



September 21, 2011
Agenda
9:30 A.M. Business Meeting
Valencia County Commission Chambers
444 Luna Avenue
Los Lunas, NM 87031

Board of County Commissioners
Georgia Otero-Kirkham, Chair District II
Mary J. Andersen, Vice-Chair District I
Lawrence R. Romero District III
Ron Gentry District IV
Donald E. Holliday District V

Georgia Otero-Kirkham

- 1) Call Meeting to Order
- 2) Pledge of Allegiance
- 3) Approval of Agenda
- 4) Approval of Minutes: September 7, 2011-Business Meeting; September 14, 2011-Public Hearing Meeting

PRESENTATION(S)

- 5) Regional Plan for Sustainable Government – Thaddeus Lucero/Dewey Cave (MRCOG)
- 6) Valencia County Cooperative Extension Service – Quarterly Report – Brenda Velasquez
- 7) Pre-Trial Services – Chris Marquez

DISCUSSION (Non-Action) ITEM(S)

- 8) Reports from Manager, Commissions, Boards & Committees

ACTION ITEM(S)

BOARD OF COUNTY COMMISSIONERS CONVENES AS INDIGENT CLAIMS BOARD

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

BOARD RECONVENES AS BOARD OF COUNTY COMMISSIONERS

- 10) Consideration to Approve Contract Amendment #2 to Allow Expansion of the Valencia County Juvenile Justice Board Services: **Cynthia Ferrari**
- 11) Consideration to amend the Zoning Map from RR-2 to C-2 on the subject property defined as: T6N, R2E, Section 20, Map 87; NMPM; Zoned RR-2; Tract 87A1 & 87A2; Filed in Book 365, Page 2940; of the office of the Valencia County Clerk. **Eric Zamora / Jacobo Martinez**
- 12) Consideration of RFP# 192, Contract with Parsons Brinkerhoff for Manzano Expressway Rehabilitation "Engineering Services": **Eric Zamora**
- 13) Consideration of Resolution 2011-___: Authorizing Suspension of Hospital Mill Levy for Fiscal Year 2011: **Commissioner Ron Gentry**

- 14) Request for Approval of Bid 667 Foods Non-foods, Meat, Fish, Poultry & Dairy-Valencia County Older American Program: **Kenny Griego**
- 15) Consideration of the Nutrition Service Incentive Program Contract and Notification of Grant Awards: **Kenny Griego**
- 16) Consideration of Professional Document Systems (PDS) Contract for Converting Images and Data from all Types of Media from Books to Existing Computer Files: **Sally Perea**
- 17) Consideration of Resolution 2011-___: Authorizing the Execution and Delivery of a Loan Agreement and Intercept by and between Valencia County and the New Mexico Finance Authority for the Purchase of the Fire Tanker for Valencia-El Cerro Fire Department in the amount of \$253,750: **Glenda Chavez / Charles Eaton**
- 18) Consideration of Resolution 2011-___: Authorizing the Execution and Delivery of a Loan Agreement and Intercept by and between Valencia County and the New Mexico Finance Authority for the Purchase of a Brush Truck for the Jarales-Pueblitos Fire Department in the amount of \$169,393: **Glenda Chavez / Charles Eaton**
- 19) Consideration of Resolution 2011-___: Authorizing the Execution and Delivery of a Loan Agreement and Intercept by and between Valencia County and the New Mexico Finance Authority for the Purchase of Fire Tanker for Manzano Vista Fire Department in the amount of \$253,750: **Glenda Chavez / Charles Eaton**
- 20) Consideration of 2011 Property Tax Rates 7-37-7 NMSA: **Viola Vallejos**

FINANCIAL MATTERS:

- 21) 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 **Lone Mountain**; 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:

Please Silence All Electronic Devices – Thank You!

♦ October 5, 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.



VALENCIA COUNTY
Board of County Commissioners

Agenda Request Form

Department Head: Kenneth Griego
Individual Making Request: Barbara Baker
Presentation at Meeting on: September 21, 2011
Date Submitted: September 12, 2011
Title of Request: Indigent Report

Action Requested of Commission:

Consideration of the Indigent Report for September 21, 2011

Information Background and Rationale

Indigent Report with 91 Claims (See Attached)

What is the Financial Impact of this Request?

