



A M E N D E D (8:45 am, 8-16-11)

August 17, 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>

Georgia Otero-Kirkham

- 1) Call Meeting to Order
- 2) Pledge of Allegiance
- 3) Approval of Agenda
- 4) Approval of Minutes: August 3, 2011 – Business Meeting, August 10, 2011 – Public Hearing

PRESENTATION(S)

- 5) PNM to Meadowlake Fire Department

DISCUSSION (Non-Action) ITEM(S)

- 6) Directors Reports: **Ruben Chavez**
- 7) Reports from Manager, Commissions, Boards & Committees

ACTION ITEM(S)

BOARD OF COUNTY COMMISSIONERS CONVENES AS INDIGENT CLAIMS BOARD

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

BOARD RECONVENES AS BOARD OF COUNTY COMMISSIONERS

- 9) Consideration of appointments to the Juvenile Justice Executive Board: **Eric Zamora/Cynthia Ferrari**
- 10) Consideration of awarding RFQ # 194 bid to Linda Corriz-Barreras: **Sheriff Louis Burkhard**
- 11) Consideration of a contract to retain Linda Corriz-Barreras as "Professional Advisor to the Sheriff": **Sheriff Louis Burkhard**
- 12) Consideration of the application for the BJA FY 11 Edward Bryne Memorial Justice Assistance Grant: **Sheriff Louis Burkhard**
- 13) Consideration of an MOA between Valencia County and the Thirteenth Judicial District to provide Pre-Trial Services for a twelve month period ending June 30, 2012 for the sum of \$50,000: **Jamie Goldberg**
- 14) Consideration of approving the New Mexico Aging and Long-Term Services Department Fund GOB Capital Appropriation Project Contract No. 2012-1226 for the Belen Senior Center: **Kenny Griego / Jose Campos**
- 15) Consideration of North Central New Mexico Economic Development District Non-Metro Area Agency on Aging Vendor Agreement: **Kenny Griego / Jose Campos**
- 16) Consideration to amend the Zoning Map from OD to C-2 on the subject property defined as: T6N, R1E, Section 4; NMPM; Lands of Nicolas Duran De Chavez Grant; Lot 44 and South ½ of Lot 38; Zoned O-D; Filed in Book 348, Page 9862; of the Office of the Valencia County Clerk: **Eric Zamora / Jacobo Martinez**
- 17) Consideration of Resolution 2011-____, to Increase Franchise Fees to Valencia County Haulers by three (3) percent: **Eric Zamora / Angel Martinez**
- 18) Consideration of Resolution 2011-____, Recognizing the Importance of Cooperation and the Pursuit of Regionalism among members of the Mid Region Council of Governments (MRCOG): **Eric Zamora**
- 19) Consideration of Appointment of Road Viewers; Palomar Place: **Eric Zamora**

20) Consideration of Contract with Tyler Technologies for County-Wide Software Upgrade: Eric Zamora / Lawrence Esquibel

FINANCIAL MATTERS:

21) Consideration to invest 2.1 million dollars in certificates of deposit with the banking institution providing the highest interest rate: Dorothy L Lovato

22) 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; **Consideration of Warden's Contract; Discussion of Attorneys Contract** b. pending or threatened litigation; 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:

- ◆ September 7, 2011 - Business Meeting @ 9:30 A.M.
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: August 17, 2011
Date Submitted: August 8, 2011
Title of Request: Indigent Report and 2 Appeals

Action Requested of Commission:

Consideration of the Indigent Report for August 17, 2011
Consideration of two Indigent Appeals for August 17, 2011

Information Background and Rationale

Indigent Report with 56 claims (See Attached)
Two Indigent Appeals (See Attached)

What is the Financial Impact of this Request?

\$52,170.30 recommended for approval for the Indigent Report
\$3,164.57 recommended for approval for the 2 Indigent Appeals

Staff Comments:

Legal: The report and 2 appeals are in order and is germane for the Board of County Commissioners. AN

Finance: Sufficient funds in fund for indigent claims and 2 appeals. The current balance of the indigent fund is \$2,275,779.06. KG

Business Manager: The indigent report and 2 appeals must be given to the Board of County Commissioners for approval. The indigent report and 2 indigent appeals are complete and concise. KG



VALENCIA COUNTY

Board of County Commissioners

Agenda Request Form

Department Head: Eric Zamora
Individual Making Request: Cynthia Ferrari
Presentation at Meeting on: 17 August, 2011
Date Submitted: 1 August, 2011
Title of Request: Juvenile Justice Board Executive Appointee

Action Requested of Commission:

Consideration of appointing the following to the Juvenile Justice Executive Board.

