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10/31/2011



November 2, 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: October 12, 2011-Public Hearing; October 19, 2011-Business Meeting

DISCUSSION (Non-Action) ITEM(S)

- 5) Directors Reports – Glenda Chavez
- 6) Reports from Manager, Commissions, Boards & Committees

ACTION ITEM(S)

- 7) Consideration of Agreement between Cynthia Ferrari, the Juvenile Justice Coordinator and Valencia County-Professions Service Agreement VCJJB Continuum Coordinator: **Kenny Griego**
- 8) Consideration of Resolution 2011-___: Consideration of Approval of Resolution Designating Polling Places for the 2012 Primary and General Elections: **Sally Perea / Peggy Carabajal**
- 9) Consideration of Approval of Bid 668 / Solid Waste Department Used Semi Tractor: **Eric Zamora / Angel Martinez**
- 10) Consideration of Resolution 2011-___: Repealing Resolution 2011-47 and Establishing a Solid Waste Planning Committee: **Commissioner Don Holliday**

FINANCIAL MATTERS:

- 11) Consideration of Approval: Payroll / Warrants: **Kenny Griego / Wilma Abril**

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 (H) (2) (7) & (8), the following matters may be discussed in closed session: a. personnel **Public Works / Business Vacancies**; b. pending or threatened litigation: **Lone Mountain Construction, AFSCME**

Council 18 v. Valencia County PELRB Cause No. 309-11; Sarrett v. Valencia County D-1314-CV2011-01282 c. real property: Palomar Place; d. 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.

ACTION ITEMS FROM EXECUTIVE SESSION:

- ♦ Lone Mountain

NEXT COMMISSION MEETING:

- ♦ **November 16, 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: Kenneth Griego

Presentation at Meeting on: 2 November, 2011

Date Submitted: 17 October, 2011

Title of Request: Professional Service Agreement VCJJB Continuum Coordinator

Action Requested of Commission:

Consideration of Agreement between Cynthia Ferrari, the Juvenile Justice Coordinator and Valencia County.

Information Background and Rationale

The purpose of the agreement is to extend the contract, for the Juvenile Justice Coordinator, from October 1, 2011 through June 30, 2012 unless terminated pursuant to Article VI. The total amount appropriated to the Juvenile Justice Coordinator and the amount payable to the Coordinator under this agreement shall not exceed a total of \$22,500.00.

What is the Financial Impact of this Request?

The terms of this Agreement are contingent upon sufficient appropriations and authorization being made by the Legislature of New Mexico for the performance of this Agreement. If sufficient appropriations and authorization are not made by the Legislature, this Agreement shall terminate immediately upon written notice being given by the County to the Contractor.

Legal:

Approved as to form. AN

Finance:

The amount allocated in the Agreement will be based on reimbursable for FY12. WA

Business Manager:

The Agreement is necessary to pay the Juvenile Justice Coordinator. KG



VALENCIA COUNTY

Board of County Commissioners

Agenda Request Form

Department Head: County Clerk

Individual Making Request: Sally Perea/Peggy Carabajal

Presentation at Meeting on: November 2, 2011

Date Submitted: October 24, 2011

Title of Request: Consideration of Resolution designation polling places

Action Requested of Commission:

Consideration of approval of resolution designating polling places for the 2012 Primary and General Elections.

Information Background and Rationale:

NM Statute Section 1-3-2 requires that no later than the first Monday in November of the odd-numbered year the Board of County Commission shall, by resolution, designate polling places. The Clerk's Bureau of Election has added, in addition to the seven Voting Convenience Center, eight more centers (Los Lunas Council Chambers, School of Dreams Academy, Tome Dominguez de Mendoza, Community Center, Peralta Elementary School, Belen Parish Hall, Rio Grande Elementary School, Casa Colorada Community Center and Los Lunas Transportation Center which will take the place of the Valencia County Courthouse.)

What is the Financial Impact of this Request?

By using Voting Convenience Centers there will be some savings to the county.

Staff Comments:

The Voting Convenience Centers models early voting. A voter can choose the time and place the fits their schedule unlike the precinct system where voters must find their precinct or vote a provisional ballot where they might not have their candidate of choice.

Legal:

The Commission must confirm that the proposed plan establishes no less than one polling place for each precinct that is not a mail ballot election precinct, and requires that the Board designate as the polling place or places in each precinct, other than a mail ballot election precinct, the most convenient and suitable public building or public school building in the precinct that can be obtained. NMSA 1978, §1-3-7 (2011) D.P.

Finance:

FY12 Budget for Poll Workers is \$10,500. WA

Business Manager:

This will allow for a more convenient and efficient voting system for Valencia County. KG



VALENCIA COUNTY
Board of County Commissioners

AGENDA REQUEST FORM

Department Head: Eric Zamora

Individual Making Request: Angel Martinez

Presentation at Meeting on: November 2, 2011

Date Submitted: October 24, 2011

Title of Request: Consideration of award for Bid 668/ Solid Waste Department Used Semi Tractor/
Colorado Mach

Request:

Consideration of award for Bid 668/ Solid Waste Department Used Semi Tractor to Colorado Mach

Information Background and Rationale

Solid Waste currently has 1 Tractor truck used for transporting municipal solid waste to Valencia Regional Landfill and Cerro Colorado. This is not always dependable source of transportation and we are frequently required to close down or use the road department's transportation tractor truck. Colorado Mach was the only vendor that submitted a bid, that included all articles and descriptions described in the bid packet.

