



March 20, 2013

Agenda

5:00 P.M. Business Meeting

Valencia County Commission Chambers

444 Luna Avenue

Los Lunas, NM 87031

Board of County Commissioners

Charles D. Eaton, Chair District IV

Alicia Aguilar, Vice-Chair District II

Mary Andersen District I

Lawrence R. Romero District III

Donald Holliday District IV

- 1) Call Meeting to Order
- 2) Pledge of Allegiance
- 3) Approval of Agenda
- 4) Approval of Minutes:

February 20, 2013.....Business Meeting

Two handwritten signatures in black ink, likely of the County Commissioners mentioned in the list to the right.

PRESENTATION(S)

- 5) Legislative Update. **Kelly Fajardo..State Representative District 7**
- 6) Valencia Soil & Water Conservation District re: "Proposed Mill Levy in Valencia County" **Abel Camarena**
- 7) Fire Department Update. **Fire Chief Steven Gonzales**
- 8) Emergency Management Department Update. **Glenda Chavez**
- 9) Commissioners, Committees and Reports.
- 10) Closing arguments from the parties regarding request to amend the zoning map from Agricultural Preservation zoning to Rural Residential Zoning Legal Description T6N, R2E, Tracts A&B; MRGCD map 90; Consisting of 17.98 acres & 11.36 acres respectively; Zoned AP; and Land of Dale Jones, Tract C-2; MRGCD map 90; Consisting of 10.31 acres; Zoned AP; Valencia County, NM. **Jacobo Martinez**

DISCUSSION (S)

- 11) Discuss FY 2012 independent audit findings. **Axiom Certified Public Accountants**
- 12) Discuss Special District and Moratorium on Green Belt in Tome Adelino. **Lawrence Sanchez**

BOARD OF COUNTY COMMISSIONERS CONVENES AS INDIGENT CLAIMS BOARD

- 13) Consideration of the Indigent Report and 2 Appeals. **Barbara Baker / Dan Zolnier**

BOARD RE-CONVENES AS BOARD OF COUNTY COMMISSIONERS

ACTION ITEM(S)

- 14) Consideration to approve a MOA between Valencia County Emergency Management and the New Mexico Department of Health in the amount of \$21,209.00 for the participation in designated Emergency Management Activities. **Glenda Chavez**
- 15) Consideration to adopt a Fee schedule to produce Address/Street Identification for the General Public. **Victor Gonzales / Jacobo Martinez**

- 15) Consideration to approve the 2013 Older American Policy Manual ratified by the OAP Advisory Council.
Nick Telles

FINANCIAL MATTERS:

- 16) Consideration to accept Resolution 2013-_____ accepting Budget Revisions. *Nick Telles*
- 17) Approval of Financial/Payroll warrants. *Nick Telles*

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) & (3), the following matters may be discussed in closed session: a. personnel: b. pending or threatened litigation, c. Administrative Adjudicatory Proceeding: **Wisenant Barela Zone Change**: 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:

- 18) Consideration of a decision regarding request to amend the zoning map from Agricultural Preservation zoning to Rural Residential Zoning Legal Description T6N, R2E, Tracts A&B; MRGCD map 90; Consisting of 17.98 acres & 11.36 acres respectively; Zoned AP; and Land of Dale Jones, Tract C-2; MRGCD map 90; Consisting of 10.31 acres; Zoned AP; Valencia County, NM. *Jacobo Martinez*

NEXT COMMISSION MEETING:

- ◆ **April 3, 2013 – Business Meeting @ 5:00 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.

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VALENCIA COUNTY BOARD OF COMMISSIONERS

BUSINESS MEETING

FEBRUARY 20, 2013

PRESENT	
Charles Eaton, Chairman	
Alicia Aguilar, Vice-Chair	
Lawrence R. Romero, Member	
Donald E. Holliday, Member	
Mary J. Andersen, Member	
Bruce Swingle, County Manager	
Adren Nance & Dave Pato, County Attorneys	
Peggy Carabajal, County Clerk	
Press and Public	

- 1) The meeting was called to order by Chairman Eaton at 2:58 P.M.
- 2) Belen Mayor Rudy Jaramillo 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:
 January 18, 2013-Special Meeting
 January 23, 2013- Business/Public Meeting
 January 30, 2013- Special Meeting
 February 4, 2013- Commissioner's Retreat
 Commissioner Aguilar stated that she wanted the minutes from the January 23rd meeting regarding the consideration of transfer of liquor license to be amended to include that there was discussion among the commissioners prior to making the motion for denial and evidence for denial was based on the public health and safety of the community. Commissioner Holliday motioned for approval of the amended minutes. Seconded by Commissioner Aguilar. Motion carried unanimously.