Judge John Pope:	District Court
Judge Tina Gallegos:	Magistrate Court
Ruben Barreras:	Los Lunas Schools Police Department
Pam Candelaria:	Children's Court Attorney
Shaun Gibson:	Calvary Chapel
Kenneth Griego:	Valencia County
Lindsey Lucero:	Valencia JPO Supervisor
Robert Miller:	Belen Police Department
Mink G. Price:	Valencia Counseling
Richard Romero:	Belen Schools

Information Background and Rationale

The Commission must approve all members of the Juvenile Justice Executive Board. The Board of County Commissioners appoints and approves of the County Representative on the Juvenile Justice Executive Board.

What is the Financial Impact of this Request?

There is no financial impact on the County.

Legal:

Finance:

No financial impact on the County. KG

Business Manager:

This initiative is mandated by the bylaws established by the Juvenile Justice Board. KG



VALENCIA COUNTY
Board of County Commissioners

Agenda Request Form

Department Head: Sheriff L. Burkhard
Individual Making Request: Sheriff L. Burkhard
Presentation at Meeting on: August 17, 2011
Date Submitted: August 8, 2011
Title of Request: Request for Approval of RFQ #194 Bid

Action Requested of Commission:

Consideration of awarding RFQ #194 bid to Linda Corriz-Barreras.

Information Background and Rationale

Valencia County solicited responses to RFQ#194, "Professional Advisor to the Sheriff". One bid was received. Sheriff chose to proceed through the contract process with the single bid which was from Linda Corriz-Barreras.

What is the Financial Impact of this Request?

The position has been included in the budget for this fiscal year.

Legal:

Not applicable

Finance:

The position has been included in the budget. KG

Business Manager:

The approval will provide the Sheriff with a qualified, certified undersheriff. KG



VALENCIA COUNTY

Board of County Commissioners

Agenda Request Form

Department Head:	Louis Burkhard
Individual Making Request:	Louis Burkhard
Presentation at Meeting on:	August 17, 2011
Date Submitted:	July 29, 2011
Title of Request:	Request for Approval of "Professional Advisor to the Sheriff" Contract Recipient

Action Requested of Commission:

Consideration of a contract to retain Linda Corriz-Barreras as "Professional Advisor to the Sheriff".

Information Background and Rationale

Valencia County solicited responses to RFQ #194, "Professional Advisor to the Sheriff". Linda Corriz-Barreras was awarded the contract.

What is the Financial Impact of this Request?

The contract is budgeted as the Undersheriff position. No additional funds will be requested from the County.

Legal:

Legal has reviewed and revised the contract. AN

Finance:

The funding for the position is in the budget. KG

County Manager:

The procurement process has been followed and a quality candidate has been solicited. KG



VALENCIA COUNTY
Board of County Commissioners

Agenda Request Form

Department Head:	Sheriff L. Burkhard
Individual Making Request:	Sheriff L. Burkhard
Presentation at Meeting on:	August 17, 2011
Date Submitted:	August 1, 2011
Title of Request:	JAG Grant Application Review

Action Requested of Commission:

Consideration of the application for the BJA FY 11 Edward Bryne Memorial Justice Assistance Grant.

Information Background and Rationale

An allocated amount of \$14,867 is available to the Valencia County Sheriff's Department. Sheriff Burkhard requests the funds be used to purchase tasers and replacement cartridges for the deputies. The grant funds will be allocated for equipment, therefore freeing funds in the department's GRT equipment fund for other necessary purchases.

What is the Financial Impact of this Request?

No Financial Impact.

Legal:

Not Applicable

Finance:

The grant will allow for equipment that would normally be purchased through GRT money. KG

County Manager:

The grant will allow for equipment that is needed by the Sheriff's Department. KG



VALENCIA COUNTY
Board of County Commissioners

AGENDA REQUEST FORM

Department Head: Kenneth Griego

**Individual Making Request: Thirteenth Judicial District Court, Jamie Goldberg,
Executive Officer**

Presentation at Meeting on: August 17, 2011

Date Submitted: August 5, 2011

Title of Request: MOA between Valencia County and the Thirteenth Judicial District, Pre-Trial Services

Action Requested of Commission:

Consideration of an MOA between Valencia County and the Thirteenth Judicial District to provide Pre-Trial Services for a twelve month period ending June 30, 2012 for the sum of \$50,000.