What is the Financial Impact?

Funding has been budgeted through for FY 2011- 2012

Legal:

This bid, pursuant to NMSA 1978, Section 13-1-108 (1987), shall be awarded to the lowest responsible bidder if it is in the best interest of the County?" A.N

Finance:

Funding for a purchase of a Semi-Tractor has been budgeted for FY12. WA

Business Manager:

The request for a Solid Waste Department Used Semi Tractor is greatly needed. KG

VALENCIA COUNTY
BOARD OF COUNTY COMMISSIONERS
RESOLUTION No 2011-____
REPEALING RESOLUTION 2011-47 &
ESTABLISHING A SOLID WASTE PLANNING COMMITTEE

WHEREAS, the Board of County Commissioners of Valencia County met in a regularly scheduled meeting on November 2, 2011 at the Valencia County Administration 444 Luna Ave., Los Lunas, New Mexico; and,

WHEREAS, the Board of County Commissioners has general authority to provide for the appointment and removal of volunteer advisory boards; and,

WHEREAS, NMSA 1978, Sections 4-37-1 *et seq.* 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, NMSA 1978, Sections 4-56-1 through 4-56-3 authorizes the county to establish and maintain, manage and supervise a system of storage, collection and disposal of all refuse; and,

WHEREAS, the Board of County Commissioners deems it advantageous to appoint a Committee pertaining to the planning, development and implementation of a Valencia County comprehensive solid waste program consistent with State Law and the Valencia County Solid Waste Management Ordinance, Valencia County Code Section 50.01 *et seq.*; and

WHEREAS, on October 19, 2011 the Board of County Commissioners adopted Resolution 2011-47 Establishing a Solid Waste Planning Committee and appointed members to serve on the Committee for its initial term; and,

WHEREAS, the Board of County Commissioners desires to revise the conditions of Resolution 2011-47 while retaining the members appointed on October 19, 2011.

NOW THEREFORE, BE IT RESOLVED, by the Valencia County Board of County Commissioners the following:

Section 1. Establishment

There is hereby established a Solid Waste Planning Committee to exist and serve as a planning and advisory body, at the discretion, pleasure and direction of the Board of County Commissioners.

Section 2. Purpose & Duties

The purpose & duties of the Solid Waste Planning Committee is to:

- A. work with and assist County Administration in the development and preparation of a comprehensive solid waste management program, that best serves the interests of the citizens of Valencia County and Valencia County Government, for consideration by the Board of County Commissioners;
- B. make policy recommendations for the implementation of the comprehensive solid waste management program to the Board of County Commissioners;
- C. make recommendations to the Board of County Commissioners regarding amendments to the Valencia County Solid Waste Management Ordinance and/or any solid waste management related resolutions and policies;
- D. perform other related tasks as directed by the Board of County Commissioners and / or the Valencia County Manager;
- E. abide by the terms of the Government Conduct Act NMSA 1978, Section 10-16-1 *et seq.* and conduct meetings in accordance with the highest ethical and moral responsiveness;
- F. maintain communications with the Board of County Commissioners and County Manager, furnish approved minutes of Committee meetings, and provide any reports as needed or requested;

Section 3. Membership, Qualifications, Structure & Terms

- A. Membership shall consist of five (5) members. Each Valencia County Commissioners shall appoint one (1) member of the Committee.
- B. It is desired that each member shall have a demonstrated interest and/or expertise in solid waste management and/or in addressing the County's solid waste collection and illegal dumping problems.
- C. All Committee Members shall serve at the pleasure of the Board of County Commissioners and may be removed at any time, with or without cause.
- D. The Solid Waste Planning Committee members, appointed by the Valencia County Commissioners on October 19, 2011, shall serve an initial term to expire on December 31, 2012. Other than for the initial term, the term for all members of the Committee shall begin on the first day of January, and shall expire on the last day of December, one year thereafter, or when each member's respective successor has been duly appointed and qualified. Members may be reappointed for unlimited additional successive terms.

Section 4. Rules & Officers

A. The Committee may at its option adopt, amend, and repeal rules (bylaws) for its further organization and operation, not inconsistent with the permitted Board of County Commissioners Policies, Orders or Directives.

B. The Board of County Commissioners may, from time to time by resolution or order, at its discretion, and as it deems appropriate or desirable, adopt, amend, abolish or otherwise change the rules and directives under which the Solid Waste Planning Committee exists and operates.

C. The Solid Waste Planning Committee shall elect a chairperson and vice-chairperson at its first meeting in a new year.

Section 5. Meetings

A. All meetings of the Solid Waste Planning Committee shall be advertised, open to the public and at all times be in compliance with the Open Meetings Act, NMSA 1978 Section 10-15-1 *et seq.* and Valencia County Resolution 2011-34 as amended from year to year.

B. Meetings may be called by the Board of County Commissioners, the County Manager or the Solid Waste Planning Committee Chair as deemed appropriate.

C. The Solid Waste Planning Committee shall meet the first (1st) Thursday of every month or as otherwise scheduled pursuant to Section 5 (B) of this resolution.

Section 6. Support Staff

A. Support staff may be provided as deemed necessary by the County Manager.

B. County Administration shall advertise all meetings of the Solid Waste Planning Committee pursuant to Valencia County Resolution 2011-34 as amended from year to year.

Section 7. Valencia County Resolution 2011-47 passed October 19, 2011 is hereby repealed and replaced with the adoption of this resolution.

APPROVED, ADOPTED, AND PASSED on this 2nd day of November 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