PRESENTATION(S)

5) City of Belen- Hospital Presentation

Belen City Councilor Jerah Cordova started off Belen's presentation by stating that Ameris is the only provider here today with direct and current rural hospital experience. Mr. Cordova also gave a brief project timeline history.

December 2009- City of Belen purchased 14 acres on Christopher road for \$619,000.

June 2010- At the request of Valencia Health Commons the city of Belen proposed a hospital site by submission to the Commons.

November 2010- The city formally presented its site to Valencia Health Commons and Ameris.

June 2011- Ameris presented to the city a preliminary feasibility study that it had been preparing for The Commons.

October 2011- The city presented its plan to create a feasibility study of the Belen site to the board of county commissioners.

March 2012- Ameris delivered its final feasibility study to the city.

April 2012- Belen presented the feasibility study to the commissioners; the city also approved a draft for a joint powers agreement for the hospital and sent it to the county commissioners for review and approval.

June 2012- The city approved an amended JPA and resent it to the commissioners for review and approval.

September 2012- County commission approved the JPA.

November 2012- The city issued request for hospital design build teams.

January 2013- Belen announced \$800,000 in continuing infrastructure and hospital site access improvements.

This month Ameris submitted a complete proposal to develop, build and operate the hospital. To date the City of Belen's investment in this hospital project has been 1.5 million dollars. To date Ameris investment in the project has been \$200,000. The investment of design firm Dekker/Perich/Sabatini has been \$25,000. According to Frank

Schupp, the vice president for business development for Ameris Management, one of the key successes of their company is that they require the CEO, and the chief financial officer to reside in the community they are serving. It is very important for them to be involved in and a part of the community. Mr. Schupp went on to say that when the city of Belen engaged Ameris to do a feasibility study for the particular location he was able to speak with physicians in the Albuquerque area and there is an array of physician specialty groups that have said "count me in, if it is at that particular location." The basis of the hospital design, which includes 28 medical/surgical beds and a 12 bed geriatric behavior program, came about after speaking with the physicians and assessing what they would need to meet the needs of the community. The hospital at capacity will create somewhere between 150-160 hospital jobs. If Ameris is chosen they would choose to participate with every healthcare plan that exists in the state. In regards to the mill levy money, whom ever is chosen to build the hospital Mr. Schupp highly recommends having an iron clad contract. One in which the provider has to submit every purchase order for request and use of the funds. Bobby George with the architect firm of Dekker/Perich/Sabatini, which is regarded as the top firm in the southwest, has a team of twenty people solely dedicated to the design of healthcare facilities. The company has proven track record of delivering on time and on budget. Mr. George gave a brief time frame in which if they were told today that they could go out and start building the hospital, earthwork could be started in 3 months and completion of the hospital would be by July of 2014. The current design of the hospital is based on expansion for future growth, so changes and additions can be made as the needs demand. Marcus Rael, attorney for the city of Belen, spoke in regards to the joint powers agreement between the city of Belen and Valencia County. The JPA was returned to DFA along with a letter dated February 11th which addresses some concerns that DFA had raised in a letter dated January 24th. It is important to note that DFA did not deny the JPA they simply asked for clarification on several issues. The city is confident that the DFA's concerns were addressed in the February 11th letter from the city. Mr. Rael and the city believe that the JPA is a binding contract and Belen stands ready to proceed with their obligations under the contract. The last and final step to make the hospital a reality is the healthcare facilities contract to be entered into between Valencia County and the medical provider. The contract has been drafted and is ready for review by Valencia County and the county attorneys. Belen Mayor Jaramillo thanked the commissioners for allowing them time to present at today's meeting and also remarked that to this day the city of Belen has been upfront and transparent with everything done in regards to the hospital. Commissioner Aguilar asked how will the city be constructing the hospital, are you talking revenue bonds. Jerah Cordova said all money used for construction will be private funds and there will be no need for industrial revenue bonds. Commissioner Aguilar wanted more clarification and Mr. Schupp responded with if his company were involved, it would not come to the county and ask it to use its bond capacity to build the hospital. Commissioner Aguilar asked if they are required to submit a request to the state for licensure to operate. Mr. Schupp confirmed that yes there are required to. Commissioner Aguilar also asked if a business plan must be submitted at the same time. Mr. Schupps answer was no that is not a requirement. In regards to the mill levy money Mr. Schupp said that the money cannot be requested until the hospital reaches "substantial" completion, which is usually no more in advance of 30 days before the hospital takes its first patient. Commissioner Andersen said that the commission wants to see a 5 year financial business plan for both projects, she wants to see what they think their revenue will be for the first couple of years and how much of the mill levy funds would be needed each year to keep the hospital open. Chairman Eaton thinks that the mill levy needs to be tied to a performance based agreement; we owe it to the tax payers since it is their money we are spending.

