

VALENCIA COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting

September 17, 2008

PRESENT	ABSENT
Pedro G Rael, Chairman	
Georgia Otero-Kirkham, Vice-Chairman	
David R Medina, Member	Part of meeting
	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 5:00 P.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.

Chairman Rael announced Commissioner Gentry would not be present at tonight's meeting. Also, Commissioner Medina would only be present for part of tonight's meeting due to a death in the family.

4. Approval of Minutes – August 6, 2008 – Regular Business Meeting (tabled: 9/3/2008)

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

September 3, 2008 – Public Hearing Meeting

Commissioner Pinkston moved for approval. Seconded by Commissioner Kirkham. 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)

Bob Gostisha shared his concerns on the status of a roping arena located in Meadow Lake that was tabled a month ago. He had heard the arena would be approved with a conditional use permit. He also shared concerns with the property owner's conduct not following ordinances.

Commissioner Kirkham asked if the temporary conditional use had been approved and if the property owner has agreed to meet the conditions of the permit.

Commissioner Pinkston said one of conditions the property owner must meet is to drill a well and there are several other restrictions the property owner might not meet.

Chairman Rael asked if a temporary conditional use override the County Commission's authority on property use throughout the county.

County Manager Eric Zamora clarified that the application submitted was for temporary use which can be approved administratively if certain conditions are met.

Commissioner Medina asked if the temporary use permit goes to the County Manager for approval. Eric Zamora said Mr. Aranda and he can administer approval but historically the Planning and Zoning Commission has had the liberty to authorize those temporary permits.

6. Executive Session- Pursuant to Section 10-15-1 NMSA 1978, the following matters may be discussed in closed session: a) limited personnel matters; Discussion; Sission v. BoCC #D-1314-CV-2004-00508 & Robin Martinez, Torrez vs. Valencia County and Budget Analyst. 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. Commissioner Medina voted yes. Chairman Rael voted yes. Motion carried 4-0.

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

Chairman Rael announced again that Commissioner Medina had left due to a death in the family and Commissioner Gentry had not been present for tonight's meeting.

County Attorney Nance reported the issues discussed were; Sisson vs. BoCC #D-1314-CV-2004-00508 & Robin Martinez, Torres vs. Valencia County and the limited aspect of

Minutes of September 17, 2008, Regular Business Meeting

hiring a Budget Analyst and direction was given in regards to Torres vs. Valencia County and no final action taken.

Commissioner Pinkston moved for approval of the summary. Seconded by Commissioner Kirkham. Roll call vote. Commissioner Pinkston voted yes. Commissioner Kirkham voted yes. Chairman Rael voted yes. Motion carried 3-0.

7. Action Items

a) Consideration of Budget Analyst

County Manager Eric Zamora said interviews have been conducted and is requesting approval of a one year contract and a recommendation of hiring Mr. Truffle. He is a certified government accountant with thirty years experience in both local and federal levels and Professor of Economics and Accounting.

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

8. Non-Action Items:

a) Reports from Directors – Directors

County Manager Eric Zamora reported a monthly summary will be given to the Board of Commission of new hires, transfers and employee separation by the Human Resource Department.

Commissioner Kirkham asked if Risk Management classes are including customer service. Eric Zamora said a customer service training course was held in the beginning of the year and the remaining training courses will be scheduled within a couple of months.

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

Commissioner Pinkston attended the Children's Code Meeting and reported that funding is the last item to be completed before sending it to the state legislator. Commissioner Pinkston also reported attending the first teen court and was impressed with all the teens that had done a good job giving fair sentences and was a great experience for them.

Chairman Rael commented on the Valencia County Code Enforcement public report regarding different violations of investigations and various properties in abatement. He had a town hall meeting in the Commission Room last Saturday, September 13, 2008 on discussions of the up coming taxes to be presented on the November ballot (the 911 and rail runner tax). The public gave input on how they wish to use the funds for paving roads.

Commissioner Pinkston announced the Annual Gathering of Counties Day at the New Mexico State Fair on Saturday September 20, 2008, 1:30 P.M.

9. Action Items

Board of County Commissioners convenes as Indigent Claims Board

Commissioner Pinkston moved to enter as the Indigent Board. Seconded by Commissioner Kirkham. Motion carried unanimously.

a) Indigent Report/Appeal – Barbra Baker

Ms. Baker presented the Indigent Claims from August 7, 2008 to September 4, 2008. The amount of claims submitted was \$392,768.55. Ms. Baker requested the approval of \$74,776.98.

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

Ms. Baker presented an appeal on behalf of Mr. Butler. Ms. Baker requested the approval of UNM Medical Group bill in the amount of \$196.00.

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

Ms. Baker presented an appeal on behalf of Ms. Lente. Ms. Baker requested the approval of Living Cross Ambulance bill in the amount of \$400.00.

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

Ms. Baker presented an appeal on behalf of Mr. Osorio. Ms. Baker requested the approval of Presbyterian Medical Group in the amount of \$31.57.

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

Ms. Baker presented an appeal on behalf of Mr. Piggott. Ms. Baker requested the approval of UNM Health Sciences Center in the amount of \$1,213.21.

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

Ms. Baker presented an appeal on behalf of Mr. Sanchez. Ms. Baker requested the approval of UNM Health Sciences in the amount of \$2371.04.

