

VALENCIA COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting

March 19, 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	

1. The meeting was called to order by Chairman Pedro Rael at 5:00 P.M.

2. Chairman Rael led the Pledge of Allegiance

3. Approval of Agenda

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

4. Approval of Minutes - March 5, 2008 Regular Business Meeting

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

5. Public Requests – At the discretion of the Chair. (For Information Only) – limited to two minutes per person on subjects not on this published agenda.)

Mr. Torres Leyba, Director of Meadow Lake Home Residential Association, read his concerns on responsibilities of public servants.

Mike Woods expressed his concerns on the responsibilities of public servants and gave his appreciation to Ms. Wimberly for her service.

Alicia Aguilar thanked Ms. Wimberly for her services. Ms. Aguilar stated that she has received many phone calls from homeowners with concerns on tax rates been very high and this has an impact with the purchases of homes. Ms. Aguilar requested to please lower the tax rate which will lessen the financial burden for Valencia County residents if no hospital is to be built.

Frank Barr from Las Maravillas shared his concerns about the Mineral Resources Company that is located on Albert Hill on the Far East portion of Valencia County. Mr. Barr expressed problems with the truck route and the size of trucks that are being used which are having an impact upon the Tome residents.

6. Non-Action Items:

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

Ruben Chavez and Charles Eaton had attended a meeting held by the New Mexico Department of Homeland Security and Emergency Management. The theme of the meeting was Fire and Flood of 08. Mr. Chavez stated the main topic at the meeting were floods and how to prepare for disaster. He stated that they are taking preventive action by preparing sandbags. The Department of Corrections will help fill the sandbags. The sandbags will be stored in a storage facility in Los Chavez. Mr. Eaton stated property homeowners will be given the necessary contacts to receive sandbags to prepare them if disaster does hit Valencia County.

7. Action Items:

Board of Commissioners convenes as Indigent Claims Board

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

a) Indigent Report/ 2 Appeals – Barbara Baker

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Barbara Baker presented the Indigent Claims from February 8, 2008 to March 6, 2008. The amount of claims submitted is \$355,706.20. Ms. Baker requested for the approval of \$53,626.32 and to deny \$302,079.88. There were 84 claims submitted.

Commissioner Pinkston moved for approval. Seconded by Commissioner Kirkham. Motion carried unanimously. (See Exhibit A)

Ms. Baker presented an appeal for Randell Julian, a Valencia County inmate, on behalf of Eric Zamora. Ms. Baker requested approval of the 3 Lovelace Medical Group bills in the amounts of \$19.00, \$23.00 and \$194.00. If approved they would be paid in the amounts of \$15.66, \$21.09 and \$92.14 for a total of \$128.89.

Commissioner Pinkston moved for approval. Seconded by Commissioner Kirkham. Motion carried unanimously. (See Exhibit B)

Ms. Baker presented Victoria Trujillo's indigent appeal. Ms. Baker requested approval of the Presbyterian Hospital in the amount of \$418.98. If approved Presbyterian Hospital would be paid \$322.61.

Commissioner Pinkston moved for approval. Seconded by Commissioner Kirkham. Motion carried unanimously. (See Exhibit C)

Board Re-Convenes as Board of County Commissioners

Commissioner Kirkham moved to Re-Convene as Board of County Commission. Seconded by Commissioner Gentry. Motion carried unanimously.

b) **Request to publish for a public hearing for the Ordinance 2008-__ , Requiring the Possession of a Tax Certificate Prior to Movement of Mobile Homes within Valencia County; Providing for Penalties and enforcement – Eugene Pickett**
Commissioner Gentry moved for approval. Seconded by Commissioner Pinkston. Motion carried unanimously.

c) **Resolution 2008-08, Finding Public Nuisance requiring Renovation or removal by County; 7 De Nada Rd. Los Lunas, NM, Lot 16C, Replat of Tr. 16, Unit 1,k El Cerro Mission Estates, Valencia County, as the same is shown and designated on said Plat, filed in the Office of Valencia County Clerk of Valencia County on July 18, 1979 in Book C, Page 38 – Anthony Silva**
Commissioner Kirkham moved for approval. Seconded by Commissioner Gentry. Motion carried unanimously. (See Exhibit D)