6) Village of Los Lunas & Miller Architect

Mayor Robert Vialpando announced that after preforming an extensive feasibility study Miller Architects in partnership with Lovelace Heath Systems has announced its intent to construct a hospital just west of I-25. Known as Valencia Regional Medical Center, it will be a privately funded project. The only thing keeping the hospital from becoming a reality is the commitment of the hospital mill levy funds. Mr. Vialpando introduced Darrin Miller with Miller Architects. Mr. Miller showed a video presentation of the overview of the hospital. The proposed facility would be 110,000 sq. feet, which includes an 85,000 sq. ft. hospital and 25,000 sq. ft. specialty clinic area. The hospital would include innovative services, convenient access and a partnership with a high quality medical provider-Lovelace. The hospital set-up would include an emergency room, full radiology capabilities, x-ray and ultra-sound and a lab. The first floor would include the administrative and physician offices and the rehabilitation facility. The second floor would house 20 beds and 2 beds in the women's birthing center, the pharmacy, outdoor café and specialty offices will also be on the second floor. All of these areas were planned

based on research regarding needs of the community. 90% of the communities healthcare needs can be met at this facility. The total cost of the project is 55 million dollars. 31 million for construction, 11 million for equipment, 6 million for operational startup, 5 million for fees and financing and the last 2 million for contingency of unknowns in designing the building. Mr. Miller projects that during construction of this hospital 500 indirect/direct jobs will be created. As the hospital is in operation he believes it will create 450 direct/indirect jobs. Commissioner Andersen asked what appeal this hospital will have for local physicians. Janelle Raborn, Chief Operating Officer at Lovelace Women's Hospital, said they will have to meet with the physicians and ask what their looking for. Do they want to work out of the hospital or to just be able to refer patients to the hospital. Commissioner Andersen asked for a 5 year financial projection plan. A plan which would include an estimate of salary, malpractice, overhead, and all indirect and direct expenses. Commissioner Andersen firmly stated that she wants the community to have a successful hospital. Please prove to her that this hospital is financially feasible. Commissioner Aguilar asked Mr. Miller when applying to the state for a license do you have to submit a business plan as well or is it just an application and they grant the license. Mr. Miller assured her that it is a full administrative review, it is not only plans and specifications, they review the operational side as well. Janelle Raborn said the DOH requires you to explain not only the hospital layout but also the intent for services, including what the need is in the community and how they intend to meet those needs. The DOH also asks for information regarding budget and the capital you plan to invest in the facility. Requirements from the DOH and centers for Medicare and Medicaid require you to annually have a budget and capital plan to keep the facility current as the needs of the community change. Commissioner Andersen asked if the proposed location, which is 18 acres, was enough to be able to expand in the future. Mr. Miller said that in the future if need be they could double the size of the facility on that amount of space. Commissioner Aguilar asked if approved when would we see the reality of the hospital. Mr. Miller responded that if they were given the mill levy funds immediately then construction could be under way by the first of next year and the hospital would be open and operational by fall of 2015. Commissioner Andersen spoke in regards to opening a satellite facility on the east side of the river. How would Miller Architects react to that? If they were given the mill levy money would they make a commitment to open a satellite facility? Mr. Miller responded with potentially in a longer time frame, not at the same time as building the main hospital. If certain demographics were met then yes, they would be willing to make that commitment. Commissioner Andersen stated that she would like the commission to make the commitment of a satellite facility as part of any signed agreement. Commissioner Andersen also spoke of having transparency throughout the process was of major importance. Mr. Miller responded with that if they were engaged in a contract with the county everything would be fully disclosed, nothing would be kept back.

