in this operation. Mr. Oliver said he still cares about the day to day operation but knows he will leave it in safe hands and thanked everyone involved.

Chairman Rael took a break for all to enjoy refreshments on behalf of Mr. Oliver and Mr. Prestwood’s retirement.

b) Department Reports – Department Directors

None

c) Reports from Boards, Commissions & Committees – County Commission

Commissioner Pinkston thanked the Meadow Lake Resident Association, they had a second animal shot clinic. They again had a wonderful turnout and she wants to thank them for their efforts.

Commissioner Gentry said the Governor has called a special session, the senate has convened but the house is still in session and he urges the commission and anyone in the community to call your representative and senators and urge them to support the Governor's request for GRIP 2. This is the funding for road projects, Valencia County has about \$13 million at stake in that particular funding package.

Chairman Rael wanted the public to know about a letter received from Senator Jeff Bingaman regarding additional monies that will be forthcoming. Mr. Apodaca said this would be PILT monies (Payment in Lieu of Taxes) the federal government makes to counties to offset that loss of revenue.

7. Action Items

Board of Commissioners convenes as Indigent Claims Board

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

a) Indigent Report/Appeal – Barbara Baker (Exhibit A)

Ms. Baker presented the Indigent Claims from February 7, 2007 to March 9, 2007. There were 87 claims submitted and 21 applicant denials. The amount of claims submitted was \$216,374.40 and Ms. Baker recommended \$49,955.34. Commissioner Pinkston moved for approval. Seconded by Commissioner Gentry. Motion carried unanimously.

Ms. Baker presented one appeal on an inmate that had been denied due to the bill that was received after the 90-day limit. Mrs. Baker recommended approval in the amount of \$288.00 to the University Physician Associates. Commissioner Pinkston moved for approval. Seconded by Commissioner Kirkham. Motion carried unanimously. **(Exhibit B)**

Board Reconvenes as Board of County Commissioners

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

Chairman Rael asked if item 7(j) could be moved up on the agenda as Mr. Martinez has to leave for court. Commissioner Gentry moved to allow item 7(j) be presented at this time. Seconded by Commissioner Pinkston. Motion carried unanimously.

j) Consideration of Lease Agreement: Thirteenth Judicial District Attorney Office – Lemuel Martinez (Exhibit C)

Mr. Martinez presented the above consideration for discussion on the lease agreement for the District Attorney's Office. Commissioner Pinkston moved for approval. Seconded by Commissioner Gentry. Motion carried unanimously.

b) Resolution 2007-12, Municipal Election Peralta Incorporation – Francisco Apodaca (Exhibit D)

Mr. Apodaca presented the above resolution, on behalf of County Clerk, Sally Perea. This resolution is calling for an election to be held June 19, 2007 for the purpose of electing Municipal Officers for the Town of Peralta. The polls will be open from 7:00 AM and close at 7:00 PM to elect one mayor at large to serve a term until the next Regular Municipal Election to be held the first Tuesday, March 2008. Four Council positions at large and two councilors will serve until the next Regular Municipal Election to be held the first Tuesday in March, 2008. Two councilors will serve until the second Regular Municipal Election to be held on the first Tuesday in March 2010. After the June 19th election, the length of the terms of the four council positions shall be determined by lot. One Municipal Judge at large to serve until the next Regular Municipal Election to be held the first Tuesday in March 2008. Commissioner Pinkston moved for approval. Seconded by Commissioner Kirkham. Discussion. Motion carried unanimously.

Debbie Ridley, on behalf of County Clerk, Sally Perea announced **Resolution # 2007-12**.

c) Resolution 2007-13, Valencia County Public Health Week – Lupe Reynoso (Exhibit E)

Ms. Reynoso, Nurse Manager for the Belen Public Health Office accompanied by Carol Miller, Nurse Manager for the Los Lunas Public Health Office and Region Director, Margaret Wienbar. Ms. Reynoso said April 2-8 is National Public Health Week and since Valencia County has expressed a concern for the health of employees and our community, they would like to proclaim the week of April 2-8 as Valencia County Public Health Week. Ms. Reynoso said between the two offices, Belen and Los Lunas they provide WIC services which are food supplements for women and children and Case Management thru Family First Program, screening for cancer, provide immunizations for all ages, provide family planning, tuberculosis and screening for infectious diseases and investigation of potential outbreaks. Ms. Reynoso said they see about 4,000 Valencia County residents monthly

between the two offices. Ms. Wienbar expressed her gratitude for what these two offices have accomplished and thanked the commissioners for continuing their public support in Valencia County. Commissioner Pinkston moved for approval. Seconded by Commissioner Kirkham. Motion carried unanimously.

