



November 16, 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: November 2, 2011-Business Meeting

Georgia Otero-Kirkham

DISCUSSION (Non-Action) ITEM(S)

- 5) Redistricting: Rod Adair
- 6) Directors Reports – Cynthia Ferrari
- 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) Appointment of Planning Commission member: **Chair Kirkham**
- 10) Consideration of Award of Bid 669 / Manzano View Rehabilitation Franklin's Earthmoving: **Eric Zamora**
- 11) Sheriff Burkhard respectfully requests the Commission's approval to allocate overtime funds for the Property Crimes Task Force: **Sheriff Burkhard**
- 12) Consideration of Joint Powers Agreement between the Town of Peralta and VCDC: **Joe Chavez**
- 13) Consideration of Joint Powers Agreement between the Pueblo of Isleta and VCDC: **Joe Chavez**

FINANCIAL MATTERS:

- 14) Consideration of Resolution 2011-___: Increase Expenditures and Revenues due to Grants to incorporate in FY12 Budget: **Kenny Griego / Wilma Abril**
- 15) 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: b. pending or threatened litigation: c. real property: 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.

NEXT COMMISSION MEETING:

◆ **December 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.

VALENCIA COUNTY BOARD OF COMMISSIONERS

BUSINESS MEETING

November 2, 2011

PRESENT	ABSENT
Georgia Otero-Kirkham, Chair	
Mary J. Andersen, Vice-Chair	
Lawrence R. Romero, Member	
Ron Gentry, Member	
	Donald E. Holliday, 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 Madam Chair Otero-Kirkham at 9:30 A.M.

2) Madam Chair led the Pledge of Allegiance.

3) Approval of Agenda

Commissioner Andersen moved for approval of the agenda. Seconded by Commissioner Romero. Motion carried unanimously.

4) Approval of Minutes: October 12, 2011 Public Hearing Meeting
October 19, 2011 Business Meeting

Commissioner Romero moved for approval of the minutes of October 12, 2011 Public Hearing Meeting and October 19, 2011 Business Meeting. Seconded by Commissioner Andersen. Motion carried unanimously.

DISCUSSION (Non Action) ITEMS(s)

5) Directors Reports – Glenda Chavez

Valencia County Emergency Services Coordinator presented an overview on emergency management, Valencia County specifically, what emergency management does and where the county is presently at.

6) Reports from Manager, Commissions, Boards & Committees

County Manager Eric Zamora will meet tomorrow morning at 10:00 A.M. with the Department of Transportation and individuals from the railrunner to discuss the potential rail crossing closures in the Los Chavez area just south of the airport to the north end of Belen. Since the Department of Transportation and Council of Government have taken over that right-a-way from BNSF, they are now responsible for licensing all of those crossings. Three identified within Valencia County are not properly licensed. What the DOT and the COG are asking the county or the private citizens to do is to consider accepting those crossings as licensed crossings. This meeting was prompted by phone calls to Senator Sanchez who will also be attending the meeting. Mr. Zamora will report back to the commission.

On the rail projects quiet zones, one being Highway 304 crossing which was completed in February 2010, Congressman Udall is now involved and entering into discussions with the State Department of Transportation regarding the changing of the speed limit on that section of roadway. Mr. Zamora hopes to have some positive results in the next month or so.

Construction has started on the Belen quiet zones located on Don Felipe, Mesa Road and Lopez Road and anticipate completion before the middle of December.

November 8, 2011 is the kickoff date for the Tyler conversion meeting to discuss implementation, planning and resources that are going to be required to make the conversion happen.

County Attorney has been working on a draft ordinance for heavy trucks on the issue related to the access at the Valencia High School at the south Rio Del Oro access which is the dirt road access behind the Los Maravillas Subdivision. This will be presented to the commission in the upcoming week.