BOARD OF COUNTY COMMISSIONERS CONVENES AS INDIGENT CLAIMS BOARD

Commissioner Aguliar motioned to convene as indigent Claims Board. Seconded by Commissioner Romero. Motion carried unanimously.

7) Consideration of the Indigent Report, 2 appeals and discussion to reduce Indigent Funds Balance. *Barbara Baker/Dan Zolnier*

County Manager represented Barbara Baker who was unable to attend this evenings meeting. Mr. Swingle presented the Indigent Claims from January 3, 2013- February 8, 2013 and requested approval of \$100,927.13 9 (See Exhibit A)

Mr. Swingle presented an indigent appeal for inmate Salvador Perez in the amount of \$25.97 to be paid to Radiology Associates. (See Exhibit B)

Mr. Swingle presented an indigent appeal for inmate Paul Silva in the amount of \$25.93 to be paid to Radiology Associates. (See Exhibit C)

Mr. Swingle recommended tabling the discussion regarding the Indigent Funds Balance until Barbara Baker could be present.

Commissioner Holliday motion for approval of the report and appeals. Seconded by Commissioner Andersen. Motion carried unanimously.

BOARD RE-CONVENES AS BOARD OF COUNTY COMMISSIONERS

Commissioner Holliday motion to re-convene as Board of County Commissioners. Seconded by Commissioner Romero. Motion carried unanimously.

ACTION ITEM(S)

8) Consideration of Findings of Fact and Conclusions of Law denying Valencia County License Venture's application to transfer liquor license 0510/Application No. A-838648 from 2765 St. Hwy 47, Los Lunas NM 87031 to proposed location of 3409 St. Hwy 47 Suite A, Los Lunas, NM 87031. *Peggy Carabajal*

After speaking with Commissioner Aguilar Attorney Pado would like to propose an addition to the document. The addition would be added in the Conclusions of Law as letter N.

Commissioner Aguilar motioned for approval. Seconded by Commissioner Holliday. Motion carried unanimously. (See Exhibit D)

9) Consideration to accept Resolution 2013-10 Appointments Boards, Commissions & Committees. *Bruce Swingle*

Mr. Swingle said the only names that were changed on the list were the names that were given to him, except regarding the Regional Dispatch Board. In the past Sherriff Louis Burkhard and Glenda Chavez were on the board but the joint powers agreement with the dispatch authority requires it to be the County Manager, who of course can have a designee, but in regards to the JPA it would be prudent to have the County Manager's name on the list. Commissioner Aguilar noted that on the Regional Planning Authority and the VC Transportation Steering Committee it listed Eric Zamora the former County Manager. Mr. Swingle said that they didn't change any names that were not given to them, but he would encourage the commissioners to change those names. Commissioner Aguilar also noted that on the Workforce Investment Board former Commissioner Georgia Kirkham-Otero was also still listed. Commissioner Andersen stated that the VC Transportation Steering Committee would be a very important committee as the Rio Metro bus service is planning on a scheduled route to Valencia County and supposedly will be starting a bus service running from Huning Ranch to Peralta, someone who really has an interest in this area should be on the committee. Commissioner Aguilar asked if the committee member has to be someone from the county staff or someone from the public. Mr. Swingle recommended Jacobo Martinez for both the VC Transportation Steering Committee and the Regional Planning Authority. Commissioner Aguilar spoke up that if no one else wanted to then she would be willing to be on the Workforce Investment Board. Commissioner Holliday announced that due to a pending business venture he may need someone to take his place on the Mid-West CAP board, but he will let the commissioners know at a later date.

Commissioner Andersen motion for approval. Seconded by Commissioner Aguilar. Motion carried unanimously.

County Clerk Peggy Carabajal announced Resolution 2013 (See Exhibit E)

10) Consideration to approve Ordinance 2013-01 adopting the 2006 edition of the International Fire Code. *Steven Gonzales*

Commissioner Andersen motioned for approval. Seconded by Commissioner Romero. Motion carried unanimously. Roll call vote was taken. Commissioner Romero voted yes. Commissioner Andersen voted yes. Commissioner Holliday voted yes. Commissioner Aguilar voted yes. Chairman Eaton voted yes. Motion carried 5-0. Attorney Nance stated that now that the Ordinance has been adopted and approved the ordinance will go into effect thirty days from today.