Debbie Ridley, on behalf of County Clerk, Sally Perea announced **Resolution #2007-13.**

d) Resolution 2007-14, Adopting the 2007 Annual Certified County Maintained Mileage Report – Eric Zamora (Exhibit F)

Mr. Zamora presented the above 2007 annual County maintained mileage report as required by New Mexico State Statute to the New Mexico Department of Transportation. Mr. Zamora stated that the mileage is verified by the Secretary of NMDOT shall be the official mileage of public roads maintained by each county and reported to the New Mexico State Treasurer's Office for funding distribution purposes. Mr. Zamora stated that Commissioner Gentry and Pinkston have appointed road viewers to review roads in their district to verify all the mileage reported within the confines of the ability of the County to maintain. Commissioners went into a lengthy discussion on their views for the above certified report. Mr. Zamora stated that the state does send out auditors periodically to review the county mileages, they review 10% of the roads at random. Commissioner Pinkston moved for approval. Seconded by Commissioner Kirkham. Motion carried unanimously.

Debbie Ridley, on behalf of County Clerk, Sally Perea announced **Resolution 2007-14.**

e) Consideration of Hills Science Diet Contract/Animal Control – Ruben Chavez (Exhibit G)

Mr. Chavez asked for the above consideration to enter into agreement with Hills Science Diet Inc. to provide dog and cat food to the shelter. Hill Science will supply the shelter with food for the animal shelter free of charge except for freight cost. Supply will include supply for the shelter, the adoption customers and employees. The County is under a contract with Humane Society of the United States for a department review and analysis. There is a fee for the analysis and a two thousand dollar reduction in fee will occur if we enter into a Hills Science program. Commissioner Kirkham moved for approval. Seconded by Commissioner Pinkston. Motion carried unanimously.

f) Consideration of Memorandum of Understanding between Middle Rio Grande Conservancy District Data Access- Doug Stretch (Exhibit H)

Doug Stretch, MRGCD GIS manager said for the past several years the district has had an MOU in place with the County for data access. The last one was in 2002 and has since expired. This public access will allow the MRGCD to access the information screens available for viewing by the public. This is for real property data records and will affect county clerk's and assessor's records. Commissioner Pinkston moved for approval. Seconded by Commissioner Gentry. Motion carried unanimously.

g) Consideration of Annual PERA Report Fire Department Membership – Charles Eaton (Exhibit I)

Charles Eaton presented the annual PERA Fire Department Report for consideration. Commissioner Gentry moved for approval. Seconded by Commissioner Pinkston. Motion carried unanimously.

h) Consideration of Out-of-State Travel: American Planning Association Planners Training Service June 6 & 7, 2007, Chicago, Illinois – James Aranda (Exhibit J)

James Aranda presented for approval out of state travel to attend the American Planning Association Planners Training in Chicago, Illinois. The purpose of the training is to walk planners through the process of rewriting zoning law and teach how to draft effective zoning ordinances. Commissioner Kirkham stated upon this approval for Mr. Aranda to give a summary on this training after his return. Commissioner Kirkham moved for approval. Seconded by Commissioner Pinkston. Motion carried unanimously.

i) Consideration of Out-of-State Travel: National Animal Control Association Training Academy, April 16-20, 2007, Kansas City, MO – Erik Tanner (Exhibit K)

Erik Tanner presented for approval out of state travel to attend the NACA Level 3 training held in Kansas City, Missouri. The purpose of this training is to assist its members to perform their duties in a professional manner. This will include euthanasia training and pepper spray training over a four hour workshop period. Chairman Rael stated as Commissioner Kirkham said on the above consideration for Mr. Tanner as well give a summary on this training upon his return. Commissioner Gentry moved for approval. Seconded by Commissioner Pinkston. Motion carried unanimously.

