

VALENCIA COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting

May 21, 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	
Randolph Collins, Attorney @ tonight's meeting	
Sally Perez, 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 to approve the agenda with the deletion of item 7d.
Seconded by Commissioner Medina. Motion carried unanimously.

4. Approval of Minutes – May 7, 2008 Regular Business Meeting

Tabled until the next business meeting.

5. Public Requests – At the discretion of the Chair.

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

Bob Gostisha a member of the Meadow Lake Association gave his appreciation to Commissioner Pinkston for the completion of the community center's playground.

Bill Lebrecht a member of the Meadow Lake Association gave an update of the May 17, 2008 "Clean-Up Day". and thanked the Commissioners, Animal Control and Cyndi Sluder from Tierra Bonita for their services.

Michael Landmark a resident of Los Chavez said he is in favor of the of Solid Waste ordinance and thanked the county staff.

Mr. Guy Glover a Los Lunas High School teacher said he is interested in using the second floor of the old court house building as a private school. He requested the opportunity to do a survey and to offer a proposal to the county.

Torres Leyba read a proclamation on Memorial Day and read the names of the fallen heroes.

Joe Dixon a resident of Belen shared his concerns with litter through out the county.

6. Non-Action Items

a) Reports from Directors - Directors

None.

b) Reports from Boards, Commissions & Committees

Commissioner Kirkham asked Cyndi Sluder for an update concerning a grant for a clean up at Sandhill. Ms. Sluder said she received a letter of approval for funding and is waiting for the contract.

Chairman Rael said there was an activity report of the last four months from Planning and Zoning and anyone could review the report.

County Manager Eric Zamora gave a brief update on the Public Works Department and the 2008 Road improvements. In District I, AT&T Road and Diana Drive are paved. Mr. Zamora said that paving would begin on May 22, 2008 in Meadow Lake for Sportsman's Drive and Terry Road. Early next week would begin paving for Los Cerritos Road. Mr. Zamora also reported that over the past few months Mr. Chavez has been working with

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PNM and had discovered that the county is not responsible for ninety-one lights. PNM will remove the lights from the county's records and the saving will be \$17,000.00 per year savings.

7. Action Items

Board of Commissioners convenes as Indigent Claims Board

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

a) Indigent Report – Barbara Baker

Barbra Baker presented the Indigent Claims from April 3, 2008 thru May 8, 2008. The amount of claims submitted is \$ 730,664.79. Ms. Baker requested for the approval of \$ 84,885.13 and to deny \$ 645,779.66. There were 99 claims submitted.

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

Board Re-Convenes as Board of County Commissioners

Commissioner Pinkston moved to reconvene as the Board County Commissioners.

Seconded by Commissioner Kirkham. Motion carried unanimously.

b) Ordinance 2008-03, An ordinance providing for the efficient and sanitary disposal and collection of Solid Waste in Valencia County; regulating Solid Waste, Litter and C&D debris; establishing a Solid Waste disposal fee and providing a penalty, severability and effective date – Eric Zamora

Commissioner Gentry moved to adopt the ordinance with the amendment of Section 13 striking the current language and adding the language that the County Commissioners establish the fees and designate funding sources for the implementation for Valencia County Solid Waste Ordinance. Seconded by Commissioner Medina. Motion carried unanimously. (See Exhibit B)

County Clerk Sally Perea announced Ordinance 2008-03.

c) Resolution 2008-18, Finding Public Nuisance requiring renovation or removal by County; O Calle Encantada, Los Lunas, NM: Tract B-1 certain tract of Land in Valencia County, comprising a portion of Tract B, as such tract is shown on Map 86 of the surveys of the Middle Rio Grande Conservancy District, also being a portion of Tract B as same is how designat4ed on plat entitled "Lands of Marvin T. Bennett" Valencia County Clerks office, Valencia County, NM, being within the Nicolas Duran de Chavez Grant and within projected Section 18, Township 6 North Range 2 East of New Mexico Principal Meridian – Anthony Savilla

Commissioner Pinkston moved for approval. Seconded by Commissioner Kirkham.

Motion carried unanimously. (See Exhibit C)

County Clerk Sally Perea announced Resolution 2008-18.

d) Resolution 2008-____, Finding Public Nuisance requiring renovation or removal by County; 16 Blue Hill Road, Los Lunas, NM; Lot numbered Seven (7), of Cottonwood Meadows Subdivision, filed in the office of the County Clerk of Valencia County, NM on April 20, 1964 – Anthony Savilla

Item deleted.

e) Consideration of Mutual Assistance agreement between Central New Mexico Correctional facility and Los Chavez Fire Department – Charles Eaton

Commissioner Pinkston moved for approval. Seconded by Commissioner Kirkham.

