



****AMENDED****

July 20, 2011

Agenda

9:30 a.m. Business Meeting

Valencia County Commission Chambers

444 Luna Avenue

Los Lunas, NM 87031

Board of County Commissioners

<i>Georgia Otero-Kirkham, Chair</i>	<i>District II</i>
<i>Mary J. Andersen, Vice-Chair</i>	<i>District I</i>
<i>Lawrence R. Romero</i>	<i>District III</i>
<i>Ron Gentry</i>	<i>District IV</i>
<i>Donald E. Holliday</i>	<i>District V</i>

- 1) Call Meeting to Order
- 2) Pledge of Allegiance
- 3) Approval of Agenda
- 4) Approval of Minutes: July 6, 2011 - Business Meeting
July 13, 2011 – Public Hearing Meeting

Georgia Otero-Kirkham

PRESENTATION(S)

- 5) Los Lunas Corridor Study Update: **Dave Pennington**

DISCUSSION (Non-Action) ITEM(S)

- 6) Discussion of Precinct Boundary Adjustments: **Secretary of State Dianna J Duran**
- 7) Directors Reports: **Kenny Griego – Audit Update**
- 8) Reports from Manager, Commissions, Boards & Committees

ACTION ITEM(S)

- 9) Consideration of Approval of Precinct Adjustments by Resolution: **Peggy Carabajal**

BOARD OF COUNTY COMMISSIONERS CONVENES AS INDIGENT CLAIMS BOARD

- 10) Consideration of Indigent Report/Appeals: **Kenny Griego / Barbara Baker**

BOARD RE-CONVENES AS BOARD OF COUNTY COMMISSIONERS

- 11) Consideration of Termination of Valencia Health Commons Contract: **Georgia Otero-Kirkham**
- 12) Consideration of Issuance of Notice of Termination of Valencia Health Commons Contract: **County Commission**
- 13) Consideration of **Resolution 2011-___**, Authorizing the Update of the Valencia County Workplace Harassment Policy: **Kenny Griego / Jacque Chavira**
- 14) Consideration to amend the Zoning Map from RR-2 to C-2 on the subject property defined as: T7N, R2E, Section 26, Map 75; NMPM; Lands of Unit P LLC & Bobson's LLC; Tract 3; Zoned RR-1; Filed in Book 362, Page 16222; of the Office of the Valencia County Clerk: **Eric Zamora / Jacobo Martinez**
- 15) Consideration to amend the Zoning map from PRO to S-R on the subject property defined as: T5N, R2E, Section 15; NMPM; Enchanted Mesa, Unit 4, Block 1 Lot B; Zoned PRO; Filed in Book 364, page 6241; of the Office of the Valencia County Clerk: **Eric Zamora / Jacobo Martinez**

16) Consideration to amend the Zoning Map from PRO to C-1 on the subject property defined as: T5N, R2E, Section 15, NMPM; Enchanted Mesa, Unit 4, Block 1 Lot B; Zoned PRO; Filed in Book 364, Page 6241; of the Office of the Valencia County Clerk: **Eric Zamora / Jacobo Martinez**

17) Consideration of 10-11 County Arterial Program (CAP) Cooperative Agreement. Consideration of Cooperative Agreement Contract with the New Mexico Department of Transportation: **Eric Zamora / Lina Benavidez**

18) Consideration of 11-12 CO-OP (SP) Cooperative Agreement. Consideration of Cooperative Agreement Contract with the New Mexico Department of Transportation: **Eric Zamora / Lina Benavidez**

19) Consideration of 11-12 School Bus Route (SB) Cooperative Agreement. Consideration of Cooperative Agreement Contract with the New Mexico Department of Transportation: **Eric Zamora / Lina Benavidez**

FINANCIAL MATTERS:

20) Consideration of Approval: Payroll / Warrants: **Kenny Griego**

PUBLIC COMMENT:

Please sign up on the sheet located just outside the Commission chambers. The Board will allow each member of the public wishing to address the Board a full and complete opportunity to address the Commission

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 threatened litigation: FOP Contract; c. other specific limited topics that are allowed or authorized under the stated statute.