Information Background and Rationale

The Pre-trial Services program is an initiative of the 13th Judicial District. The program began in October of 2008 in Valencia County and is focused on reducing detention center costs and increasing public safety.

A pre-trial services program utilizes a screening process to determine which supervision best fits a person who has been charged with a crime. The program evaluates which defendants pose a danger to the community or a flight risk versus those defendants who may be safely managed. This allows courts to maximize defendant release rates at the earliest possible time after arrest while minimizing failure to appear for court hearings.

The screening involves a thorough background check of the following: a search for any current local and national arrest warrants; whether the defendant was convicted of other crimes in both state or federal courts; whether defendant served any probation and parole time; and, whether defendant has any pending state or federal criminal cases. Screening also determines whether defendant abuses drugs and subjects him to frequent drug testing by the program, or, whether defendant has mental health issues and can be placed under the supervision of the Mental Health Court. From this intensive screening process, the Pre-Trial Services Program provides the Court with a written report with release recommendations for each defendant. If released the detainee is supervised closely with drug testing and employment requirements.

The program, while administered by the District court, also provides tremendous services to the magistrate court as well.

What is the Financial Impact of this Request?

The County has budgeted \$50,000.00 from the General Fund in support of this program.

Legal:

Approved as to form. AN

Finance:

The amount requested has been budgeted. KG

Business Manager:

It is a good thing for the County, however it is supposed to be temporary and the District/State will request funding to continue the program. KG



VALENCIA COUNTY

Board of County Commissioners

Agenda Request Form

Department Head: Kenneth S. Griego

Individual Making Request: Jose Campos

Presentation at Meeting on: 17 August 2011

Date Submitted: 2 July 2011

**Title of Request: New Mexico Aging and Long-Term Services Department Fund GOB
Capital Appropriation Project**

Action Requested of Commission:

Consideration of approving the New Mexico Aging and Long-Term Services Department Fund GOB Capital Appropriation Project Contract No. 2012-1226 for the Belen Senior Center.

Information Background and Rationale:

The Older American Program will be able to plan, design, construct, equip and furnish the expansion of the Belen Senior Center in Valencia County.

What is the Financial Impact of this Request?

The 2010 Legislature enacted Chapter 3, Section 10/A 2010 Laws of New Mexico. The law appropriated a total of \$300,000.00, of which three thousand dollars (\$3,000) is directed for art in Public Places, if applicable. No matching funds are required.

Legal:

Finance:

The project does not impact the General Fund. The total funding for the project is a \$300,000 Legislative Appropriation for the Belen Senior Center. KG

Business Manager:

The project funds shall not be used for purposes other than those specified in the Legislative Appropriation. K.G.



VALENCIA COUNTY

Board of County Commissioners

Agenda Request Form

Department Head: Kenneth S. Griego

Individual Making Request: Jose Campos

Presentation at Meeting on: 17 August 2011

Date Submitted: 28 July 2011

Title of Request: Non-Metro Area Agency on Aging Vendor Agreement

Action Requested of Commission:

Consideration of North Central New Mexico Economic Development District Non-Metro Area Agency on Aging Vendor Agreement.

Information Background and Rationale:

The Vendor agrees to provide the services, attached, to clients as identified in accordance with the Direct Purchase of Service vendor application, all required assurances, licenses, certifications and rate setting documents, as applicable. The Agency shall pay the Vendor during the Term an aggregate amount, including gross receipts tax, not to exceed \$379,456.00 for the services rendered.

What is the Financial Impact of this Request?

Valencia County contributes \$276,500 to the Older American Program.