Motion carried unanimously. (See Exhibit D)

f) Consideration of Final Plat application for Las Mercedes Subdivision (Valley Improvement for Phase II T6N, R3E, apart of Sections 18 & 19; a plat of the Westerly portion of Rio Del Oro, Unit 46 within the Tome Grant; containing 55.274 acres, Valencia County, NM/ Valley Improvement – County Commission

Commissioner Gentry moved for approval. Seconded by Commissioner Pinkston. Motion carried unanimously. (See Exhibit E)

g) Consideration of Joe Sanchez Road Closure, north of Belen City limits – County Commission

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

h) Consideration of Fraternal Order of Police contract – Eric Zamora

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

i) Financial Matters**i) Consideration of Amendment #2 to the Nutrition service Incentive Program Agreement between the north Central New Mexico Economic Development District Non-Metro Area Agency on Aging – Vangie Gabaldon**

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

ii) Consideration of the 2008 Legislative General Fund Appropriations' Grant agreement between the New Mexico Department of Finance and Administration of nine (9) General Fund Projects – Vangie Gabaldon

Commissioner Medina moved for approval. Seconded by Commissioner Pinkston. Motion carried unanimously. (See Exhibit H)

iii) Resolution 2008-19, Increase Expenditures – Wilma Abril

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

County Clerk Sally Perea announced Resolution 2008-19.

iv) Resolution 2008-20, Relating to Finance; Adopting the Preliminary 2008/2009 Fiscal Year Budget/ Organization Chart – Wilma Abril

Commissioner Pinkston moved for approval of the Organization Chart with the removal of the Trash Committee, Judicial Complex Committee, Heavy Industrial Committee and Steering Committee and to include the Grants/Legislative Administration. Seconded by Commissioner Gentry. Motion carried unanimously.

Chairman Rael moved to approve the budget. Seconded by Commissioner Kirkham. Motion denied 3-2. Commissioner Pinkston voted no. Commissioner Kirkham voted yes. Chair voted yes. Commissioner Gentry voted no. Commissioner Medina voted no. Commissioners had concerns because of the officials' lawsuit.

Chairman Rael moved to approve the budget, retracting for future consideration, Animal Control and Code Enforcement. Motion failed for a lack of second.

Commissioner Medina made a motion to approve the budget with the retraction of Animal Control, Code Enforcement and Elected Official salaries and to leave on Firefighters and Overtime vs. Salary. Seconded by Commissioner Pinkston. Motion carried 4-1 with Commissioner Kirkham voting no. (See Exhibit J)

County Clerk Sally Perea announced Resolution 2008-20.

v) Consideration of Approval; Payroll/ Warrants – Wilma Abril

Ms. Abril presented the computer printout list of all the checks issued by the County Manager's Office on May 5, 2008 covering payroll process. Direct Deposit Check #6380 thru direct deposit check #6531 inclusive. Deduction Check #94113 thru deduction check #94149 inclusive. Payroll Check #81841 thru payroll check #81938 inclusive. Listing total \$329,291.30.

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

Ms. Abril presented the computer printout lists of all the checks issued by the County Manager's Office on May 8, 2008 covering vendor bills processed. Check # 94150 thru check # 94152 inclusive for the total of \$ 7,338.32.

Ms. Abril presented the computer printout list of all the checks issued May 16, 2008 covering vendor bills processed. Check #94153 thru Check #94297 inclusive for the total of \$390,701.34.

Commissioner Kirkham 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

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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. Motion carried 5-0.

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

Attorney Randolph Collins reported matters discussed in Executive Session were Personnel matters; Code Enforcement Director, Renewal of Adult Detention Administrator and Administrative Services contract and no action was taken. Commissioner Kirkham moved for approval of the items that were discussed in closed session as summarized by Attorney Randolph Collins. 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. Motion carried 5-0.

9. Action on Executive Session Item(s)

a) Consideration of Adult Detention Administrator

Commissioners tabled the item and requested that County Manager prepare the contract for final consideration.

b) Consideration of Administrative Services Contract

Commissioners gave Attorney Randolph Collins direction to draft an Administrative Services contract.

10. County Manger's Report (Information Only)

None.

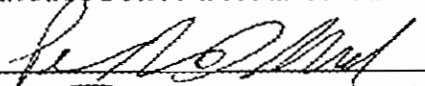

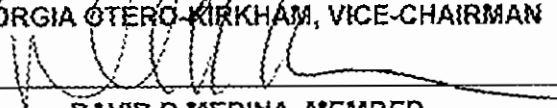
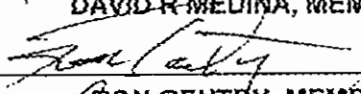
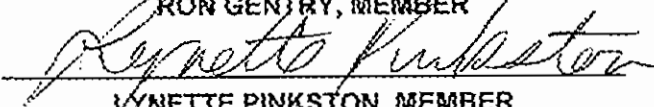
11. The next Special Meeting – Legal Services, of the Valencia County Board of County Commission will be held on May 22, 2008 at 5:00 PM in the North end Chambers 444 Luna Ave., Los Lunas, NM.

12. Adjournment

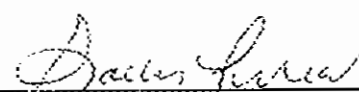
Commissioner Kirkham moved to adjourn. Seconded by Chairman Rael. Motion carries unanimously. Time 8:21 P.M.

NOTE: All proposals, documents, items, etc., pertaining to items on the agenda of the May 21, 2008. Regular Business Meeting (presented to the Board of County Commissioners) is 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

6-4-08
DATE