County Clerk Peggy Carabajal announced Ordinance 2013-01 (See Exhibit F)

11) Consideration to accept Resolution 2013-11 CAP-13-14(496), SB 7714(966) 14 & SP-3-14(976). *Lina Benavidez*

This resolution is in regards to requesting \$514,000 from the New Mexico Department of Transportation for the County Road Improvement program. Lina commented that Kelly Bouska had meet with each commissioner individually and had gotten a list of roads together that were recommended for improvements. Commissioner Aguilar wanted her constituents to know that she had put Airport Rd. and Tome Drive on the list for paving.

Commissioner Holliday motioned for approval. Seconded by Commissioner Andersen. Motion carried unanimously.

County Clerk Peggy Carabajal announced Resolution 2013-11. (See Exhibit G)

12) Consideration to accept Resolution 2013-12 to apply for Financial Hardship with NMDOT to receive used equipment. *Lina Benevidez*

Commissioner Andersen noticed some spelling errors on the Resolution. County Attorneys verified that the errors could be corrected immediately.

Commissioner Holliday motioned for approval of the resolution with spelling corrections. Seconded by Commissioner Andersen. Motion carried unanimously.

County Clerk Peggy Carabajal announced Resolution 2013-12. (See Exhibit H)

13) Consideration of Road Grading for Turbine Road in Valencia County. *John Alech, El Paso Natural Gas*

Mr. Alech nor anyone representing this agenda item were present at the meeting. Chairman Eaton clarified that Turbine Road was south on Hwy 47 near Tierra Grande. Lina Benevidez said the county maintains Hwy 47 to the railroad tracks but El Paso Natural Gas is requesting the county to grade two additional miles. Turbine Road is a private road. Commissioner Aguilar is concerned about this type of request as they would be crossing over the railroad tracks and it being a private road. She would like more information from the road department and staff of what exactly we would be undertaking. Especially regarding the railroad tracks, she doesn't want any liability. Mr. Swingle said the best thing to do would be to table the item until the individual can be present. He also stated that what concerns him is this is a private road and what authority do we have to do that? Attorney Nance stated that unless it falls in a certain exception as set forth on the county Road Grading Ordinance we cannot grade a private road.

Commissioner Aguilar motioned to have the item tabled until more information could be obtained. Seconded by Commissioner Andersen. Motion carried unanimously.

14) Consideration to accept street lights at the Las Maravillas Subdivision Unit 1. *Jay Vrooman*

Mr. Vrooman was not present but Paul Baca, President of Valley Improvement Association was called upon to speak. Mr. Baca stated that VIA will no longer be able to subsidize the excess costs of maintaining Unit 1. Since Units 2 and 3 were previously adopted by the commission then Unit 1 would like their lights adopted as well.

Commissioner Aguilar motioned to table the item until more information is known. Commissioner Andersen seconded the motion. Motion carried unanimously.

15) Consideration to install additional street lights in Tome Vista Subdivision. *Ron Pellegrino, VP Tome Vista Association*

Tome Vista is requesting additional street lights to provide more safety in the subdivision. If insurance companies decide they live in a "bad" area then the insurance rates go up. We ask that you take it into consideration; we know it is a burden to the county but it is also a burden to the residents. Please protect our community, protect our children. Commissioner Aguilar asked if it was possible to have Jacobo Martinez look into when the subdivision was approved and their responsibility on street lights and stop signs. It was also noted that the streets in the subdivision are maintained by the county. Mr. Swingle said he would get with Mr. Martinez to look into the matter of the subdivision.

FINANCIAL MATTERS:**16) Approval of Financial/Payroll warrants. *Nick Telles***

Commissioner Andersen motioned for approval. Seconded by Commissioner Aguilar. Motion carried unanimously. (See Exhibit I, J, K, L, M)

17) Consideration to accept Resolution 2013-13 accepting Budget Revisions. *Nick Telles*

Mr. Telles announced that this request is for the 2012-2013 inter-intra budget transfers also known as midyear adjustments. Chairman Eaton asked for the total monetary transfer amount and Mr. Telles answered that it was \$2,082,293.00

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

County Clerk Peggy Carabajal announced Resolution 2013-13 (See Exhibit N)

PUBLIC COMMENT:

Valencia County residents speaking at tonight's meeting were Leroy Baca, Andrew Decamillo, and Patrick Ewing

Comments included but were not limited to concerns about

Mr. Baca spoke in regard to the flood insurance and its ridiculous rates and wanting to spear head an effort to having the county removed from the FEMA flood plain maps.

