

**VALENCIA COUNTY BOARD OF COMMISSIONERS**

**Public Hearing Meeting**

**June 13, 2007**

PRESENT	ABSENT
Pedro G Rael, Chairman	
Georgia Otero-Kirkham, Vice-Chairman	
	David R Medina, Member
Ron Gentry, Member	
Lynette Pinkston, Member	
Eric Zamora, Interim County Manager	
Cynthia R. Wimberly, County Attorney	
Theresa Sanchez, Chief Deputy Clerk	Sally Perea, County Clerk
Press and Public	

1. The meeting was called to order by Chairman Pedro Rael at 5:35 PM.

2. Approval of Agenda

Commissioner Kirkham moved for approval of the agenda with the removal of item 5(a). Seconded by Commissioner Pinkston. Motion carried unanimously.

3. Public Requests

Joseph Griffenberg, Meadow Lake, gave some history on Meadow Lake road, including the speed limit change. Mr. Griffenberg complimented Commissioner Pinkston for her involvement and all she does on this ongoing road issue.

Samuel Aragon, Peralta, gave some history on why he attends the commission meeting. Mr. Aragon said he decided to get involved when one of his rental units got broken into. Mr. Aragon said there was definitely a lack of response from the local law enforcement and he has seen a big change in the last few months. Mr. Aragon complimented Commissioner Kirkham for her involvement in getting Monica Road paved.

Earl Gleason, Belen, said at the last meeting, this commission said they might have some public review for the mobile home park owners. There are several issues that need to be addressed, one is the permit fee and permanent lot installations. Mr. Gleason said zoning is supposed to help the small business man but he just doesn't see that.

4. Discussion

a) Presentation on Second Hand Smoke: Fact Sheet on the new Dee Johnson Clean Air Act – Rhonda Sanchez, Youth Development, Inc. (See Exhibit A)

Ms. Sanchez gave a presentation on how the Dee Johnson Clean Indoor Act allows local governing bodies to enact stronger provisions than the state law. The Act which became effective June 15, 2007 is intended to establish a minimum standard for places where New Mexicans are protected from second hand smoke and ensure that their eating and working environments are smoke free. The Act provides for smoking-permitted areas a reasonable distance beyond doorways so that a person does not have to pass through smoke to enter a building. Smoking-permitted areas must also be beyond windows and other ventilation intakes so that smoke does not enter the building. Ms. Sanchez stated that the Act provides penalties for violations, which may include civil fines ranging from \$100 up to \$500 for repeat offenders.

Theresa Sanchez, Chief Deputy Clerk, administered the oath to those persons who wished to give testimony at tonight's hearing.

5. Public Hearing Items

a) Removed from the agenda.

b) Request to Amend Zone Maps from OD to C1, off Hwy 6 in Los Lunas, NM Highland Meadows Subdivision, Unit 5, Lot B2B, 10.52 acres more or less – James Aranda/Gail Major (See Exhibit B)

Mr. Aranda presented the above item. The applicant is requesting a zone change from OD to C1 for the purpose of selling the subject property to a buyer who wants to construct a diner and truck stop. The subject property is 10.51 net acres in size and is located north of the intersection of NM Hwy 6 and Old US Route 66, just south of the Valencia/Cibola County line. Mr. Aranda said this request was submitted for departmental review and the comments stated that the potential developer must contact New Mexico Department of Transportation for access permits on Hwy 6 and also commented that a Traffic Impact Analysis may be required to obtain the necessary permits. This request was heard by the Planning and Zoning Commission and voted 4-1 recommending approval of this request. Mr. Aranda said that Tribal Governor John E. Antonio was present and is in opposition of the request. Also present is Gail Major, the individual requesting the zone change.

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Governor, John E. Antonio, Pueblo of Laguna requested that the commission deny the zone change. Mr. Antonio said the request is for a large commercial development without any clear indication of sustainable and viable use. There are inadequate or non existent services to the area located so far from the county seat. The Historic Route 66 is in poor condition and includes a substandard bridge. Mr. Antonio said this request cited the lack of infrastructure and provision of county services such as fire, police, and rescue within the Highland Meadows area as reasons for the Pueblo's opposition. Mr. Antonio stated that Hwy 6 has not been identified by Mid-Region Council of Govenments as a major thoroughfare that can handle the proposed commercial development. There are no funds allocated for the repair and maintenance that increased traffic resulting from a truck stop would create.

Ms. Major stated that with the community growing so much that a diner would be nice, someplace to go and drink coffee or have a hamburger. Her plans for this commercial property is only for the purpose of a diner, truck stop or any commercial improvement.

**6. The next Regular Business Meeting of the Valencia County Board of County Commission will be held on June 27, 2007 at 3:30 PM in the County Commission Room at the Valencia County Courthouse.**

## **7. Adjournment**

Commissioner Kirkham moved to adjourn. Seconded by Commissioner Gentry. Motion carried unanimously. Time being 6:41 PM.

**NOTE:** All proposals, documents, items, etc., pertaining to items on the agenda of the June 13, 2007, Public Hearing 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: June 27, 2007**