Commissioner Gentry asked for an update on the redistricting for the commission seats. Mr. Zamora had not heard from Mr. Rod Adair who was sent the contract for the redistricting. Commissioner Gentry requested a plan or a report by the next business

meeting so they can start considering what they're going to be doing. He would like to see a plan and not a letter from Mr. Adair stating that he's working on it. Commissioner Gentry requested it be placed on the agenda and ready for the commissions review. Commissioner Andersen suggested that the plan be shared with the entire county before the commission takes an official vote on it. Place it on the agenda as information only for that particular item and perhaps allow comments from the public if its limited to that plan. She would not want to see it as an action item before it's had a chance to be published. County Manager Eric Zamora stated there will be three proposals and five public meetings, one per commission district.

Madam Chair informed the public that the Valencia Hispano Chamber will be having a luncheon for veterans, first responders and the armed forces at the Eagle Park in Belen on Veterans Day, November 11, 2011.

ACTION ITEM(S)

7) Consideration of Agreement between Cynthia Ferrari, the Juvenile Justice Coordinator and Valencia County-Professions Services Agreement VCJJB Continuum Coordinator-Kenny Griego.

Commissioner Andersen moved for approval. Seconded by Commissioner Romero. Motion carried unanimously. (See Exhibit A)

8) Consideration of Resolution 2011-49, Consideration of Approval of Resolution Designation Polling Places for the 2012 Primary and General Elections: Sally Perea / Peggy Carabajal.

Commissioner Andersen moved for approval. Seconded by Commissioner Romero. Motion carried unanimously.

County Clerk Sally Perea announced Resolution 2011- 49. (See Exhibit B)

9) Consideration of Approval of Bid 668 / Solid Waste Department Used Semi Tractor – Eric Zamora / Angel Martinez.

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

10) Consideration of Resolution 2011-___, Repealing Resolution 2011-47 and Establishing a Solid Waste Planning Committee – Commissioner Don Holliday.

Madam Chair stated Commissioner Holliday was not here to present the above item and having read the resolution there are a couple of minor changes from the previous resolution. The first resolution had six members; this one will only have five members due to the fact that Mr. Angel Martinez is leaving employment with the county. This resolution also establishes the date of the committee.

County Council Adren Nance said the main change was a reduction from six members, whereas the previous ordinance provided that the solid waste director would serve as the chairman and the board would elect its own vice-chairperson. The redraft at the request of Commissioner Holliday was that since there is no longer a solid waste director that they elect their own chairman and vice-chairman. The only other change is in the language to clarify that the persons that were appointed at the last meeting will serve an initial term until December 31, 2012. You don't reappoint the same people the first time in January because of the time proximity from doing it just now but then after that each year you appoint someone new. It's all sort of a loop point anyway in that all the members serve at the discretion of the commission, so if the commission wanted to change the members every week, that could be done theatrically. This clarifies the language and those are the changes Commissioner Holliday requested.

Madam Chair motioned for approval. Seconded by Commissioner Andersen. Motion failed 2-2.

FINANCIAL MATTERS:

11) Consideration of Approval: Payroll / Warrants – Kenny Griego / Wilma Abril.

Commissioner Gentry moved for approval of Payroll / Warrants. Seconded by Commissioner Romero. Motion carried unanimously. (See Exhibits D, E & F)

PUBLIC COMMENTS:

Those members of the audience making comments at today's business meeting were Valencia County residents Ms. Lillie McNabb, Bob Gostischa, Clarke Metcalf and Ms. Alice Kintzler.

Minutes of November 2, 2011 Regular Business Meeting

EXECUTIVE SESSION:

Pursuant to Section 10-15-1 NMSA 1978, the following matters may be discussed in closed session: a.) limited personnel matters: *Public Works / business Vacancies* b). pending or threatened litigation: *Lone Mountain Construction, AFSCME Council 18 v. Valencia County PELRB Cause No. 309-11; Sarrett vs. Valencia County D-1214-CV2011-01282* and c.) Real Property; Palomar Place; d) other specific limited topics that are allowed or authorized under the stated statute.

Commissioner Romero motioned to go into Executive Session. Seconded by Commissioner Andersen. Roll call vote. Commissioner Gentry voted yes. Commissioner Romero voted yes. Commissioner Andersen voted yes. Madam Chair voted yes. Motion carried 4-0.