Mr. Decamillo, who is the executive director of the Greater Belen Economic Development Corporation, told the commissioners thank you bringing the hospital to a head. He has faith that it will be with these current commissioners that the hospital will be approved. According to him not having a hospital is holding the county back in economic development. The GBED board is behind the hospital no matter where it may be built.

Mr. Ewing announced that there was a petition with 130 signatures on it in regards to consideration of have Winston Lane in El Cerro paved.

NEXT COMMISSION MEETING:

Minutes of February 20, 2013 Business Meeting

The next Regular Meeting of the Valencia County Board of County Commission will be held on March 13, 2013 at 5:00 P.M. Meeting in the County Commission Room at the Valencia County Courthouse.

11) Adjournment

Commissioner Holliday moved for adjournment. Seconded by Commissioner Andersen. Motion carried unanimously. TIME: 6:22 P.M.

NOTE: All proposals, documents, items, etc., pertaining to items on the agenda of the February 20, 2013 Business Meeting (presented to the Board of County Commissioners) are attached in consecutive order as stated in these minutes.

VALENCIA COUNTY BOARD OF COMMISSIONERS

CHARLES EATON, CHAIR

ALICIA AGUILAR, VICE-CHAIR

LAWRENCE R. ROMERO, MEMBER

DONALD E. HOLLIDAY, MEMBER

MARY J. ANDERSEN, MEMBER

ATTEST:

PEGGY CARABAJAL, COUNTY CLERK

DATE

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VALENCIA COUNTY

Board of County Commissioners

Agenda Request Form

Department Head: Jacobo Martinez

Individual Making Request: Jacobo Martinez

Presentation at Meeting on: March 13, 2013

Date Submitted: March 4, 2012

Title of Request: Title: Decision

Request:

For your consideration is a request for a Decision concerning the case number D-1314-CV-09-0426 Los Chavez Community Association vs. Valencia County, which was remanded from the District Court re-consideration.

Legal Description:

T6N, R2E, Tracts A&B; MRGCD map 90; Consisting of 17.98 acres & 11.36 acres respectively; Zoned AP; and Land of Dale Jones, Tract C-2; MRGCD map 90; Consisting of 10.31 acres; Zoned AP; Valencia County, NM

Information Background and Rationale

This matter was remanded by the District Court to the Board of County Commissioners for a re-consideration of the Board's 2009 decision. The question to be re-considered is whether or not to grant a zone change for a parcel of property owned by Applicants John Wisenart & Elias Barela –Consensus Planning- Agent. The applicants are requesting to amend the zoning map from Agricultural Preservation zoning to a Rural Residential zoning. On January 15, 2013 District Court Judge John F. Davis ordered that the members of the Board of County Commissioners review the existing record of the original proceeding and based totally upon their individual review of the record determine whether or not to proceed to a vote on the record or to have a clarification hearing. On February 13, 2013 the Commissioners were presented with the original record for review in accordance with the Order. Subsequently no Commissioner has requested a clarification hearing thus, the vote is to be made without further testimony. Judge Davis' order provides that the parties shall be allowed to make arguments (closing statements) but that no new evidence may be considered. Once the Commission votes, Staff will prepare findings of fact and conclusions of law to be considered at the next meeting.

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DISTRICT COURT CLERK
3/6/2013 2:40:34 PM
PHILLIP ROMERO

AY STATE OF NEW MEXICO
COUNTY OF VALENCIA
THIRTEENTH JUDICIAL DISTRICT COURT

LOS CHAVEZ COMMUNITY ASSOCIATION, et al,

Petitioners,

vs.

No. D-1314-CV-09-0426

Judge John F. Davis

VALENCIA COUNTY AND THE BOARD OF
COUNTY COMMISSIONERS, AS ITS FINAL
VOTING AUTHORITY,

Respondents,

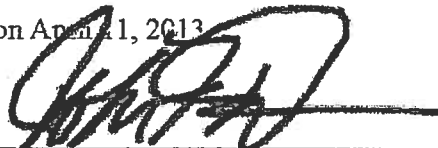
JOHN WHISENANT AND ELIAS BARELA,

Interested Parties.

**STIPULATED ORDER EXTENDING DEADLINE IN
JANUARY 15, 2013 ORDER AND VACATING HEARINGS**

THIS MATTER having come before the Court on the Petitioners' Motion to
Extend Deadline in January 15, 2013 Order and to Vacate Hearing.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the
hearing scheduled for March 19, 2013 at 11:00 a.m. and the telephonic hearing on March
5, 2013 at 9:00 a.m. be vacated and the January 15, 2013 Order be amended to allow the
Valencia County Board of County Commissioners hear argument on March 20, 2013 and
enter Findings of Fact and Conclusions of Law on April 1, 2013.