Minutes of September 17, 2008, Regular Business Meeting

Commissioner Pinkston moved for approval. Seconded by Commissioner Kirkham.

Motion carried unanimously. **(See Exhibit F)**

Commissioner Kirkham asked Ms. Baker who is responsible for not submitting the claims on time. Ms. Baker said she did not know who was responsible.

Chairman Rael gave his appreciation to Ms. Baker for her hard work and her ability to save the county money.

Commissioner Pinkston moved to re-convene as the Board of County Commissioners.

Seconded by Commissioner Kirkham. Motion carried unanimously.

b) Consideration of Proclamation "Family Day-A-Day to Eat Dinner with your Children" CASA (National Center on Addiction and Substance Abuse) – County Commission

Commissioner Kirkham moved for approval. Seconded by Commissioner Pinkston.

Motion carried unanimously. **(See Exhibit G)**

c) Consideration of Valencia County Partnership FY 2009 Membership Roster – Sandra Chavez

Valencia County Partnership Coordinator Sandra Chavez gave a brief report of Valencia County Partnership's purpose which was to educate residents with health issues within the county. Chairperson Peggy Gutjahr said every county has a health council who are mandated by the state to develop a profile of their county.

Chairman Rael asked how names are determined to be placed on the roster. Ms. Chavez said people from different sectors of public health and community based organizations that indicate an interest working with the improvement of Valencia County are given a member application and memorandum of understanding to be signed.

Commissioner Kirkham moved for approval. Seconded by Commissioner Pinkston.

Motion carried unanimously. **(See Exhibit H)**

d) Financial Matters

i) Consideration of Property Tax Rates -2008-Year –Viola Vallejos

Commissioner Pinkston moved for approval. Seconded by Commissioner Kirkham.

Motion carried unanimously.

Chairman Rael said the property tax rates are presented in mills. It is one dollar per thousand of value. **(See Exhibit I)**

ii) Convenes as Board of Finance; to discuss Treasurers Investment Authority – County Commission

Commissioner Kirkham moved to convene as the Board of Finance. Seconded by Commissioner Pinkston. Motion carried unanimously. Discussion.

County Attorney Adren Nance gave a brief legal interaction description between the County Board of Finance and Treasurer. He said neither the County Treasurer nor the Board of Finance have sole authority over county investments. The County Treasurer determines how to deposit and invest the county funds but this decision must be approved by the Board of Commissioners sitting as the Board of Finance. The Board of Finance has no power to modify the County Treasurer's decision without the Treasurers' consent. The County Treasurer cannot impose a lateral decision upon the Board of Finance and this takes cooperation from both sides.

Commissioner Kirkham asked if there is a policy in place. Treasurer Diane Martinez-Coplen said there is an investment policy in effect since 1998 with a previous treasurer and a previous commission. It basically says the commission can recommend the institution but it is up to the treasurer to invest the money. She explained the process of investing; banking institutions are contacted and the treasurer goes with the one who gives the best interest rates.

Chairman Rael requested that a copy of the investment policy be given to the Commissioners, County Attorneys and County Manager for review.

iii) Consideration of Award RFP#177 "Healthcare Management Services" – Derek Williams

Rebecca Nevarez presented the above item on behalf of Derek Williams. Ms. Nevarez said it has been determined that Quick Care is the best financial way to go and requested approval.

Commissioner Pinkston moved for approval. Seconded by Commissioner Kirkham.

Motion carried unanimously. **(See Exhibit J)**

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

The attached computer printout lists were presented of all the checks issued by the Manager's Office on September 12, 2008 covering vendor bills processed. Check #95978 thru Check #96072 inclusive for the total of \$324,109.73.

Minutes of September 17, 2008, Regular Business Meeting

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

The attached computer printout lists were presented of all the checks issued by the Manager's Office on September 12, 2008 covering payroll process. Direct Deposit Check #7830 thru direct deposit check #7996 inclusive. Deduction Check #95943 thru deduction check #95977 inclusive. Payroll Check #82815 thru payroll check #82901 inclusive. Listing total \$344,941.82.

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

10. County Manager's Report (Information Only)

Eric Zamora reported the ICIP (Infrastructure Capital Improvement Plan) deadline is September 30, 2008. He proposed having a workshop on Wednesday, September 24, 2008 at 5:00 P.M.

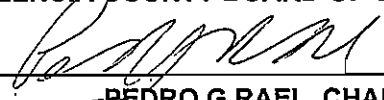
11. The next workshop will be held September 24, 2008 at 5:00P.M. The next Regular Business Meeting of the Valencia County Board of County Commission will be held on October 1, 2008 at 5:00 PM in the County Commission Room at the Valencia County Courthouse.

12. Adjournment


Commissioner Kirkham moved for adjournment. Seconded by Commissioner Pinkston. Motion carried unanimously. Time 7:32 P.M.

NOTE: All proposals, documents, items, etc., pertaining to items on the agenda of the, September 17, 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



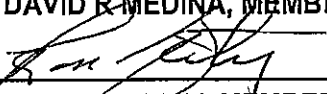
PEDRO G RAEI, CHAIRMAN




GEORGIA OTERO-KIRKHAM, VICE-CHAIRMAN



DAVID R-MEDINA, MEMBER



RON GENTRY, MEMBER



LYNETTE PINKSTON, MEMBER

ATTEST:



SALLY PEREA, COUNTY CLERK

10-1-08
DATE