

VALENCIA COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting

November 5, 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 & Dave Pato, County Attorneys | |
| Sally Perea, County Clerk | |
| Press and Public | |

1. The meeting was called to order by Chairman Pedro Rael at 4:56 P.M.

2. Chairman Rael led the Pledge of Allegiance.

3. Approval of Agenda

County Manager Eric Zamora requested item 7e to be removed. Commissioner Medina moved for approval with removing item 7e. Seconded by Commissioner Pinkston. Motion carried unanimously.

4. Approval of Minutes – October 15, 2008 – Business Meeting

Commissioner Medina 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)

Les Gibson stated problems on robberies against his and other businesses. He shared his concerns with the lack of officers on the field.

6. Non-Action Items:

a) Presentation Socorro Electric Cooperative, Inc – Richard Lopez

Richard Lopez presented the following items:

- Introduction and history of Socorro Electric Cooperative, Inc.
- Site Development Plan Review.
- Providing electric power at the lowest possible cost and to promote economic development.

b) Reports from Directors – Directors

County Manager Eric Zamora introduced new staff members. Business Manager Ken Griego and Budget Analyst Larry Truffle.

Ruben Chavez congratulated the Elected Officials. Mr. Chavez reported on the citations list and the process of implementing a pilot program. Code Enforcement met with Judge Gallegos to implement a day (Monday's) for Environmental Court to deal with county's nuisance abatements. County Attorney Dave Pato participated with the training of the Zoning Officers on how to present a case professionally. The first court date will be scheduled and the date is unknown at this time.

Commissioner Medina asked if Belen's Court would be open for the residents who live further south. Mr. Chavez said both courts will be open but the majority of cases will go to the Los Lunas Courts.

Commissioner Pinkston complimented Mr. Chavez for implementing the pilot program. She said once the four pilot programs are in place by Judge Gallegos there will be great progress with the outstanding cases. She believes Judge Hawks will come aboard once a convenient time is scheduled to meet with him.

Commissioner Medina also gave his appreciation to Mr. Chavez for implementing the program.

Commissioner Gentry suggested that Mr. Chavez report the resolved cases and Chairman Rael agreed that reporting the resolved cases is a positive accomplishments for Code Enforcement.

Minutes of November 5, 2008, Regular Business Meeting

County Clerk Sally Perea informed the commission that she has 10 days to canvass the general election and requested that the commission convene as the canvassing board on Wednesday November 5th to start the process and to finalize it on Friday 14th. Board of Commissioners agreed by consensus.

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

Commissioner Medina individually congratulated the newly elected officials, Commissioner Kirkham, Commissioner Gentry, Commissioner Holiday and County Clerk Sally Perea. Chairman Rael also congratulated the Commissioners and County Clerk Sally Perea.

7. Action Items

a) Consideration of Donation “Veterans Memorial” Tome Dominquez de Mendoza Community Center – Mike Sosa

Fabian Padilla, President of Historic Tome-Adelino Neighborhood Association introduced Mr. Mike Sosa who was requesting approval to move forward with a veteran's memorial donated to the Tome Dominguez Community Center. The association is pleased with the donation and asked that the commission approve it. Mr. Sosa also requested approval to build the “Veterans Memorial” at his expense and added the county would not be responsible for any cost. Commissioner Kirkham moved for approval. Seconded by Commissioner Gentry. Commissioner Medina, as a Veteran, gave his appreciation to Mr. Sosa for his generosity. Motion carried unanimously. (See Exhibit A)

b) Consideration to Publish Ordinance “Sex Offenders in Valencia County” – Georgia Otero-Kirkham

Commissioner Kirkham presented the ordinance and briefly read article IV- The Sex Offender Location- Sex offenders shall not newly occupy any real property, acquire any real property by lease or otherwise or establish a place of lodging within 1000 feet of any schools.