\$83,374.06 recommended for approval for the Indigent Report

Staff Comments:

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

Finance: Sufficient funds in fund for indigent claims. The current balance of the indigent fund is \$2,322,602.64. KG

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



VALENCIA COUNTY

Board of County Commissioners

Agenda Request Form

Department Head: Cynthia Ferrari

Individual Making Request: Cynthia Ferrari

Presentation at Meeting on: September 21, 2011

Date Submitted: September 14, 2011

Title of Request: Valencia County Continuum Board Contract Amendment #2

Action Requested of Commission:

Consideration of Valencia County Continuum Board Contract Amendment #2

Information Background and Rationale:

CYFD is proposing to amend the current contract with Valencia County to provide county with an increase in funds in the amount of \$50,000 for a contract total for FY'12 of \$87,500. These additional funds would benefit the community by allowing the expansion of the Valencia County Juvenile Justice Board services and there would be no cost to the county.

What is the Financial Impact of this Request?

There would be no cost to the county.

Staff Comments:

Legal:

Approved. AN

Finance:

The budget for Juvenile Justice will be increased by \$50,000. KG

Business Manager:

The additional funds expand the services offered by the Juvenile Justice Board. KG



VALENCIA COUNTY
Board of County Commissioners

AGENDA REQUEST FORM

Department Head: Eric Zamora/Jacobo Martinez

Individual Making Request: Wilmer Gabaldon

Presentation at Meeting on: September 21, 2011

Date Submitted: September 15, 2011

Title of Request: Title: Request to amend the Zoning Map from RR-2 to C-2 (ZC 11_007)

Request:

Consideration to amend the Zoning Map from RR-2 to C-2 on the subject property defined as: T6N, R2E, Section 20, Map 87; NMPM; Zoned RR-2; Tract 87A1 & 87A2; Filed in Book 365, Page 2940; of the office of the Valencia County Clerk.

Legal Description:

T6N, R2E, Section 20, Map 87; NMPM; Zoned RR-2; Tract 87A1 & 87A2; Filed in Book 365, Page 2940; of the office of the Valencia County Clerk.

Information Background and Rationale

For your consideration is a zone change from RR-2 to C-2. According to the applicant, the purpose for the zone change will be for a tenant to open a small car sales lot to sell classic trucks and some cars and horse trailers. The lot is less than 3 quarters of an acre and building a structure will be costly because of EPA standards for septic. There is question as to whether Mr. Gabaldon will be repairing vehicles on site. There is an elementary school directly across the subject property and there is commercial zoned property to the north.

Packets were handed out for department reviews on July 1, 2011. Code enforcement stated that a building will need to be permitted if one is to be constructed. Also, there are no code violations on the subject property. The Public Works Department has no issues. The Sheriff's Department has no issues. The Fire Department has no issues but needs to be contacted prior to any occupancy and opening a facility of inspection. The Rural Addressor will not address a site without a building or a home.

The Planning and Zoning board heard the request in a public meeting on July 20, 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 in a public meeting on September 14, 2011. The Commission asked Mr. Gabaldon if he will be repairing vehicles on the site to which Mr. Gabaldon stated he will not be repairing, washing or doing in maintenance on the subject property. No one stood for or against the zone change request.



VALENCIA COUNTY

Board of County Commissioners

Agenda Request Form

Department Head: Eric Zamora

Individual Making Request: Lina Benavidez

Presentation at Meeting on: September 21, 2011

Date Submitted: September 12, 2011

Title of Request: Consideration of RFP# 192 Manzano Express Way Rehabilitation
"Engineering Services"

Action Requested of Commission:

Consideration of approval for RFP# 192 Contract with Parsons Brinkeroff for Engineering Services

Information Background and Rationale:

Valencia County has requested for a proposal on engineering services for the rehabilitation on Manzano Express Way. This is required through Federal Highway Administration (FHWA) in order to reconstruct Manzano Express Way. The proposals submitted were evaluated by a committee and were scored from highest to lowest are as follows:

1. VECTOR ENGINEERING, VENDOR #4
2. PARSON BRINKEROFF, VENDOR #3
3. OCCAM, VENDOR #1
4. ANCHOR ENGINEERING, VENDOR #2

County of Valencia tried negotiating a reasonable cost with Vector Engineering Service and was unsuccessful. The County went forth with the second highest score, Parson Brinkeroff and was able to negotiate a cost that is not to exceed \$25.612.94

What is the Financial Impact of this Request?