Commissioner Andersen motioned to go back into Regular Session. Seconded by Commissioner Romero. Motion carried.

County Attorney Adren Nance stated matters that were discussed in Executive Session were limited to what was listed on the agenda; personnel, especially the individuals from Public Works and the Business Department that vacated, pending or threatened litigations specifically Lone Mountain, AFSCME Council 18 and Sarret vs. Valencia County, as well as real property acquisition Palomar Place Road. No other items were taken and no final action was made.

Commissioner Romero moved to approve the summary as stated by counsel. Seconded by Commissioner Andersen. Roll call vote. Commissioner Gentry voted yes. Commissioner Romero voted yes. Commissioner Andersen voted yes. Madam Chair voted yes. Motion carried 4-0.

ACTION ITEMS(S) ON EXECUTIVE SESSION DISCUSSION:

No action item on Lone Mountain.

NEXT COMMISSION MEETING:

The next Business Meeting of the Valencia County Board of County Commission will be held on November 16, 2011 at 9:30 A.M. in the County Commission Room at the Valencia County Courthouse.

County offices will be closed Friday November 11, 2011 in observation of Veteran's Day.

ADJOURNMENT:

Commissioner Andersen motioned for adjournment. Seconded by Commissioner Gentry. Motion carried unanimously. **TIME 11:48 A.M.**

NOTE: All proposals, documents, items, etc., pertaining to items on the agenda of the November 2, 2011 Business Meeting (presented to the Board of County Commissioners) are attached in consecutive order as stated in these minutes.

VALENCIA COUNTY BOARD OF COMMISSIONERS

GEORGIA OTERO-KIRKHAM, CHAIR

MARY J. ANDERSEN, VICE-CHAIR

LAWRENCE R. ROMERO, MEMBER

RON GENTRY, MEMBER

DONALD E. HOLLIDAY, MEMBER

ATTEST:

SALLY PEREA, COUNTY CLERK

DATE



VALENCIA COUNTY
Board of County Commissioners

Agenda Request Form

Department Head: Kenneth Griego
Individual Making Request: Barbara Baker
Presentation at Meeting on: November 16, 2011
Date Submitted: November 7, 2011
Title of Request: Indigent Report and Six Appeals

Action Requested of Commission:

Consideration of the Indigent Report for November 16, 2011
Consideration of six Indigent Appeals for November 16, 2011

Information Background and Rationale

Indigent Report with 72 Claims (See Attached)
Six Indigent Appeals (See Attached)

What is the Financial Impact of this Request?

\$49,814.89 recommended for approval for the Indigent Report
\$7,518.89 recommended for approval of six Indigent Appeals

Staff Comments:

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

Finance: Sufficient funds in fund for indigent claims and six appeals. The current balance of the Indigent Fund is \$2,365,756.01. KG

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



VALENCIA COUNTY
Board of County Commissioners

AGENDA REQUEST FORM

Department Head: Eric Zamora

Individual Making Request: Lina Benavidez

Presentation at Meeting on: November 16, 2011

Date Submitted: November 7, 2011

Title of Request: Consideration of award for Bid 669 for Manzano View Rehabilitation Franklin's Earthmoving, Inc.

Request:

Consideration of award for Bid 669/ Manzano View Rehabilitation/ Franklin's Earthmoving

Information Background and Rationale

Valencia County requested Bid for Manzano View Road consisting of 1 ½" overlay of asphalt to approximately 1 mile of roadway located in Meadowlake area. The county received a total of 8 responsive bids. They are as follows from lowest to highest bidder:

1. Franklin's Earthmoving Inc.	\$93,523.50
2. Albuquerque Asphalt	\$98,588.58
3. Desert Fox LLC Paving	\$98,778.50
4. Universal Constructors, Inc	\$99,220.00
5. TLC Plumbing & Utility	\$104,700.00
6. Russell Sand & Gravel Co., Inc.	\$111,080.00
7. Custom Grading Inc.	\$111,577.00
8. RL Leeder Co.	\$126,520.00

Franklin's Earthmoving was the lowest bidder and is in compliance with all NMDOT and County requirements.