- ◆ Motion and roll call vote to go into Executive Session for the stated reasons
- ◆ Board meets in closed session
- ◆ Motion and vote to go back into regular session
- ◆ Summary of items discussed in closed session
- ◆ Motion and roll call vote that matters discussed in closed session were limited to those specified in motion For closure, and that no final action was taken, pursuant to the authority in §10-15-1 NMSA 1978.

NEXT COMMISSION MEETING:

- ◆ August 3, 2011- Business Meeting @ []
Valencia County Commission Board Room 444 Luna Ave. LL, NM

ADJOURN:

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the Valencia County Manager's Office at the Valencia County Courthouse, Los Lunas, New Mexico, (505) 866-2014 at least one week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact the Valencia County Manager's Office at the old Valencia County Courthouse if a summary or other type of accessible format is needed.

Please Silence All Electronic Devices – Thank You!



VALENCIA COUNTY
Board of County Commissioners

Agenda Request Form

Department Head: Kenneth Griego
Individual Making Request: Barbara Baker
Presentation at Meeting on: July 20, 2011
Date Submitted: July 8, 2011
Title of Request: Indigent Report and 1 Appeal

Action Requested of Commission:

Consideration of the Indigent Report for July 20, 2011
Consideration of the Indigent Appeal for July 20, 2011

Information Background and Rationale

Indigent Report with 61 claims (See Attached)
One Indigent Appeal (See Attached)

What is the Financial Impact of this Request?

\$63,340.25 recommended for approval for the Indigent Report
\$3,000.00 recommended for approval for the Indigent Appeal

Staff Comments:

Legal: The report and appeal are in order is germane for the Board of County Commissioners.
AN

Finance: Sufficient funds in the fund for indigent claims and appeal. The current balance of the indigent fund is \$2,260,422.14 KG

Business Manager: The indigent report and appeal must be given to the Board of County Commissioners for approval. The indigent report and indigent appeal are complete and concise.
KG



VALENCIA COUNTY

Board of County Commissioners

Agenda Request Form

Department Head: County Commission

Individual Making Request: Georgia Otero-Kirkham

Presentation at Meeting on: July 20, 2011

Date Submitted: July 14, 2011

Title of Request: Consideration of Termination of Valencia Health Commons Contract

Action Requested of Commission:

Consideration of Termination of Valencia Health Commons Contract



VALENCIA COUNTY

Board of County Commissioners

Agenda Request Form

Department Head: County Commission

Individual Making Request: County Commission

Presentation at Meeting on: July 20, 2011

Date Submitted: July 14, 2011

Title of Request: Consideration of Issuance of Notice of Termination of Valencia Health Commons Contract

Action Requested of Commission:

Consideration of Issuance of Notice of Termination of Valencia Health Commons Contract



VALENCIA COUNTY

Board of County Commissioners

Agenda Request Form

Department Head: Kenneth S. Griego

Individual Making Request: Jacque Chavira

Presentation at Meeting on: 20 July 2011

Date Submitted: 11 July 2011

Title of Request: Resolution authorizing the update Valencia County Workplace Harassment Policy

Action Requested of Commission:

Consideration of Resolution authorizing the update of the Valencia County Workplace Harassment Policy.

Information Background and Rationale:

The existing Harassment Policy was not adequate and a revision was needed to meet the concerns of our staff. The adoption of the new policy will put us in line with State and Federal guidelines.

What is the Financial Impact of this Request?

There is no financial impact on the County.

Staff Comments:

Legal:

"Approved - this is an important policy update for the County". AN

Finance:

No impact on the budget. KG

Business Manager:

The resolution is needed to be in compliance with State and Federal guidelines. KG



VALENCIA COUNTY
Board of County Commissioners

AGENDA REQUEST FORM

Department Head: Eric Zamora/Jacobo Martinez

Individual Making Request: Robert Becker

Presentation at Meeting on: July 20, 2011

Date Submitted: July 14, 2011

Title of Request: Title: Request to amend the Zoning Map from RR-2 to C-2

Request:

Consideration to amend the Zoning Map from RR-2 to C-2 on the subject property defined as: T7N, R2E, Section 26, Map 75; NMPM; Lands of Unit P LLC & Bobson's LLC; Tract 3; Zoned RR-1; Filed in Book 362, Page 16222; of the Office of the Valencia County Clerk.

