

# VALENCIA COUNTY BOARD OF COMMISSIONERS

## Special Meeting

July 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	
Adren Nance and Dave Pato, County Attorneys	
Sally Perea, County Clerk	
Press and Public	

1. The meeting was called to order by Chairman Pedro Rael at 8:33 A.M.

2. Chairman Rael led the Pledge of Allegiance.

### 3. Approval of Agenda

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

### 4. Action Items

#### a) Approval to Publish Ordinance 2008-\_\_\_, County Regional Transit Gross Receipts Tax – Bruce Rizzieri

Mr. Rizzieri requested approval for publication of legal notice for election ordinance. It shall be known as "County Regional Transit Gross Receipts Tax." Funding will provide Rail Runner service and transit service within Bernalillo, Sandoval and Valencia Counties. Mr. Rizzieri said funds generated would be for operating, administrative, capital and planning. This will come before voters on November 4, 2008 General Election Ballot. If the one-eighth of one percent Gross Receipt Tax is approved, the revenues will be split into three equal parts between the three counties. Mr. Rizzieri said to assure enough time for each County Commission to deliver certificates to their County Clerks; they are requesting all three county commissions complete their actions by the end of August. Bureau of Elections deadline to place the ordinance on the November ballot is early September.

Commissioner Gentry complemented Mr. Rizzieri's detailed plan packet. He said after publication, the next step is a Public Hearing meeting and passing a resolution. Mr. Rizzieri said this is correct. This information will also be available on the website, County Courthouse, libraries etc.

Commissioner Kirkham clarified that the Gross Receipt Tax still passes for all three counties if one county votes against it and the other two counties votes in favor. Mr. Rizzieri said that is correct.

Bob Gostisha asked if Meadow Lake residents would have any provisions. Mr. Rizzieri said a Dial-a- Ride service would be provided for Meadow Lake residents.

Joe Smith resident of Los Lunas asked for the anticipated figures Valencia County residents will be paying. Mr. Rizzieri said he did not have the counties individual figures, but the projected tax revenue from the three counties is twenty six million dollars per year. Commissioner Gentry said Valencia County gross receipts portion is small compared to Bernalillo and Sandoval counties. This three party venture is good news for Valencia County because the wealth will be shared from the combined gross receipts.

Chairman Rael recognized Executive Director Lawrence Rael of the Mid- Region Council of Governments in the audience. He was invited to speak on the proposed matter.

Mr. Rael thanked the Commission on behalf of Rio Metro Regional Transit District for arranging a special meeting. Mr. Rael said all three counties are included in this interesting issue. This proposal supports Commissioner Gentry's comment that the majority of the revenues collected will be from the City of Albuquerque. The benefits Albuquerque metro area will gain is the north and south bound citizens commuting into Albuquerque, while

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resolving commuter problems for Albuquerque's congested city streets. Mr. Rael said he looks forward to working with Valencia County and creating an educational campaign.

Commissioner Gentry informed the public and the commission the municipalities supporting to move forward with this project include Bosque Farms Mayor Wayne Ake, also a Chairman of the Regional Transit District, Los Lunas Mayor Louis Huning, Belen Mayor Ronnie Torrez and the Town of Peralta.

Chairman Rael said the regional transit system has overwhelming support from the Middle Rio Grande Conservancy District (MRGCD). He has received several e-mails from citizens, who use the Rail Runner between Belen and Los Lunas corridor and are in support of the rail system.

Chairman Rael asked for a motion to approve the publication of an ordinance to support the county regional gross receipts tax.

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

**b) Accept Finding of Fact & Conclusions of Law for Decisions**

**i) Amend the Zoning Map from an Outland District (OD) zoning designation to a Heavy Industrial (I-3) zoning designation on the property commonly described as Section 28, T7N, R13, NMPM; a certain tract of land being comprised of Lots 6, 7, and 10; San Clemente Grand; consisting of 10.008 acres respectively; Valencia County, NM/ *Plains Marketing L.P* – County Commission**

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

Chairman Rael asked if there were any announcements from the commission.

Commissioner Kirkham said the grand opening of the Valencia, El Cerro Fire Department had been held on Saturday. The announcement at the business meeting indicated that it would be held on the 26<sup>th</sup>; instead it was held on Saturday, July 19<sup>th</sup> so she had missed it. This is something that she had been waiting on for four years and unfortunately they had been given bad information. She couldn't express how upset she was about it. Chief Martinez and all the volunteers worked extremely hard to get the fire department done and it was something they all should have shared in and there was no representation from the county.

Commissioner Pinkston said she had attended the grand opening and it had been a good turn out. She said Commissioner Kirkham was very much missed.

**5. Adjournment**

Commissioner Gentry moved to adjourn. Seconded by Commissioner Pinkston. Motion carried.

Chairman Rael said he had been asked by Attorney Payne if he could say a few words. Attorney Vern Payne wanted an opportunity to discuss the Plains Marketing matter and the Facts and Findings. Chair Rael stated the Facts and Findings would be for the record. County Attorney Dave Pato stated he did not feel comfortable giving advice to the opposing attorney regarding the Facts and Findings. Commissioner Kirkham handed Mr. Payne her copy.

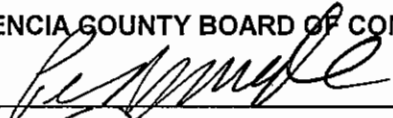
Another matter, a second lack of notice, was that Attorney Kevin Brown had been asked to be at this meeting to discuss pending or threatening litigation and it had not been put on the agenda. Chair apologized.


Another motion to adjourn was called for by Chairman Rael. Commissioner Kirkham made the motion. Seconded by Chairman Rael. Motion carried unanimously.

**NOTE:** All proposals, documents, items, etc., pertaining to items on the agenda of the July 21, 2008 Special Meeting (presented to the Board of County Commissioners) are attached in consecutive order as stated in these minutes.


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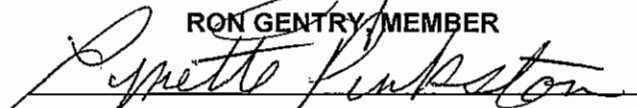
VALENCIA COUNTY BOARD OF COMMISSIONERS

  
\_\_\_\_\_  
PEDRO G RAEI, CHAIRMAN

  
\_\_\_\_\_  
GEORGIA OTERO KIRKHAM, VICE-CHAIRMAN

  
\_\_\_\_\_  
DAVID R MEDINA, MEMBER

  
\_\_\_\_\_  
RON GENTRY, MEMBER

  
\_\_\_\_\_  
LYNETTE PINKSTON, MEMBER

ATTEST:

  
\_\_\_\_\_  
SALLY PEREA, COUNTY CLERK

8/6/08  
DATE