The Honorable John F. Davis
District Court Judge

SUBMITTED BY:

HUNT & DAVIS, P.C.

/s/ Catherine F. Davis

Catherine F. Davis

2632 Mesilla NE

Albuquerque, NM 87110

(505) 881-3191

APPROVED BY:

e-mail approval 3/4/13

Steven M. Chavez

THE CHAVEZ LAW FIRM, P.C.

Post Office Box 2415

Los Lunas, New Mexico 87031

Phone: (505) 565-3650

e-mail approval 3/4/13

Elias Barela

ELIAS BARELA, ATTORNEY AT LAW, LLC

Post Office Box 2416

Los Lunas, New Mexico 87031

Phone: (505) 866-1252

e-mail approval 3/4/13

Adren R. Nance

NANCE, PATO & STOUT, LLC

Post Office Box 772

Socorro, New Mexico 87801-0722

Phone: (575) 838-0911

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VALENCIA COUNTY
Board of County Commissioners

Agenda Request Form

Department Head: Dan Zolnier
Individual Making Request: Barbara Baker
Presentation at Meeting on: March 20, 2013
Date Submitted: March 8, 2013
Title of Request: Indigent Report/2 Appeals

Action Requested of Commission:

Consideration of the Indigent Report for March 20, 2013
Consideration of 2 Appeals for March 20, 2013

Information Background and Rationale

One Report with 64 claims (See attached)
Two Indigent Appeals (See attached)

What is the Financial Impact of this Request?

\$53,037.46 recommended for approval of the Indigent Report
\$5,060.06 recommended for approval of the two Indigent Appeals

Legal:

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

Finance:

There are sufficient funds in the Indigent Fund for the indigent report and the appeals. The current balance in the Indigent Fund is \$3,006,103.03.

County Manager:



Valencia County Indigent & Insurance

BARBARA A. BAKER, ADMINISTRATOR

Post Office Box 1119 • Los Lunas, New Mexico 87031

Phone : (505) 866-2020 • Fax: (505) 866-3366

Date: March 20, 2013

To: Valencia County Board of County Commissioners

From: Barbara A. Baker (B.A.B.)

Subj: Ida May Ballegos - Indigent Appeal

Ida May Ballejos has requested an Indigent Appeal for the Indigent Denial of February 20, 2012 for her UNM Health Sciences Center bill. Ms. Ballejos was denied as she does have insurance, but there is a deductible. I would like to recommend approval of the balance of the UNM Health Sciences Center bill in the amount of \$500.00. Ms. Ballejos does qualify with all of the other requirements and has a **very low income**. If approved the amount being paid to UNM Health Sciences Center would be \$385.00.

Approved by the Board of County Commissioners at the regular meeting of March 20, 2013.

Charles D. Eaton, Chair

Alicia Aguilar, Vice-Chair

Mary J. Andersen

Donald E. Holliday

Lawrence R. Romero

ATTESTED BY:

Peggy Carabajal, Valencia County Clerk



Valencia County Indigent & Insurance

BARBARA A. BAKER, ADMINISTRATOR

Post Office Box 1119 · Los Lunas, New Mexico 87031

Phone : (505) 866-2020 · Fax: (505) 866-3366

Date: March 20, 2013

To: Valencia County Board of County Commissioners

From: Barbara A. Baker' BAB

Subj: Sean Hedrick - Inmate Indigent Appeal

Bruce Swingle has requested an Indigent Appeal for the Indigent Denial of February 20, 2012 for Inmate Sean Hedrick for his UNM Medical Group and UNM Health Sciences Center bills. Mr. Hedrick was denied as the bills were received over the 90 day limit. I would like to recommend approval of the UNM Health Sciences Center bill in the amount of \$8,406.65 with \$3,000 being paid if approved. I would like to recommend approval of the two UNM Medical Center bills, the one in the amount of \$4,816.00 I would like to recommend approval of \$1,000.00 and the other in the amount of \$1,080.00 I would like to recommend approval of \$675.06. The total amount of all three bills is \$4,675.06.

Approved by the Board of County Commissioners at the regular meeting of March 20, 2013.