Legal Description:

T7N, R2E, Section 26, Map 75; NMPM; Lands of Unit P LLC & Bobson's LLC; Tract 3; Zoned RR-1; Filed in Book 362, Page 16222; of the Office of the Valencia County Clerk.

Information Background and Rationale

According to the applicant, the purpose for the zone change will be for its highest and best use for a locally owned business within the c-2 zone. Mr. Becker owns property to the South of the subject property that is currently zoned c-2. Mr. Becker would like to combine the subject property to his property and create a new site development plan (see back for the proposed plat). The property is surrounded by municipal commercial zoning to the north, C-2 zoning to the south and a combination of Residential and Commercial zoning to the east and west. Recently, the address of 21 Vigil road which is located south east of the subject property was rezoned C-2.

The Planning and Zoning board heard the request in a public meeting on May 25, 2011 and voted 5-0 to recommend approval of the zone change. The Planning and Zoning Commission found:

The proposed change is consistent with the goals, policies and any other applicable provisions of the comprehensive plan;

The proposed change is appropriate considering the surrounding land uses, the density and pattern of development in the area

The County Commission heard the request on July 13, 2011. No one stood in protest of the proposal.

Increase in traffic was brought up as a potential issue, Mr. Zamora stated that he had talked with NMDOT and they stated Mr. Becker would need to coordinate with the state regarding access.



VALENCIA COUNTY
Board of County Commissioners

AGENDA REQUEST FORM

Department Head: Eric Zamora/Jacobo Martinez

Individual Making Request: Las Margaritas

Presentation at Meeting on: July 20, 2011

Date Submitted: July 14, 2011

Title of Request: Title: Request to amend the Zoning Map from PRO to S-R

Request:

Consideration to amend the Zoning Map from PRO to S-R on the subject property defined as: T5N, R2E, Section 15; NMPM; Enchanted Mesa, Unit 4, Block 1 Lot B; Zoned PRO; Filed in Book 364, Page 6241; of the Office of the Valencia County Clerk.

Legal Description:

T5N, R2E, Section 15; NMPM; Enchanted Mesa, Unit 4, Block 1 Lot B; Zoned PRO; Filed in Book 364, Page 6241; of the Office of the Valencia County Clerk.

Information Background and Rationale

The applicants are in front of the board for a proposed zone change from PRO to S-R and C-1. The applicant has been in front of this board previously in order to rezone a portion of the land from PRO to S-R.

The County Commission passed the zone change 5-0 in April of 2010. Currently, the applicant is in front of the Planning and Zoning board to consider a zone change for the total amount of land that they own to include a C-1 property buffered by S-R property. There is an existing park to the west of the proposed zone change and residential property to the south and east of the subject property. There is commercial property to the north of the subject property.

The Planning and Zoning board heard the request in a public meeting on May 25, 2011 and voted 5-0 to recommend approval of the zone change. The Planning and Zoning Commission found:

- The proposed change is consistent with the goals, policies and any other applicable provisions of the comprehensive plan;
- The proposed change is appropriate considering the surrounding land uses, the density and pattern of development in the area

The request was heard by the County Commission on July 13, 2011. No one stood in protest of the proposal.



VALENCIA COUNTY
Board of County Commissioners

AGENDA REQUEST FORM

Department Head: Eric Zamora/Jacobo Martinez

Individual Making Request: Las Margaritas

Presentation at Meeting on: July 20, 2011

Date Submitted: July 14, 2011

Title of Request: Title: Request to amend the Zoning Map from PRO to C-1

Request:

Consideration to amend the Zoning Map from PRO to C-1 on the subject property defined as: T5N, R2E, Section 15; NMPM; Enchanted Mesa, Unit 4, Block 1 Lot B; Zoned PRO; Filed in Book 364, Page 6241; of the Office of the Valencia County Clerk.

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The County Commission passed the zone change 5-0 in April of 2010. Currently, the applicant is in front of the Planning and Zoning board to consider a zone change for the total amount of land that they own to include a C-1 property buffered by S-R property. There is an existing park to the west of the proposed zone change and residential property to the south and east of the subject property. There is commercial property to the north of the subject property.