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

c) Consideration of Resolutions Finding Public Nuisance Requiring Renovation or Removal by County – Anthony Savilla

i) Resolution 2008-44, 34 Soquel Road- Los Lunas, NM; Lot numbered three (3) in Block I of Monterey Park, Unit 3, as the same is shown and designated on the Plat thereof, filed in the office of the County Clerk of Valencia County, New Mexico on May 6, 1987 in Cabinet F, Folio 89 – County Commission

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

County Clerk Sally Perea announced Resolution 2008-44.

ii) Resolution 2008-45, I Calle Grande- Los Lunas, New Mexico; Lot 38-C, El Cerro Mission Ranchettes, Unit three (3) El Cerro Mission Ranchettes, Valencia County, New Mexico, as the same is shown and designated on the Plat thereof, filed in the Office of the County Clerk of Valencia County, New Mexico on September 27, 1996 in Cabinet I Number 1154- County Commission

Commissioner Gentry moved for approval. Second Commissioner Medina. Motion carried unanimously. (See Exhibit D)

County Clerk Sally Perea announced Resolution 2008-45.

iii) Resolution 2008-46, 4 High Road Los Lunas, New Mexico; Tract 5-A-3-B, as the same is shown and designated on that certain Plat entitled “Replat of Lots 5-A-3 and 5-A-4 of El Cerro Mission Ranchettes Unit 2, Land of Robert J. and Berlinda Martinez, August 3, 1994” filed of record in the Office of the County Clerk of Valencia County, New Mexico on the 27th day of September 1994 at Book I Number 1154 – County Commission

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

County Clerk Sally Perea announced Resolution 2008-46

iv) Resolution 2008-47, 8 Sean Court- Los Lunas, New Mexico; Lot numbered Twenty-Four(24) Block C, Mission Park, Unit 1, a Subdivision in Valencia County, New Mexico on December 20, 1978 – County Commission

Commissioner Kirkham moved for approval. Seconded by Commissioner Pinkston.

Motion carried unanimously. (See Exhibit F)

County Clerk Sally Perea announced Resolution 2008-46

v) Resolution 2008-48, 572 Meadow Lake Road- Los Lunas, New Mexico; Lot 22-X of Land Division Plat Lot 22, Mesa Ridge Estates, as said Lot is shown and designated on the plat thereof, recorded in the office of the County Clerk of Valencia County, New Mexico on April 29, 2004, in Plat Cabinet L, at Page 282-County Commission

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

County Clerk Sally Perea announced Resolution 2008-48.

d) Consideration of Memorandum of Understanding between the Children Youth and Families and Valencia County Adult Detention – Derek Williams

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

e) Re-consideration of Joint Powers Agreement between the Village of Bosque Farms – Derek Williams

Deleted from agenda.

f) Consideration of Agreement between State of New Mexico Children, Youth and Families Department – Joseph Dorn

Commissioner Pinkston moved for approval. Seconded by Commissioner Kirkham.

Discussion. Commissioner Kirkham clarified she did not vote on this item last year due to a family member working at New Day. Her brother no longer works at there so she is able to vote on the matter. Motion carried unanimously.

g) Financial Matters

i) Consideration of Award Bid #638 to Vigil Contracting Co. for Remodel Project Tome/Adelino Fire Department – Charles Eaton

Charles Eaton thanked the voters for approving the Emergency Medical 911 gross receipt tax and he congratulated the elected officials. He requested approval of the above item.

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

ii) Resolution 2008-49, FY 09 Budget Increases – Wilma Abril

Commissioner Pinkston moved for approval. Seconded by Commissioner Kirkham.

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

County Clerk Sally Perea announced Resolution 2008-49.

iii) Resolution 2008-50, Intra Budget Transfers – Wilma Abril

Commissioner Kirkham moved for approval. Seconded by Commissioner Pinkston.

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

County Clerk Sally Perea announced Resolution 2008-50.