Staff Comments:

Legal:

The agreement is "acceptable as to form with the agreed to change to Section 21. AN

Finance:

This has been budgeted for FY2011/2012, for the Older American Program. KG

Business Manager:

This agreement provides a mechanism for the creation of community resources for the Older Americans in Valencia County. KG



VALENCIA COUNTY
Board of County Commissioners

AGENDA REQUEST FORM

Department Head: Eric Zamora/Jacobo Martinez

Individual Making Request: Oscar Palacio/Annie Montoya/Tabet Agent

Presentation at Meeting on: August 17, 2011

Date Submitted: August 11, 2011

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

Request:

Consideration to amend the Zoning Map from OD to C-2 on the subject property defined as: T6N, R1E, Section 4; NMPM; Lands of Nicolas Duran De Chavez Grant; Lot 44 and South ½ of Lot 38; Zoned O-D; Filed in Book 348, Page 9862; of the Office of the Valencia County Clerk.

Legal Description:

T6N, R1E, Section 4; NMPM; Lands of Nicolas Duran De Chavez Grant; Lot 44 and South ½ of Lot 38; Zoned O-D; Filed in Book 348, Page 9862; 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 OD to C-2. According to the applicant, they would like to start up a horse training facility that will provide training for horses, trainers and jockey professionals. Pony riding will be provided along with other rodeo events. There will be concerts and food for entertainment.

The Planning and Zoning board first heard the case on May 25, 2011 at which time it was tabled and the board asked the applicant for more detailed information. The case was moved to June 22, 2011. The applicant failed to provide any more information. At the public hearing on June 22, 2011, one person stood for the proposed change and two people stood against the proposed change. Ms. Smith, who stood against the proposed change and is the San Clemente neighborhood President, read letters from others who stood against the proposed change. The Planning and Zoning board voted 3-1 to recommend denial of the proposed zone change on the basis that the proposed use of the subject property does not may fit in with the surrounding area and there is not adequate road infrastructure and proper rail crossing for this type of zone change.

The surrounding land uses are zoned OD and there is very low density surrounding the subject property. There is a Horse and Cattle sale barn approximately 4.5 miles north of the subject property.

The County Commission heard the case on August 10, 2011. 5 residents stood against the proposed zone change. No residents stood in favor. Concerns brought up by the commission included:

- Types of events that are planned to be held.
- Condition of access easement
- Condition of actual roads



VALENCIA COUNTY
Board of County Commissioners

AGENDA REQUEST FORM

Department Head: Eric Zamora
Individual Making Request: Angel Martinez Jr.
Presentation at Meeting on: August 17, 2011
Date Submitted: August 9, 2011
Title of Request: Resolution

Action Requested of Commission:

Consideration of Resolution # _____ to increase franchise fees to Valencia County haulers by three (3) percent.

Information Background and Rationale:

In accordance with Chapter 50, Solid Waste Ordinance, all solid waste haulers operating in Valencia County must comply with New Mexico Environmental Department, Department of Transportation regulations and Valencia County Ordinances. The Environmental Health Department Solid Waste Division enforces these requirement through Section 50.06 (COMMERCIAL/RESIDENTIAL HAULER PERMIT). As a term of the franchise agreement the hauler is to pay and enforcement fee on a monthly basis of four (4) percent of residential revenue collected and five (5) percent of commercial revenue collected.

What is the Financial Impact of this Request?

Increasing the franchise fee by three (3) percent will increase revenue by approximately \$54,750 annually. This is based on current collections through May 2011. The additional revenue will supplement and provide sufficient funding in the solid waste fee to create one full time position within the Solid Waste Division to serve as a public health inspector and enforce the illegal dumping and disposal requirements of the Solid Waste Ordinance.

Legal:

Finance:

Business Manager:



VALENCIA COUNTY

Board of County Commissioners

Agenda Request Form

Department Head: Eric Zamora

Individual Making Request: MRCOG

Presentation at Meeting on: August 17, 2011

Date Submitted: August 8, 2011

Title of Request: Resolution in support of Regionalism

Action Requested of Commission:

Consideration of Resolution 2011-____, recognizing the importance of cooperation and the pursuit of regionalism among members of the Mid Region Council of Governments (MRCOG)

Information Background and Rationale:

"Let's work together."

How many times have we said or heard this? Yet, working together can be particularly challenging between governments. We have different boundaries, varied priorities, and elected officials with unique agendas. However, many geographic features and natural resources do not follow these human-created boundaries-- like drinking water and air quality. Likewise, many citizens commute, shop, and live between various cities and counties, crossing political boundaries.