No financial Impact to County

Legal:

The contract is acceptable as to form and upon the expiration of the 15 day protest period from the "notice of award" it may be approved. A.N

Finance:

FY11-12, The County has been awarded a Grant in the sum of \$869,851. Expenditures for this project "Planning, design & Construction of Manzano Expressway from Van Camp Blvd to South Rio Del Oro Loop and from Dehann to NM 47, will be based on a reimbursable from the New Mexico Department of Transportation. WA

Business Manager:

The Procurement procedure was followed according to state statute. KG



VALENCIA COUNTY

Board of County Commissioners

Agenda Request Form

Presentation by: Commissioner Ron Gentry

Individual Making Request: Commissioner Ron Gentry

Presentation at Meeting on: September 21, 2011

Date Submitted: September 15, 2011

Title of Request: Suspend Hospital Mill Levy for FY 2011/12

Action Requested of Commission:

Consideration of Resolution to suspend collection of Hospital Mill Levy for Fiscal Year 2011/12

Information Background and Rationale:

State statute allows that the Board of County Commissioners can suspend the collection of the mill levy on an annual basis if it determines the funds are not needed. Approval of this resolution will suspend the mill levy for the next tax year and future tax years, if considered, would need similar resolutions.

What is the Financial Impact of this Request?

Since tax payers would not be assessed, mill levy proceeds would not be collected for the year.

VALENCIA COUNTY
BOARD OF COUNTY COMMISSIONERS
RESOLUTION № 2011-____
DIRECTING THAT THE VALENCIA COUNTY HOSPITAL MILL LEVY
NOT BE MADE FOR TAX YEAR 2011

WHEREAS, the Board of County Commissioners met in a regularly scheduled meeting on Wednesday, September 21, 2011, at 9:30 a.m. in the Valencia County Administration Building 444 Luna Avenue, Los Lunas, New Mexico 87031; and,

WHEREAS, Section 4-37-1 *et seq.* NMSA 1978 provides that counties may adopt those resolutions and ordinances, not inconsistent with statutory or constitutional limitations placed on counties, to discharge those powers necessary and proper to provide for the safety, preserve the health, promote the prosperity and improve the morals, order, comfort and convenience of the county and its inhabitants; and,

WHEREAS, at the November 7, 2006 General Election, the County submitted the question of the imposition of a Mill Levy of 2.75 mills to finance the cost of operating, maintaining or providing for a hospital/24 hour emergency healthcare facility to the registered qualified electors of Valencia County as authorized by Section 4-28B-1 *et seq.*, NMSA 1978 (the "Hospital Funding Act"); and,

WHEREAS, in said election, the voters approved the imposition of the Mill Levy by a vote of 14,245 in favor to 4,438 opposed; and,

WHEREAS, July 16, 2008 the Board of County Commissioners entered into a contract ("Contract") with Valencia Health Commons, a New Mexico non-profit corporation ("VHC"), to transfer the Mill Levy funds from the County to VHC for operation and maintenance of a hospital following VHC's receipt of a Certificate of Substantial Completion of the Hospital Project within thirty-six (36) months of the effective date of the Contract; and,

WHEREAS, on April 21, 2011 the Board of County Commissioners extended the deadline for VHC to receive a Certificate of Substantial Completion by 20 months; and,

WHEREAS, as of the date of this resolution, the Board of County Commissioners has provided Valencia Health Commons notice of termination of the Health Services Contract pursuant to Section 4.4(A); and,

WHEREAS, the contract with VHC originally anticipated transferring only 3 years of mill levy funds collected to VHC upon the receipt of a Certificate of Substantial Completion; and,

WHEREAS, the mill levy fund has accumulated an amount that far exceeds the original 3 year amount; and,

WHEREAS, the country is experiencing an economic recession and the mill levy is a significant tax burden paid by the property owners of the County which may be suspended when it is not needed.

NOW THEREFORE, BE IT RESOLVED, that pursuant to NMSA 1978, Section 4-48B-15(D) (1995) the Board of County Commissioners of Valencia County directs that the mill levy shall not be made for tax year 2011 since sufficient funds for operation and maintenance of a hospital are currently available.

BE IT FURTHER RESOLVED, by the Board of County Commissioners of Valencia County that the Board understands that foregoing the collection of the mill levy for a tax year will not extend the mill levy but instead will reduce the total years of collection from 8 years to 7 years.

BE IT FURTHER RESOLVED, by the Board of County Commissioners of Valencia County that staff is hereby directed to deliver a copy of this resolution to VHC upon its execution comply with the notice requirements of sections 3.4 and 4.3 of the Contract.

APPROVED, ADOPTED, AND PASSED on this 21st day of September, 2011.

BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF VALENCIA

Georgia Otero-Kirkham,
Chair, District II

Mary J. Andersen
Vice-Chair, District I

Lawrence R. Romero
Commissioner, District III

Ron Gentry
Commissioner, District IV

Donald E. Holliday
Commissioner, District V

Attest:

Sally Perea, County Clerk



VALENCIA COUNTY

Board of County Commissioners

Agenda Request Form

Department Head: Kenneth Griego

Individual Making Request: Jose Campos

Presentation at Meeting on: 21 September 2011

Date Submitted: 13 September 2011

Title of Request: Request for Approval Bid#667 / Foods Non-foods, Meat, Fish Poultry & Dairy

Action Requested of Commission:

Consideration of approval for Bid 667, for the purpose of supplying Food and Non food items for the older American program. To multiple vendors;

Shamrock Foods	Rancho De Santa Fe	Creamland Dairies
2 Shamrock Way NW	Box 4	PO Box 25067
Albuquerque, NM	Valarde, NM	Albuquerque, NM

Sysco
601 Comanche Rd. NE
Albuquerque, NM

Information Background and Rationale:

The Valencia County Older American Program is seeking to award the Foods-Non Foods Bid to Multiple vendors listed above.

What is the Financial Impact of this Request?

Yearly estimation is approximately \$60,000.00 yearly.

Legal:

n/a

Finance:

Title C1, C2 & NSIP program for FY10/11 has budgeted for Foods & Non-Foods items. WA.

Business Manager:

The process satisfies the Procurement Code. KG



VALENCIA COUNTY

Board of County Commissioners

Agenda Request Form

Department Head: Kenneth S. Griego

Individual Making Request: Jose Campos

Presentation at Meeting on: 21 September 2011

Date Submitted: 12 September 2011

Title of Request: Nutrition Service Incentive Program (NSIP) Contract

Action Requested of Commission:

Consideration of the Nutrition Service Incentive Program Contract and Notification of Grant Awards.

Information Background and Rationale:

This agreement is made and entered into between the North Central New Mexico Economic Development district, Non-Metro Area Agency on Aging and Valencia County. Valencia County will be the fiscal agent and will adhere to the stipulations set by the Non-Metro Area Agency on Aging. It establishes the process and procedure to purchase agricultural Commodities for use in the Older American feeding program.

The scope of work is attached.

What is the Financial Impact of this Request?

The total amount payable to the Contractor under this Agreement shall not exceed \$67,709.00 for eligible meals served during the period July 1, 2011 through June 30, 2012.

Staff Comments:

Legal:

Approved as to form. AN

Finance:

\$67,709.00 will be budgeted for FY12 in the NSIP Fund. WA

Business Manager: K.G.

The Agreement incorporates all the agreements, covenants, and understandings between the parties. KG



VALENCIA COUNTY

Board of County Commissioners

Agenda Request Form

Department Head: County Clerk

Individual Making Request: Sally Perea

Presentation at Meeting on: September 21, 2011

Date Submitted: September 12, 2011

Title of Request: Consideration of PDS Document Conversion Contract

Action Requested of Commission

Consideration of Professional Document Systems (PDS) contract for converting images and data from all types of media from books to existing computer files.

Information Background and Rationale

The objective of the project is the conversion of Real Estate records maintained in the clerks office into digital format and importation of the data into the Triadic system. This will be done in phases.

What is the Financial Impact of this Request?

Total amount of the contract is \$60,000 and has been budgeted from the 449 Clerks equipment fund for phase I.

Legal:

We have reviewed and revised the draft contract with PDS and the contract is acceptable as to form. DP

Finance:

Fy12-\$60,000 budgeted for digitizing of records. WA

Business Manager:

The project will make it easier to retrieve data for staff and customers. KG



VALENCIA COUNTY

Board of County Commissioners

Agenda Request Form

Department Head: Glenda Chavez

Individual Making Request: Charles D. Eaton

Presentation at Meeting on: September 21, 2011

Date Submitted: September 12, 2011

Title of Request: Resolution

Action Requested of Commission: Consideration of Resolution, Authorizing the execution and delivery of a loan agreement and intercept by and between Valencia County and the New Mexico Finance Authority for the purchase of Fire Tanker for Valencia-El Cerro Fire Department in the amount of \$ 253,750.00

Information Background and Rationale: With the execution of this resolution Valencia County will formally be entering into a loan agreement with the New Mexico Finance Authority to purchase a Fire Tanker Truck. The New Mexico Finance Authority Board of Directors approved the loan application that was submitted by Valencia County on June 1, 2011 and were given tentative approval by the Board of Directors at the meeting held on August 11, 2011.

What is the Financial Impact of this Request? Revenue that will be used to repay this loan will come from State Fire Funds; the Department receives \$ 66,196.00 annually as revenue from the State. The approximate annual payment for this loan will \$ 25,000.00

Legal: The Pledged Revenues, i.e., the State Fire Protection Fund revenues distributed to the County annually by the State Treasurer pursuant to Section 59A-53-7, NMSA 1978, as amended, in the amount certified by the State Fire Marshal, may lawfully be pledged to secure the payment due under the Loan Agreement. D.P.

Finance: A portion of the State Fire Funds have been pledged and will be intercepted at the State level for the yearly payment for a Fire Tanker Truck for Valencia-El Cerro FD. WA

Business Manager: The purchase will allow for the needed upgrade of the Fire Truck Tanker for Valencia-El Cerro Fire Department. KG



VALENCIA COUNTY

Board of County Commissioners

Agenda Request Form

Department Head: Glenda Chavez
Individual Making Request: Charles D. Eaton
Presentation at Meeting on: September 21, 2011
Date Submitted: September 12, 2011
Title of Request: Resolution

Action Requested of Commission: Consideration of Resolution, Authorizing the execution and delivery of a loan agreement and intercept by and between Valencia County and the New Mexico Finance Authority for the purchase of a Brush Truck for the Jarales-Pueblitos Fire Department in the amount of \$ 169,393.00

Information Background and Rationale: With the execution of this resolution Valencia County will formally be entering into a loan agreement with the New Mexico Finance Authority to purchase of a Brush Truck. The New Mexico Finance Authority Board of Directors approved the loan application that was submitted by Valencia County on June 1, 2011 and were given tentative approval by the Board of Directors at the meeting held on August 11, 2011.

What is the Financial Impact of this Request? Revenue that will be used to repay this loan will come from County Fire Excise Tax; the Department receives \$ 20,000.00 annually as revenue from this tax. The approximate annual payment for this loan will \$ 15,000.00

Legal: The Pledged Revenues, i.e., the County Fire Excise tax revenues distributed to the County annually may lawfully be pledged to secure the payment due under the Loan Agreement. D.P.

Finance: A portion of State Fire Funds have been pledged and will be intercepted at the State level for yearly payment for a Brush Truck for the Jarales-Pueblitos FD. WA

Business Manager:

The purchase will allow for a needed upgrade of a Brush Truck for the Jarales-Pueblitos Fire Department. KG



VALENCIA COUNTY

Board of County Commissioners

Agenda Request Form

Department Head: Glenda Chavez

Individual Making Request: Charles D. Eaton

Presentation at Meeting on: September 21, 2011

Date Submitted: September 12, 2011

Title of Request: Resolution

Action Requested of Commission: Consideration of Resolution, Authorizing the execution and delivery of a loan agreement and intercept by and between Valencia County and the New Mexico Finance Authority for the purchase of Fire Tanker for Manzano Vista Fire Department in the amount of \$ 253,750.00

Information Background and Rationale: With the execution of this resolution Valencia County will formally be entering into a loan agreement with the New Mexico Finance Authority to purchase a Fire Tanker Truck. The New Mexico Finance Authority Board of Directors approved the loan application that was submitted by Valencia County on June 1, 2011 and were given tentative approval by the Board of Directors at the meeting held on August 11, 2011.

What is the Financial Impact of this Request? Revenue that will be used to repay this loan will come from State Fire Funds; the Department receives \$ 66,196.00 annually as revenue from the State. The approximate annual payment for this loan will be \$25,000.00

Legal: The Pledged Revenues, i.e., the State Fire Protection Fund revenues distributed to the County annually by the State Treasurer pursuant to Section 59A-53-7, NMSA 1978; as amended, in the amount certified by the State Fire Marshal, may lawfully be pledged to secure the payment due under the Loan Agreement. D.P.

Finance: A portion of the County Fire Excise Tax have been pledged and will be intercepted at the State level for the yearly payment for a Fire Tanker Truck for the Manzano Vista FD. WA

Business Manager: The purchase will allow for a needed upgrade of the Fire Tanker Truck for Manzano Vista Fire Department. KG



VALENCIA COUNTY

Board of County Commissioners

Agenda Request Form

Department Head: Viola Vallejos
Individual Making Request: Orlando Montoya
Presentation at Meeting on: September 21, 2011
Date Submitted: September 9, 2011
Title of Request: Yearly Tax Rates 2011

Action Requested of Commission:

Consideration of 2011 Property Tax Rates 7-37-7 NMSA

Information Background and Rationale:

7-38-34 NMSA 1978 Board of County Commissioners (Board) to issue and deliver to the County Assessor its own order imposing these rates.

What is the Financial Impact of this Request?

The Treasurer's Office will collect money from property taxes.

Staff Comments:

Legal:

N/A

Finance:

W.A.

Business Manager:

The Board of County Commissioners must authorize the Property Tax Values for Valencia County. KG