The Planning and Zoning board heard the request in a public meeting on May 25, 2011 and voted 5-0 to recommend approval of the zone change. The Planning and Zoning Commission found:

- The proposed change is consistent with the goals, policies and any other applicable provisions of the comprehensive plan;
- The proposed change is appropriate considering the surrounding land uses, the density and pattern of development in the area

The request was heard by the County Commission on July 13, 2011. No one stood in protest of the proposal.



VALENCIA COUNTY
Board of County Commissioners

AGENDA REQUEST FORM

Department Head: Eric Zamora

Individual Making Request: Lina Benavidez

Presentation at Meeting on: July 20, 2011

Date Submitted: July 11, 2011

Title of Request: Consideration of 10-11 County Arterial Program (CAP) Cooperative Agreement

Action Requested of Commission:

Consideration of Cooperative Agreement contract with the New Mexico Department of Transportation.

Information Background and Rationale:

The CAP Program has been used to supplement county road funds to improve county roadways and is administered and approved by the New Mexico Department of Transportation. The County has received a total of \$130,005. The state share 75% (\$97,504) and County share of 25% (\$32,501)

What is the Financial Impact of this Request?

There is a positive financial impact from this request. The County must, however contribute 25% of the total cost which totals \$32,501

Summary of CAP- refer to table (next page)

Legal: The Agreement is Acceptable as to form: however it is important to note that the County is responsible for all pre-construction activities- including drainage and storm design, administering the contracts and is responsible for any cost overruns. Furthermore the projects must be completed by December 31, 2012. A.N

Finance:

The 25% will come from the Road Department budget. KG

Business Manager:

The CAP has been used to supplement county road funds to improve county roadways and is administered and approved by the New Mexico Department of Transportation. KG



VALENCIA COUNTY
Board of County Commissioners

AGENDA REQUEST FORM

Department Head: Eric Zamora

Individual Making Request: Lina Benavidez

Presentation at Meeting on: July 20, 2011

Date Submitted: July 11, 2011

Title of Request: Consideration of 11-12 CO-OP (SP) Cooperative Agreement

Action Requested of Commission:

Consideration of Cooperative Agreement contract with the New Mexico Department of Transportation.

Information Background and Rationale:

The SP Program has been used to supplement county road funds to improve county roadways and is administered and approved by the New Mexico Department of Transportation. The County has received a total of \$149,534. The state share 75% (\$112,151) and County share of 25% (\$37,384)

What is the Financial Impact of this Request?

There is a positive financial impact from this request. The County must, however contribute 25% of the total cost which totals \$37,384.00

Summary of SP- refer to table (next page)

Legal: The Agreement is Acceptable as to form: however it is important to note that the County is responsible for all pre-construction activities- including drainage and storm design, administering the contracts and is responsible for any cost overruns. Furthermore the projects must be completed by December 31, 2012. A.N

Finance:

The 25% will come from the Road Department budget. KG

Business Manager:

The supplement will improve county roadways and is administered and approved by the New Mexico Department of Transportation. KG



VALENCIA COUNTY
Board of County Commissioners

AGENDA REQUEST FORM

Department Head: Eric Zamora

Individual Making Request: Lina Benavidez

Presentation at Meeting on: July 20, 2011

Date Submitted: July 11, 2010

Title of Request: Consideration of 11-12 School Bus Route (SB) Cooperative Agreement

Action Requested of Commission:

Consideration of Cooperative Agreement contract with the New Mexico Department of Transportation.

Information Background and Rationale:

The SB Program has been used to supplement county road funds to improve county roadways and is administered and approved by the New Mexico Department of Transportation. The County has received a total of \$224,087. The state share 75% (\$168,065) and County share of 25% (\$56,022)

What is the Financial Impact of this Request?

There is a positive financial impact from this request. The County must, however contribute 25% of the total cost which totals \$56,022

Summary of SB- refer to table (next page)

Legal: The Agreement is Acceptable as to form: however it is important to note that the County is responsible for all pre-construction activities- including drainage and storm design, administering the contracts and is responsible for any cost overruns. Furthermore the projects must be completed by December 31, 2012. A.N

Finance:

The 25% will come from the Road Department budget. KG

Business Manager:

The SB has been used to supplement county road funds to improve county roadways and is administered and approved by the New Mexico Department of Transportation. KG