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

Ms. Abril presented the computer printout lists all the checks issued by the Manager's Office on October 24, 2008 covering payroll process. Direct Deposit Check #8333 thru direct deposit check #8499 inclusive. Deduction Check #96391 thru deduction check #96426 inclusive. Payroll check #83149 thru payroll check #83248 inclusive. Listing total \$ 370,113.66. **(See Exhibit K)**

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

Ms. Abril presented the computer printout lists all the checks issued by the Manager's Office on October 31, 2008 covering vendor bills processed. Check #96377 thru check #96599 inclusive for the total of \$1,014,266.18.

Commissioner Medina moved for approval. Seconded by Commissioner Gentry. Motion carried unanimously. **(See Exhibit L)**

8. Executive Session- Pursuant to Section 10-15-1 NMSA 1978, the following matters may be discussed in closed session: a. limited personnel matters Proposed Settlement in Sission vs. Valencia County; discussed Torres vs. Valencia County; b. 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 Medina. Roll call vote. Commissioner Pinkston voted yes. Commissioner Kirkham voted yes. Commissioner Medina voted yes. Commissioner Gentry voted yes. Chairman Rael voted yes. Motion carried 5-0.

Minutes of November 5, 2008, Regular Business Meeting

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

Attorney Adren Nance stated the matters that were discussed in Executive Session were; Proposed Settlement in Sission vs. Valencia County, Torres vs. Valencia County, threatened litigation and a personnel matter. No final action was taken.

Commissioner Pinkston moved for approval of the summary. Seconded by Commissioner Kirkham. Roll call vote. Commissioner Pinkston voted yes. Commissioner Kirkham voted yes. Commissioner Medina voted yes. Commissioner Gentry voted yes. Chairman Rael voted yes. Motion carried 5-0.

9. Action Item(s)

a) Approval of Proposed Settlement Agreement.

Commissioner Pinkston moved for approval. Seconded by Commissioner Kirkham. Motion carried 3-2. Commissioner Medina voted no. Commissioner Gentry voted no.

10. County Manager Report (Information only)

County Manager Eric Zamora reported the following:

- Ground breaking ceremony for Whitfield Wild Life Conservation on November 8, 2008 at 9:00 A.M. at the Conservation Center, following a breakfast.
- Judicial Complex ventilation system issues resolved.
- "Take Home Vehicles" will be addressed next business meeting.
- Updated internal phone list .
- Time Sheets for all employees and software is being implemented to begin this process.

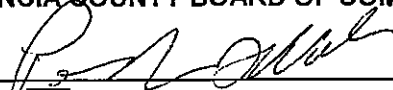
11. The next Regular Meeting of the Valencia County Board of County Commission will be held on November 12, 2008 at 5:00 PM in the County Commission Room at the Valencia County Courthouse.

12. Adjournment


Commissioner Kirkham moved for approval. Seconded by Commissioner Medina. Motion carried unanimously. Time 7:40:02 P.M.

NOTE: All proposals, documents, items, etc., pertaining to items on the agenda of the November 5, 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



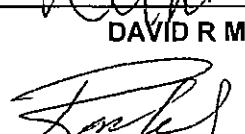
PEDRO G RAEI, CHAIRMAN



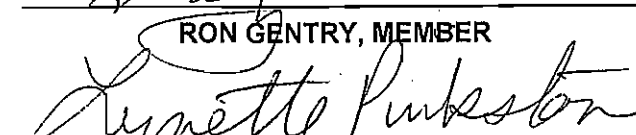
GEORGIA OTERO-KIRKHAM, VICE-CHAIRMAN



DAVID R MEDINA, MEMBER

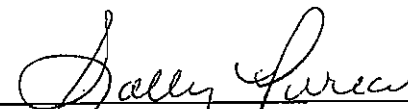


RON GENTRY, MEMBER



LYNETTE PINKSTON, MEMBER

ATTEST:



SALLY PEREA, COUNTY CLERK

11-19-08
DATE