Therefore, we have all the more reason to celebrate the times when collaboration and cooperation **actually works**. A recent forum is case in point. Despite strained budgets due to a recovering economy, a gathering of Mayors, City Councilors, County Commissioners, City and County Managers and others found **common ground** on shared goals.

The taxpayers only benefit when we find ways to collaborate. Working together, we can communicate better, reduce redundancy, discover gaps in service, and make more efficient and effective use of our time. Below is the summary from our meeting.

Dewey Cave

Executive Director

What is the Financial Impact of this Request?

No negative financial impact expected. However, through regional partnerships and sharing of resources there could be areas where cost savings will be realized.

Staff Comments:

Legal:

Finance:

Business Manager:



VALENCIA COUNTY

Board of County Commissioners

Agenda Request Form

Department Head: Eric Zamora
Individual Making Request: Eric Zamora
Presentation at Meeting on: August 17, 2011
Date Submitted: August 11, 2011
Title of Request: Appointment of Road Viewers; Palomar Place

Action Requested of Commission:

Consideration of appointment of road viewers

Information Background and Rationale:

Palomar Place is a road identified on a subdivision plat as roadway ending in a cul-de-sac. Based on information presented to the county by local residents, several years ago a road was cut through to James Road, from the cul-de-sac. Eventually, the road accepted by the county as a maintained roadway. Mr. Ken Cordova, while researching details of his plat, noted that the cut-through road was on his property and was not on an identified easement. Mr. Cordova contacted the county and petitioned resident in the area to close the cul-de-sac. Given the attached petition, the process to vacate a county road begins with an analysis by road viewers and follows with recommended action to the county commission.

What is the Financial Impact of this Request?

Minimal impact through the deletion of maintenance on approximately 150 ft. of dirt roadway.

Staff Comments:

Legal:

This process is required pursuant to NMSA 1978, Section 67-5-4 (1905) and Valencia County Code 94.100 et seq. AN

Finance:

n/a

County Manager:

Recommend action to assign road viewers and follow state statutes regarding road vacation process. E.Z.



VALENCIA COUNTY

Board of County Commissioners

Agenda Request Form

Department Head: Eric Zamora

Individual Making Request: Eric Zamora

Presentation at Meeting on: August 17, 2011

Date Submitted: August 12, 2011

Title of Request: County Software Upgrades; Tyler Technology

Action Requested of Commission:

Consideration of contract with Tyler Technologies for county-wide software upgrade.

Information Background and Rationale:

County staff have considered and evaluated plans to upgrade the county's software. Within the past two years presentations by various companies have been heard, implementation projects have been assessed and interviews with local governments have been conducted and it is the recommendation of Administration to consider the product offered by Tyler Technologies. This product has been implemented in various counties and municipalities throughout the state. With approval of the county commission, we will utilize existing local government contract to proceed with the procurement of this product.

What is the Financial Impact of this Request?

\$300,000 has been budgeted and will cover the first year's cost of implementation, training and support services. Funds are also currently budgeted in IT to cover hardware costs necessary to provide for the upgrades. This amount is approximately \$101,000. \$326,000 per year, for the next six years, will need to be budgeted in subsequent budget years to complete the project. We currently pay Triadic approximately \$75,000 per year to support our current software.

Staff Comments:

Legal:

Finance:

The Tyler software has been budgeted for and will greatly enhance the efficiency in the finance department. KG

County Manager:

Tyler has demonstrated the most comprehensive package for county-wide implementation, recommend approval. E.Z.



VALENCIA COUNTY
Board of County Commissioners

AGENDA REQUEST FORM

Department Head: Dorothy L. Lovato, Valencia County Treasurer

Individual Making Request: Dorothy Lovato

Presentation at Meeting on: August 17, 2011

Date Submitted: August 8, 2011

Title of Request: Investment of Certificates of Deposit

Action Requested of Commission:

Consideration to invest 2.1 million dollars in certificates of deposit with the banking institution providing the highest interest rate.

Information Background and Rationale

On August 15th and 16th the Treasurer's Office will be contacting the six local banking institutions to inquire on interest rates offered on investments, in order to invest at the highest rate with the requirement of 102% collateral. (State Statute 6-10-10) Public funds should be invested in a manner that insures the safety of the investment.

What is the Financial Impact of this Request?

To receive the highest interest rate possible. Interest earned from August 19, 2010 to August 19, 2011 was \$16,785.77.

Legal:

Finance:

Business Manager: