



December 7, 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

- 1) Call Meeting to Order
- 2) Pledge of Allegiance
- 3) Approval of Agenda
- 4) Approval of Minutes: November 16, 2011-Business Meeting

A handwritten signature in cursive script, reading "Georgia Otero-Kirkham".

DISCUSSION (Non-Action) ITEM(S)

- 5) Department Reports – Sheriff Burkhard; Barbara Baker
- 6) Discussion of Ordinance Restricting Through Traffic in Valencia County
- 7) Reports from Manager, Commissions, Boards & Committees

ACTION ITEM(S)

- 8) Consideration of purchase of Tierra Grande Fire Station: **Commissioner Gentry**
- 9) Consideration of Resolution 2011-___ for CDBG (Community Development Block Grant) for the purpose of receiving funds for the upgrade of the Conejo Transfer Station: **Eric Zamora / Christina Card**
- 10) Request approval to accept NM Department of Transportation Grant (Project 12-AL-64-109) in the amount of \$24,500: **Sheriff Burkhard**
- 11) Consideration of Agreement for the Midwest CAP limited use of Meadowlake Senior Center: **Kenny Griego**
- 12) Consideration of MOU between Village of Bosque Farms and Valencia County: **Kenny Griego**

FINANCIAL MATTERS:

- 13) Consideration of Budget Resolution 2011-___: **Kenny Griego / Wilma Abril**
- 14) 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 **FOP; Brian Benoit vs. Mary J Andersen, Case No. D-1314-CV-2011-01431, Lone Mountain Construction**; 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.

ACTION ITEMS FROM EXECUTIVE SESSION:

- ◆ FOP
- ◆ Brian Benoit vs. Mary J Andersen, Case No. D-1314-CV-2011-01431
- ◆ Lone Mountain Construction

NEXT COMMISSION MEETING:

- ◆ **December 21, 2011 – Business Meeting @ 9:30 P.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 16, 2011

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

4) Approval of Minutes: November 2, 2011- Business Meeting

Commissioner Andersen moved for approval of the minutes of November 2, 2011 Business Meeting. Seconded by Commissioner Holliday. Motion carried unanimously.

5) Redistricting: Rod Adair

Mr. Adair came before the commission with information as to how the process of redistricting the county works. He has plans A-E and is ready to proceed anytime the commission is ready. Mr. Adair recommended workshops to view the plans and see how it will affect the commissioner's particular districts and see that the interest of the county is being met. He suggested the commission and the public see all of the plans at one time, as it's very difficult to look at a plan as a stand alone. Every map will have the population, the percentages, the Hispanic population, the Anglo population and the non-Hispanic Native American population and percentages. He will work with the manager Mr. Zamora on having the workshop on the evening of the 28th or 29th.

NON-ACTION ITEM(S)

6) Directors Reports – Cynthia Ferrari

Ms. Ferrari gave a brief update on the Juvenile Justice Board. They are trying to start a mentoring program here in Valencia County so they are partnering with Big Brother, Big Sisters and will be having a mentor dinner sponsored by Upton Health. The goals for the Juvenile Justice Board consists of: 1) reducing substance abuse among Valencia County youth, 2) reduce violence and gang activity among Valencia County youth, 3) increase graduation rates and reduce truancy, 4) increase positive family involvement and activities for youth and family and 5) develop alternatives to detention.

7) Reports from Manager, Commissions, Boards & Committee.

County Business Manager Kenny Griego said there is a program for all county administrators, managers and directors called "Get Motivated" which he would like everyone to attend. If all the administrators, directors and managers attend the price will be \$1.95 each with the purchase of a \$4.95 workbook. The date is December 13, 2011.

County Manager Eric Zamora stated they are currently working on the quiet zone in the Belen area. They had some issues over the weekend which temporarily stalled the project but Mr. Zamora is coordinating with the railroad to finish the work by mid-December.

Solid Waste Committee meeting will be held in the county courthouse and along with that, the Committee Development Block Grant application is due and Mr. Zamora has requested funding for upgrades to the Conejo Transfer Station. This would be another opportunity for Valencia County to submit for that. One of the requirements for the application is to conduct a public hearing. Mr. Zamora will schedule the public hearing and coordinate it with the committee.

Commissioner Gentry has received several calls as to why projects have not been completed and funds have not been spent in his district. Commissioner Gentry said the county gets funding in increments and he has been consolidating it for his district. His plan is he has seventeen projects on board and with this year's accumulated allotment of \$336,000.00 in district IV will allow for placing all of these roads out for bid with the exception of one and should be completed by the spring.

Commissioner Gentry asked Mr. Zamora what has been done in regard to the issue of the heavy trucks traveling on the road in Las Maravillas creating all the dust and vibration. The attorneys have completed a draft for a heavy truck ordinance and hope to have it ready to present to the commission at the first meeting in December, was Mr. Zamora's response.

Commissioner Gentry also asked for an update on an ordinance he requested controlling and regulating the sales of copper and precious metal related to thefts which will give the sheriff a method of tracking down and curtailing the thefts of these metals. Mr. Zamora said as of yesterday he was in discussion with a member of the New Mexico Recycling Coalition in getting some information and ideas on how to prepare that and should have that by year's end.

ACTION ITEM(S)

BOARD OF COUNTY COMMISSIONERS CONVENES AS INDIGENT CLAIMS BOARD

Commissioner Holliday moved to convene as the Indigent Claims Board. Seconded by Commissioner Gentry. Motion carried unanimously.

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

Ms. Barbara Baker presented the Indigent Claims from October 7, 2011 to November 3, 2011 and requests approval of \$49,814.89.

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

Ms. Baker presented an Indigent Claims Appeal for Veronica Campean in the amount of \$80.00 and recommends approval of \$61.60 to be paid to UNM Health Sciences Center.

Commissioner Holliday moved for approval. Seconded by Commissioner Gentry. Motion carried unanimously. (See Exhibit B)

Ms. Baker presented five Indigent Claims Appeals for inmates; the first appeal was for inmate Eduardo Veloz in the amount of \$961.92 and Ms. Baker recommended approval of \$400.00 to Living Cross Ambulance; second appeal was for Samantha Luna in the amount of \$1,203.54 and recommended approval of \$926.73 to be paid to UNM Health Sciences Center; third appeal was for inmate Kevin King in the amount of \$4,949.00 and recommended approval of \$3,000.00 to be paid to Lovelace Medical Center; fourth appeal was for inmate Felix Crespin in the amount of \$7,475.00 and recommended approval of \$3,000.00 to be paid to Lovelace Medical Center; fifth appeal was for inmate Brandon Casias in the amount of \$96.00 and recommends approval of \$40.83 to be paid to Zia Diagnostic Imaging and also \$551.00 and recommended approval of \$89.73 to be paid to the Albuquerque New Mexico Physicians.

Commissioner Andersen moved for approval. Seconded by Commissioner Romero. Motion carried unanimously. (See Exhibits C-G)

BOARD RECONVENES AS BOARD OF COUNTY COMMISSIONERS.

Commissioner Gentry motioned to reconvene as the Board of County Commissioners. Seconded by Commissioner Andersen. Motion carried unanimously.

9) Appointment of Planning Commission Member – Chair Otero-Kirkham

Madam Chair stated her appointee to the Planning and Zoning Committee has moved out of the county and appointed Mr. Scott Edeal to fill that position. Madam Chair moved to approve the appointment of Mr. Scott Edeal to the Planning and Zoning Commission. Seconded by Commissioner Holliday. Motion carried unanimously.

(See Exhibit H)

10) Consideration Award of Bid 669 / Manzano View Rehabilitation Franklin's Earthmoving – Eric Zamora

Commissioner Holliday moved for approval of Bid 669. Seconded by Commissioner Andersen. Motion Carried unanimously. (See Exhibit I)

11) Sheriff Burkhard Respectfully Requests the Commission's Approval to Allocate Overtime Funds for the Property Crimes Task Force – Sheriff Burkhard.

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

Minutes of November 16, 2011 Regular Business Meeting

12) Consideration of Joint Powers Agreement between the Town of Peralta and VCDC – Joe Chavez.

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

13) Consideration of Joint Powers Agreement between the Pueblo of Isleta and VCDC – Joe Chavez.

Commissioner Gentry motioned for approval. Seconded by Commissioner Holliday. Motion carried unanimously. (See Exhibit K)

FINANCIAL MATTERS:

14) Consideration of Resolution 2011-50: Increase Expenditures and Revenues due to Grants to Incorporate in FY12 Budget – Kenny Griego / Wilma Abril

Commissioner Gentry moved for approval. Seconded by Commissioner Holliday. Motion carried unanimously.

County Clerk Sally Perea announced Resolution 2011-50. (See Exhibit L)

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

Commissioner Holliday moved for approval of Payroll / Warrants. Seconded by Commissioner Gentry. Motion carried unanimously. (See Exhibits M-O)

PUBLIC COMMENT;

Members of the audience speaking at today's business meeting were Valencia County residents Kendall Schneringer, Chris Martinez, Sue Moran, Mary Wood, Mike Wood and Karen Romero.

EXECUTIVE SESSION:

None

NEXT COMMISSION MEETING:

The next Regular Business Meeting of the Valencia County Board of County Commission will be held on, December 7, 2011 at 9:30 A.M. in the County Commission Room at 444 Luna Ave., Los Lunas, NM in the Valencia County Courthouse.

11) ADJOURNMENT:

Commissioner Gentry moved for adjournment. Seconded by Commissioner Romero. Motion carried unanimously. **TIME: 11:11 A.M.**

NOTE: All proposals, documents, items, etc., pertaining to items on the agenda of the November 16, 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, MADAM 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: Glenda Chavez
Individual Making Request: Commissioner Gentry
Presentation at Meeting on: December 7, 2011
Date Submitted: December 2, 2011
Title of Request: Tierra Grande Fire Station

Action Requested of Commission:

Consideration of purchase of the current Tierra Grande Fire Station.

Information Background and Rationale:

The purchase of the current Tierra Grande Fire Station for the price of \$35,000.00 would increase the assets of the Fire Department; allow for modification/addition to better accommodate the needs of the fire department personnel; offer the opportunity to gain a better ISO rating by allowing for modification/addition to the building and room for equipment.

What is the Financial Impact of this Request?

\$35,000.00 – funding could come from State Fire Funds.



VALENCIA COUNTY
Board of County Commissioners

AGENDA REQUEST FORM

Department Head: Eric Zamora

Individual Making Request: Christina Card

Presentation at Meeting on: December 7, 2011

Date Submitted: November 28, 2011

Title of Request: Consideration of Resolution for CDBG

Action Requested of Commission:

Consideration of Resolution # 2011-____ for the Community Development Block Grant for the purpose of receiving funds for the upgrade of the Conejo Transfer Station.

Information Background and Rationale:

The Conejo Refuse Transfer Station provides a disposal site for household garbage to thousands of low to moderate income families in Valencia County. The facility is over fifteen years old and in need of major safety and equipment updating. The funds from the CDBG grant will be utilized to reconstruct the facility with safety and convenience for the end user. The construction elements include a compacting system, three bin disposal areas allowing for source separation, a green waste grinding and composting site and a scrap metal disposal area.

What is the Financial Impact of this Request?

The County requested \$420,000 of grant money with a waiver of match request.

Legal:

Approved as to form AN

Finance:

Once Grant monies have been awarded will incorporate in FY12 Budget by Resolution for said expenditures to the Conejo Refuse Transfer Station. WA

Business Manager:

The Block Grant would allow for much needed upgrades to the Conejo Transfer Station. KG



VALENCIA COUNTY

Board of County Commissioners

Agenda Request Form

Department Head: Louis Burkhard, Sheriff
Individual Making Request: Louis Burkhard, Sheriff
Presentation at Meeting on: December 7, 2011
Date Submitted: Nov. 30, 2011
Title of Request: Acceptance of NMDOT Grant

Action Requested of Commission:

Request approval to accept NM Dept. of Transportation Grant (Project 12-AL-64-109) in the amount of \$24,500

Information Background and Rationale:

VCSO has received a grant to continue DWI Checkpoints and Saturation Patrols through Oct. 31, 2012. This grant is funded with Federal Section 164 funds. Funds must be used for alcohol countermeasure activities, including high visibility enforcement such as sobriety checkpoints and saturation patrols. Funds will be used to pay overtime rate to deputies who work checkpoints and patrols under the project agreement guidelines.

What is the Financial Impact of this Request?

No impact on the County budget. All funding is from the Department of Transportation Grant.

Staff Comments:

Legal:

Approved. AN.

Finance:

Once the Grant has been approved it will be incorporated in FY 12 Budget in the OT Line item, Fund 465 by resolution. WA

Business Manager:

The grant will allow for continued DWI checkpoints and saturation patrols. KG.



VALENCIA COUNTY

Board of County Commissioners

Agenda Request Form

Department Head: Kenneth Griego

Individual Making Request: Jose Campos

Presentation at Meeting on: 7 December 2011

Date Submitted: 17 November 2011

Title of Request: Agreement for Midwest CAP Use of Meadowlake Senior Center

Action Requested of Commission:

Consideration of Agreement for the Midwest CAP limited use of the Meadowlake Senior Center.

Information Background and Rationale:

The Midwest CAP is no longer providing meals to the Meadowlake Senior Center and a limited use of the facility has been established. The Agency desires to utilize the Valencia County Meadowlake Senior Center for its Head-Start program.

What is the Financial Impact of this Request?

The Agency shall pay a utility fee in the amount of \$819.00 per month for use of the facility. This Agreement shall be effective September 1, 2011.

Comments:

The use of the Meadowlake facility will benefit both programs. Mid-West CAP will use the facility for its Pre-School Program. The County will also get assistance in paying some of the utility costs.

Legal:

The contract is substantially the same as the contract that the County is currently engaged in and the changes are beneficial to the County. The MOA is the same as the County is currently engaged in. Both agreements are satisfactory."

Finance: WA

Business Manager:

The contract allows New Mexico Mid-West CAP to conduct the Head-Start Program at the Meadowlake Senior Center and the County will get help in paying for utilities. KG



VALENCIA COUNTY

Board of County Commissioners

Agenda Request Form

Department Head: Kenneth S. Griego

Individual Making Request: Kenneth S. Griego

Presentation at Meeting on: 7 December 2011

Date Submitted: 18 November 2011

Title of Request: MOU between Village of Bosque Farms and Valencia County

Action Requested of Commission:

Consideration of Memorandum of Understanding to pay the salary of a two (2) hour per day, 20 hour per pay period Center Aide as funding permits for the Older American Program in the Village of Bosque Farms.

Information Background and Rationale

The purpose of this agreement is to provide assurance that the Older American Program will fund the Center Aide employed by the Village of Bosque Farms for the purpose of assisting with Senior lunch program.

What is the Financial Impact of this Request?

The Older American Program is currently funding the position.

Legal:

"Approved as to Form". AN

Finance:

The position has been included in this year's budget. WA

Business Manager:

Provides some financial support and personnel to the Bosque Farms Older American Program.
KG