k) Final Action on Public Hearing held on March 14, 2007

i) Request to Name Private Road "Santa Viviana Lane"/Raul Cordova – County Commission (Exhibit L)

Chairman Rael stated Commissioner Medina's expressed his wishes on this item which pertains to his district that it be approved. Commissioner Kirkham moved for approval. Seconded by Commissioner Pinkston. Motion carried unanimously with the understanding that Commissioner Medina in his absence expressed his approval.

l) Financial Matters

i) Consideration of Approval: Establishment for a Legislative Project Account – Vangie Gabaldon (Exhibit M)

Vangie Gabaldon requested approval on the legislative project account. Ms. Gabaldon said this would establish a new project bank account that would house all project specific legislative appropriations and grant funds. They would be able to draw down legislative funds in total once a project contract has been awarded. Commissioner Pinkston moved for approval. Seconded by Commissioner Gentry. Motion carried unanimously.

ii) Consideration of Law Enforcement Block Grant – Floyd Montoya (Exhibit N)

Rod Johnson on behalf of Sheriff Rivera requested the above consideration application grant. Commissioner Kirkham moved for approval. Seconded by Commissioner Gentry. Discussion. Motion carried unanimously.

iii) Resolution 2007-15, Thirteenth Judicial District Attorney Office – Wilma Abril (Exhibit O)

Wilma Abril presented the above item for the office rental housing for the District Attorney. Commissioner Kirkham moved for approval. Seconded by Commissioner Pinkston. Motion carried unanimously.

Debbie Ridley, on behalf of County Clerk, Sally Perea announced **Resolution #2007-15**.

iv) Resolution 2007-16, Decrease/Increase Community Service Monitoring Service – Wilma Abril (Exhibit P)

Wilma Abril presented the above resolution for \$2550 for a contract with York Enterprises. Commissioner Gentry moved for approval. Seconded by Commissioner Pinkston. Motion carried unanimously.

Debbie Ridley, on behalf of County Clerk, Sally Perea announced **Resolution #2007-16**.

v) Resolution 2007-17, Intra Budget Transfers – Wilma Abril Exhibit Q)

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

Debbie Ridley, on behalf of County Clerk, Sally Perea announced **Resolution #2007-17**.

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

Mr. Apodaca presented the computer printout lists of all the checks issued by the Manager's Office on March 9, 2007 covering vendor bills processed on that date. Check #88914 thru Check #88914 inclusive for the total of \$2000.00. **(Exhibit R)**

Mr. Apodaca presented the computer printout lists of all the checks issued by the Manager's Office on March 15, 2007 covering vendor bills processed on that date. Check #88948 thru Check #89085 inclusive for the total of \$456,001.94. **(Exhibit S)**

Mr. Apodaca presented the computer printout lists of all the checks issued by the Manager's Office on March 16, 2007 covering payroll processed on that date. Payroll Check 378592 thru Payroll Check #78829 inclusive. Deduction Check #88915 thru Deduction Check #88947 inclusive for a listing total of \$289,686.15. **(Exhibit T)**

Commissioner Gentry moved for approval. Seconded by Commissioner Pinkston. 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; b. pending or threatened litigation, and c. other specific limited topics that are allowed or authorized under the stated statute.

Chairman Rael stated by consensus, commissioners will forego executive session.

9. Action on Executive Session Item (s)

No Action Taken.

10. County Manager's Report (Informational Only)

NMAC 2007 Summer Conference, June 6-8, 2007, Ruidoso, NM

NACO 2007 Annual Conference & Exposition, July 13-17, 2007, Richmond, Virginia

Mr. Apodaca reminded commissioners to let staff know if any commissioners are wishing to attend the above conferences. Mr. Apodaca reminded commissioners on the grand opening of the Jarales Community Center, Saturday, March 24, 2007 at 2:00 PM.

11. The next Regular Business Meeting of the Valencia County Board of County Commission will be held on April 4, 2007 at 9:00 AM in the County Commission Room at the Valencia County Courthouse.

12. Adjournment

Commissioner Kirkham moved to adjourn. Seconded by Commissioner Pinkston. Motion carried unanimously. Chairman Rael reminded commissioners to sign all proper documents.

NOTE: All proposals, documents, items, etc., pertaining to items on the agenda of the March 21, 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: April 4, 2007