County Clerk Sally Perea announced Resolution 2008-08.

d) **Consideration of Proclamation for "Great America Clean-up". – Cyndi Sluder**
Commissioner Pinkston moved for approval. Seconded by Commissioner Kirkham. Motion carried unanimously. (See Exhibit E)

e) **Resolution 2008-09 authorizing The County of Valencia to submit a Recycling & Illegal Dumping Grant application to the New Mexico environment Department for the Sand Hill Restoration Project – Cyndi Sluder**
Commissioner Kirkham moved for approval. Seconded by Commissioner Pinkston. Motion carried unanimously. (See Exhibit F)

County Clerk Sally Perea announced Resolution 2008-09.

f) **Consideration of Memorandum of Understanding between The Village of Los Lunas providing Housing and Care of Adult Detention – Derek Williams**
Commissioner Medina moved for approval. Seconded by Commissioner Gentry. Motion carried unanimously. (See Exhibit G)

g) **Review and considered of Volunteer Firefighters annual PERA reporting requirements – Charles Eaton**
Commissioner Pinkston moved for approval. Seconded by Commissioner Kirkham. Motion carried unanimously. (See Exhibit H)

h) **Consideration of Easement Purchase Agreement to the property presently generally known as the Del Rio Senior Center, and further described as Tract B, as shown and designated on that certain Valley Community Plaza – Jose Campos**
Commissioner Pinkston moved for approval. Seconded by Commissioner Gentry. Motion carried 4-1. (See Exhibit I)

i) Resolution 2008-10, Adopting the 2008 Annual Certified County Maintained Mileage Report – Eric Zamora
 Commissioner Gentry moved for approval. Seconded by Commissioner Medina. Motion carried unanimously. (See Exhibit J)

County Clerk Sally Perea announced Resolution 2008-10.

j) Consideration of Preliminary Memorandum of Agreement between the Los Lunas School District and the Valencia County Sheriff's Office and Valencia County Partnership – Rod Johnson
 Commissioner Pinkston moved for approval with the understanding that the Sheriff's Office speak with the union to clarify what the positions of the new deputies will be during and after the four year payment from the Department of Education. Seconded by Commissioner Kirkham. Motion carried unanimously. (See Exhibit K)

k) Consideration of Agreement between Administrative Office of Courts; Warrant Enforcement Program – Gary Hall
 Rod Johnson represented Gary Hall on the above matter.
 Commissioner Pinkston moved for approval. Seconded by Commissioner Kirkham. Motion carried unanimously. (See Exhibit L)

l) Financial Matters
i) Consideration of an Agreement between the State Of New Mexico Department of Transportation;
Project #08-PT-DS-109-100 Days & Nights of Summer
Project #08-SF-EQ-109-Traffic Safety DWI Equipment – Gary Hall
 Rod Johnson represented Gary Hall on the above matter.
 Commissioner Kirkham moved for approval. Seconded by Commissioner Pinkston. Motion carried unanimously. (See Exhibit M)

ii) Consideration of Awarding Bid # 630 "Foods, Non-Foods, Meat, Fish, Poultry & Dairy – Jose Compos
 Commissioner Pinkston moved for approval. Seconded by Commissioner Kirkham. Motion carried unanimously. (See Exhibit N)

iii) Resolution 2008-11, 2007/2008 Budget-Year end Intra & Inter – Wilma Abril
 Commissioner Pinkston moved for approval. Seconded by Commissioner Kirkham. Motion carried unanimously. (See Exhibit O)

County Clerk Sally Perea announced the Resolution 2008-11.

iv) Resolution 2008-12, Budget Increases & Expenditures – Wilma Abril
 Chairman Rael moved for approval. Seconded by Commissioner Kirkham. Motion carried unanimously. (See Exhibit P)

County Clerk Sally Perea announced the Resolution 2008-12.

v) 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 March 13, 2008 covering vendor bills processed on the above dates. Check #93467 thru Check #93578 inclusive for the total of \$ 665,035.99.
 Commissioner Gentry moved for approval. Seconded by Commissioner Kirkham. Motion carried unanimously. (See Exhibit Q)

Ms. Abril presented the computer printout list of checks issued by the Managers Office on March 14, 2008 covering payroll processed on the above date. Direct deposit check #5749 thru direct deposit check #5906 inclusive. Deduction check #93429 thru deduction check #93466 inclusive. Payroll check #81447 thru payroll checks #81544 inclusive. Listing total \$330,478.73.

Commissioner Gentry moved for approval. Seconded by Commissioner Kirkham. Motion carried unanimously. (See Exhibit R)

8. Executive Session- Pursuant to Section 10-15-1 NMSA 1978, the following matters may be discussed in closed session: a. limited personnel matters; Assignments for Employee & 2007 Elected Official raise & Fraternal Order of Police Contract b.

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pending or threatened litigation, and c. other specific limited topics that are allowed or authorized under the stated statute.

Commissioner Kirkham moved to go into Executive Session. Seconded by Commissioner Pinkston. Roll call vote. Commissioner Pinkston voted yes. Commissioner Kirkham voted yes. Chairman Rael voted yes. Commissioner Gentry voted yes. Commissioner Medina voted yes. Motioned carried 5-0.

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

County Attorney Cynthia Wimberly reported the matters discussed in Executive Session: Tort Claims against the Detention Center and Solid Waste Program, Threatened Litigation: 2007 Elected Officials salaries, Pending Allegations: Continental Insurance Company vs. Mondell Plaza Limited, Tierra Grande Improvement Association of Valencia County vs. Toby Romero, Alvarado vs. Valencia County, Sisson Appeal vs. Valencia County, also discussed the negotiation of the Union Contract with the Fraternal Order of Police. County Attorney's position was discussed with no final action taken.

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

9. Action on Executive Session Items(s)

- a) Consideration of 2007 Elected Official raises**
- b) Consideration of Fraternal Order of Police Contract**

No action was taken.

10. County Manager's Report (Information Only)

Eric Zamora reported on the progress of the Judicial Complex with attempts to finish by May 2008. Mr. Zamora stated a notice has been issued to all departments regarding Purchasing Orders and a deadline date at which no more Purchasing Orders will be accepted until further notice. Mr. Zamora also gave his appreciation to County Attorney Cynthia Wimberly for her services.

Commissioner Gentry requested that Mr. Zamora and Mr. Martinez evaluate the Courthouse and give the Commission a guess-estimate to bring the Courthouse up to code for a safe and healthy place for our employees. He also praised and thanked Ms. Wimberly for her dedication and services to the county.

Chairman Rael stated he had attended a meeting with the Mid-Region Council of Governments and the purpose of the meeting was to have a dialogue between the private sector and the military.

11. The next Regular Meeting of the Valencia County Board of County Commission will be held on April 2, 2008 at 5:00 PM in the County Commission Room at the Valencia County Courthouse.

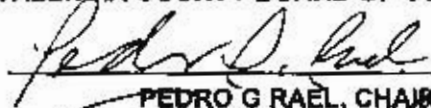
12. Adjournment

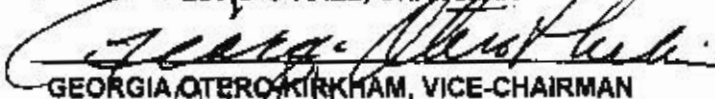
Commissioner Kirkham moved for approval. Seconded by Commissioner Gentry. Motion carried unanimously. Time 9:03 PM.

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NOTE: All proposals, documents, items, etc., pertaining to items on the agenda of the March 19, 2008, Regular Business 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

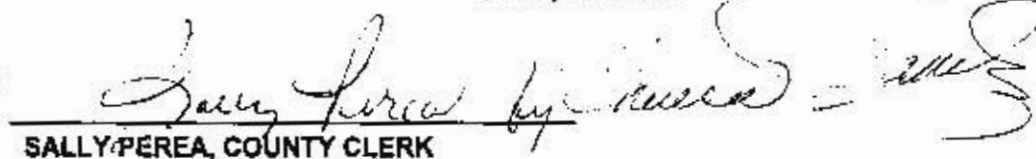

GEORGIA OTERO-KIRKHAM, VICE-CHAIRMAN


DAVID R MEDINA, MEMBER


RON GENTRY, MEMBER


LYNETTE PINKSTON, MEMBER

ATTEST:


SALLY PEREA, COUNTY CLERK

4-2-08
DATE