What is the Financial Impact?

CAP, SB & COOP funding will be used to fund project

Legal:

The Procurement Code requires that the County award to the lowest responsive bidder. AN

Finance:

Funding for Manzano View Rehabilitation is in FY11 & FY12 monies. WA.

Business Manager:

The County followed the bid process and is ready to accept a bid. KG



VALENCIA COUNTY
Board of County Commissioners

Agenda Request Form

Department Head:	Sheriff's Department
Individual Making Request:	Sheriff Burkhard
Presentation at Meeting on:	November 16, 2011
Date Submitted:	November 4, 2011
Title of Request:	Property Crimes Task Force

Action Requested of Commission:

Consideration to allocate overtime funds for the Property Crimes Task Force.

Information Background and Rationale

The Sheriff's Department will work with agencies such as NM State Police, Adult and Juvenile Probation Offices, US Marshall's Office, and other law enforcement agencies to identify and target areas of increased property crimes during the holidays. The operation will consist of information gathering as well as active suppression of criminal activity.

What is the Financial Impact of this Request?

The cost of the operation over a two month period is \$25,000.00. These overtime funds would provide approximately 1,000 man hours to the Task Force.

Legal:

N/A. AN

Finance:

Overtime for this task is not budgeted for FY12. WA

Business Manager:

The requested amount has not been budgeted. KG



VALENCIA COUNTY
Board of County Commissioners

AGENDA REQUEST FORM

Department Head: Joe Chavez, Warden

Individual Making Request: Joe Chavez, Warden

Presentation at Meeting on: November 16, 2011

Date Submitted: November 7, 2011

Title of Request: Joint Powers Agreement between the Town of Peralta and VCDC.

Action Requested of Commission:

Consideration of Joint Powers Agreements with the Town of Peralta and VCDC.

Information Background and Rationale

The Detention Center would like to charge the Town of Peralta a fee of \$70.00 for housing there prisoners. In the past Valencia County would absorb the cost of housing there prisoners. This will help in the everyday basic costs of living such as meals, medical, pharmaceuticals, utilities, hygiene, clothing and bedding.

What is the Financial Impact of this Request?

The financial impact would be an increase in revenue for Valencia County Detention Center per month depending on the number of inmates booked and the duration of their stay while housed at Valencia County Detention Center from the Town of Peralta. The above mentioned fee will aid the Detention Center in its financial operations cost by providing a more appropriate daily charge for those being incarcerated.

Legal:

This is the form of contract the County has entered into in the past and is acceptable" AN

Finance:

This will help the General Fund that supports the Detention Center expenditures. KG

Business Manager:

This will help offset some of the costs that have been incurred. KG



VALENCIA COUNTY
Board of County Commissioners

AGENDA REQUEST FORM

Department Head: Joe Chavez, Warden

Individual Making Request: Joe Chavez, Warden

Presentation at Meeting on: November 16, 2011

Date Submitted: November 7, 2011

Title of Request: Joint Powers Agreement between the Pueblo of Isleta and VCDC.

Action Requested of Commission:

Consideration of Joint Powers Agreements with the Pueblo of Isleta and VCDC.

Information Background and Rationale

The Detention Center has requested increases in housing prisoners and is proposing an increase from \$65.00 to \$70.00. A nominal increase is necessary due to everyday increases in basic costs of living such as meals, medical, pharmaceuticals, utilities, hygiene, clothing and bedding.

What is the Financial Impact of this Request?

The financial impact would be an increase in revenue for Valencia County Detention Center between \$600.00 to \$850.00 per month depending on the number of inmates booked and the duration of their stay while housed at Valencia County Detention Center from the Pueblo of Isleta. The above mentioned increase will aid the Detention Center in its financial operations cost by providing a more appropriate daily charge for those being incarcerated.

Legal:

This is the form of contract the County has entered into in the past and is acceptable" AN

Finance:

The increase will help the General Fund that supports the Detention Center expenditures. KG

Business Manager:

The increase will help offset some of the costs that have been incurred. KG