

VALENCIA COUNTY BOARD OF COMMISSIONERS

Business Meeting

February 20, 2008

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

The meeting was called to order by Chairman Pedro Rael at 5:02 P.M.

Chairman Rael led the Pledge of Allegiance.

Approval of Agenda

Commissioner Pinkston moved for approval of the Agenda. Commissioner Kikham seconded. Motioned carried. Commissioner Medina absent.

Approval of Minutes – February 6, 2008 Business Meeting

Commissioner Kirkham moved for approval of minutes of February 6, 2008 Business Meeting with one change on page 2 of 5 under Public Comments. To amend the name John Woods to Mike Woods. Commissioner Pinkston seconded. Motion carried unanimously.

Public Comments – At the discretion of the Chair

(For Information Only – limited to two minutes per person on subjects not on this published agenda)

Samuel Aragon had concerns on the amount of delinquent property taxes in the county. There are several delinquent taxes including VIA. This is one of the avenues in which the county receives its resources from and was afraid of the county being in the red.

Ms. Wilma Abril, Financial Director, stated she can attest that the County is not in the red, it's in the black.

Chairman Rael commented on Mr. Aragon concerns by stating, property taxes are the main source of revenue that the County has discretion to spend. This Commission allocates to the other county elected official offices. Other revenues are provided by the State of New Mexico which is for specific projects like roads, fire departments and community centers.

Commissioner Kirkham said she is in the title business. Anytime that a lot is sold and before that sale takes place we make sure the taxes get paid. Taxes will be paid before title is transferred. At closing, the title company makes sure that the taxes are collected and paid for.

Commissioner Gentry feels the county is doing reasonably well and the property taxes are a big part of any government's revenue. The County lives off the property taxes and gross receipt tax, that's how government works, he said. There are about \$14,000,000.00 in back taxes not collected from the citizens of Valencia County for delinquent taxes which is a matter of the collection system having a good data base with good information. This is one of the things this commission is trying to solve with our IT staff along with the Treasurer and the Assessor.

Mr. Torres Leyba Director of the Meadow Lake Residential Association expressed his concerns on the responsibilities of public servants.

Bill Lebrecht with the Meadow Lake Home Owners Association is requesting that the commission implement a fine for people bringing trash to the dump site and is not secured or covered with a tarp. This will prevent from having trash scattered all over our county roads. In addition he asked that the ordinance authorizes sheriff's deputies to pull over vehicles hauling uncovered trash and cite them with a \$200 to \$300 fine.

Non-Action Items:

Reports from Boards, Commissions & Committees - County Commission

Valencia County Clerk Sally Perea requested that the Commission and elected officials write or call the Governor in support of HB 221. This is the bill that will do away with our debt of the Sequoia Electronic Voting Machines and would ultimately affect our county fund.

ACTION ITEMS:

Minutes of February 20, 2008, Business Meeting

Board of Commissioners convenes as Indigent Claims Board

a) Indigent Report/Appeals - Barbara Baker

Commissioner Kirkham moved to convene as Indigent Claims Board. Commissioner Pinkston seconded. Motion carried unanimously.

Ms. Baker presented the Indigent reports from January 4, 2008 to February 8, 2008. The amount of claims submitted was \$642,449.40. There were 22 applicant denials and 116 claims submitted. Ms. Baker asked the Commission to approve \$79,749.81 and to deny \$562,699.59. Commissioner Pinkston moved for approval. Commissioner Kirkham seconded. Motion carried unanimously.

(See Exhibit A)

Ms. Baker presented an appeal for Anne Bryns. Ms. Baker recommended approval of \$400.00 to Living Cross Ambulance and \$1,717.87 to Lovelace Medical Center. Commissioner Pinkston moved for approval. Commissioner Kirkham seconded. Motion carried unanimously.

(See Exhibit B)

Ms. Baker presented the second appeal for Janice Vigil. Ms. Baker requested approval for the amount of \$770.00 to Presbyterian Hospital. Commissioner Pinkston moved for approval. Commissioner Kirkham seconded. Motion carried unanimously. (See Exhibit C)

Ms. Baker presented the third appeal on behalf of Eric Zamora for inmate Nelda Piggott. Ms. Baker recommended approval of \$108.45 to UNM Cancer Research & Treatment. Commissioner Pinkston moved for approval. Commissioner Kirkham seconded. Motion carried unanimously. (See Exhibit D)

Commissioner Pinkston moved to re-convene as the Board of Commissioners. Seconded by Commissioner Kirkham. Motion carried unanimously.

b) Ordinance 2008-01 "Repealing the Tierra Bonita Ordinance" - Eric Zamora

Mr. Zamora is requesting approval of an ordinance repealing The Tierra Bonita Ordinance. Commissioner Gentry moved for approval. Commissioner Pinkston seconded. Roll Call Vote. Commissioner Pinkston voted yes. Commissioner Kirkham voted yes. Chairman Rael voted yes. Commissioner Gentry voted yes. Commissioner Medina was absent. Motion carried 4-0.

County Clerk, Sally Perea announced the Ordinance 2008-01. (See Exhibit E)

c) Final Action on Public Hearing held; February 13, 2008

Requesting an Amendment to Preliminary Plat application for La Mercedes Subdivision, a proposed Type 2 Subdivision consisting of 202 residential lots, containing 55 acres. The amendment would allow for the phasing of the proposed subdivision in two (2) phases. Phase 1 consist of 52 parcels and half of the linear park that transects the interior of the subdivision. Phase 2 will consist of the remaining 150 parcels and the remainder of the interior linear park; T6N, R3E, Sections 18 & 19, NMPM; A plat of the easterly portion of Rio Del Oro, Unit 46 within the Tome Grant; containing 55.274 acres; zoned PD, Valencia county, NM/Valley Improvement Association - County Commission.

Commissioner Gentry moved for approval. Commissioner Pinkston seconded. Motion carried unanimously. (See Exhibit F)

d) Consideration of Grant Amendment no.2, to the original 2007 Legislative General Fund appropriations Grant Agreement between the Department of Finance and Administration and Valencia County - Vangle Gabaldon

Commissioner Kirkham motioned for approval. Commissioner Pinkston seconded. Motion carried unanimously. (See Exhibit G)

e) Financial Matters:

Consideration to award bid to the lowest Bidder for a Fire Tanker at the Jarales/Pueblitos Fire District - Ruben Chavez/Charles Eaton

Charles Eaton requested that the commission award Bid #631, 2,500 gallon Tanker in the amount of \$148,088.00 to Monarch Equipment Inc.

Commissioner Pinkston moved for approval. Commissioner Kirkham seconded. Motion carried unanimously. (See Exhibit H)

Consideration of Approval; Payroll/Warrants - Wilma Abril

Ms Abril presented the computer printout list of all checks issued by the County Manager's Office on February 7, 2008 covering vendor bills processed on that date. Check #93036 thru Check #93036 inclusive for the total of \$1,865.06 and also printout list of all checks issued by the County Manager's Office on February 14, 2008 covering vendor bills processed on that date. Check #93073 thru Check #93250 inclusive for the total of \$1,738,095.43

Commissioner Pinkston moved for approval of both payroll/warrants. Commissioner Kirkham seconded. Motion carried unanimously. (See Exhibits I-k)

Minutes of February 20, 2008, Business Meeting

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 Pinkston moved to go into Executive session. Seconded by Commissioner Kirkham. Roll call vote. Commissioner Pinkston voted yes. Commissioner Kirkham voted yes. Chairman Rael voted yes. Commissioner Gentry voted yes. Commissioner Medina absent. Motion carried 4-0.

Commissioner Kirkham moved to go back into Regular Session. Seconded by Chairman Rael. Motion carried unanimously.

County Attorney Cynthia Wimberly reported the matters discussed in Executive session were: Beverly Gonzales vs. Valencia County, Daveri Pacheco verses Larson et al, Alvarado verses Valencia County, State of New Mexico verses Theresa Lawrence, Comcast petition, Otero verses Methola and personnel assignment for employee (Code Enforcement) and no final action was taken.

Chairman Rael asked for a motion on the matters that were discussed in closed session as summarized by the County Attorney, Ms. Wimberly. Commissioner Pinkston moved for approval. Commissioner Kirkham seconded. Roll call vote. Commissioner Pinkston voted yes. Commissioner Kirkham voted yes. Chairman Rael voted yes. Commissioner Gentry voted yes. Commissioner Medina Absent. Motion carried 4-0.

County Manager's Report (Information Only)

Eric Zamora informed the Commission on a mid-year budget meeting scheduled for Tuesday February 26, 2008 at 5:00 P.M in the County Commission room. Mr. Zamora also gave a brief summary of the road improvement project.

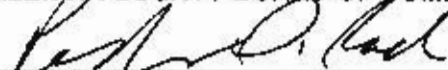
The next Regular Meeting of the Valencia County Board of County Commission will be held on March 5, 2008 Business Meeting at 5:00 PM in the County Commission Room at the Valencia County Courthouse.

Adjournment

Commissioner Pinkston motioned for adjournment. Seconded by Commissioner Kirkham. Motion Carried unanimously. 7:30 P.M.

NOTE: All proposals, documents, items, etc., pertaining to items on the agenda of the, February 20, 2008 Meeting (presented to the Board of County Commissioners) are attached in consecutive order as stated in these minutes.

VALENCIA COUNTY BOARD OF COMMISSIONERS



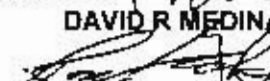
PEDRO G RAEI, CHAIRMAN



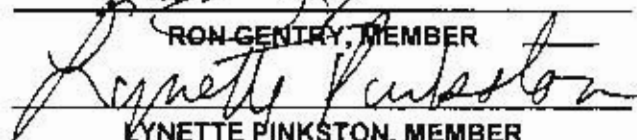
GEORGIA OTERO-KIRKHAM, VICE-CHAIRMAN



DAVID R MEDINA, MEMBER

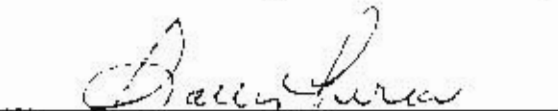


RON GENTRY, MEMBER



LYNETTE PINKSTON, MEMBER

ATTEST:



SALLY PEREA, COUNTY CLERK

3.5-08

DATE