Charles D. Eaton, Chair

Alicia Aguilar, Vice-Chair

Mary J. Andersen

Donald E. Holliday

Lawrence R. Romero

ATTESTED BY:

Peggy Carabajal, Valencia County Clerk



Valencia County Indigent & Insurance

BARBARA A. BAKER, ADMINISTRATOR

Post Office Box 1119 • Los Lunas, New Mexico 87031

Phone : (505) 866-2020 • Fax: (505) 866-3366

March 20, 2013

Dear Commissioners,

I would like to present the Indigent Claims from February 8, 2013 to March 7, 2013. The amount of claims submitted is \$558,351.38. I ask the Commission to approve \$53,037.46 and to deny \$505,313.92. There were 64 claims submitted, the breakdown is as follows;

- 33 - 51.5620% - UNM Health Sciences Center
- 10 - 15.6250% - Living Cross Ambulance
- 6 - 9.3755% - Presbyterian Hospital
- 4 - 6.2500% - Lovelace Medical Center
- 1 - 1.5625% - Presbyterian Medical Group
- 3 - 4.6875% - Radiology Associates
- 3 - 4.6875% - UNM Medical Group
- 1 - 1.5625% - ABQ Health Partners
- 1 - 1.5625% - Albuquerque Ambulance
- 1 - 1.5625% - Superior Ambulance
- 1 - 1.5625% - Cibola General Hospital

The payment for approved claims is as follows;

- \$ 28,624.50 - UNM Health Sciences Center
- 3,200.00 - Living Cross Ambulance
- 9,000.00 - Presbyterian Hospital
- 8,417.03 - Lovelace Medical Center
- 25.93 - Presbyterian Medical Group
- 71.35 - Radiology Associates
- 870.32 - UNM Medical Group
- 528.33 - ABQ Health Partners
- 400.00 - Albuquerque Ambulance
- 400.00 - Superior Ambulance
- 1,500.00 - Cibola General Hospital

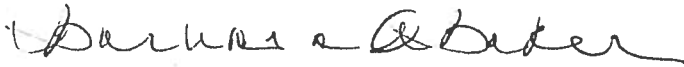
There are 17 applicant denials which are;

11168, 11174, 11182, 11196 and 11198- Income
11171, 11172, 11185, 11191, 11192, 11193 and 11210 - No Response
11173 and 11209 - Missed Appointment
11181 - Assets
11194 - Additional Information
11195 - Appointment not Made

The unpaid balance of the medical bills for the approved claims is \$302,232.47 and the unpaid balance of the ambulance bills for the approved claims is \$6,875.63.

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script, appearing to read "Barbara A. Baker".

Barbara A. Baker

VALENCIA COUNTY INDIGENT FUND CLAIMS LOG

March 20, 2013

Birth			Sex	Provider Name	Date(s) of		Diagnosis	Billed	Paid	Reason for	
ID NO.	Date				Service					Denial	
11168	02/09/55	M	UNM Health Sciences Center	12/18/12	Back Pain		1,431.50		0.00	Income	
11169	01/11/52	F	Living Cross Ambulance	01/10/13	Hernia		1,204.21		400.00		
*			UNM Health Sciences Center	12/26-12/29/12	*		31,056.18		2,000.00		
*			UNM Health Sciences Center	01/04-01/07/13	*		16,952.85		750.00		
*			UNM Health Sciences Center	01/10/13	*		843.35		250.00		
11170	11/24/71	M	Albuquerque Ambulance	11/13/12	Burn - Legs and Feet		569.00		400.00		
*			Cibola Hospital	11/13/12	*		6,329.00		1,500.00		
*			UNM Health Sciences Center	11/13/12	*		8,948.00		750.00		
*			UNM Health Sciences Center	11/13/12	*		5,779.50		750.00		
11171	03/21/50	F	UNM Health Sciences Center	11/13-11/16/12	Unknown		3,719.00		0.00	No Response	
11172	04/22/49	F	UNM Health Sciences Center	12/31/12	Dislocated Hip		31,066.80		0.00	No Response	
11173	03/02/11	F	Living Cross Ambulance	12/05/12	Head Injury		103.38		0.00	Missed Appointment	
11174	12/24/52	M	UNM Health Sciences Center	11/08/12	Toe Infection		572.00		0.00	Income	
11175	08/02/68	F	UNM Health Sciences Center	10/14-10/22/12	Difficulty Breathing		39,364.90		3,000.00		
11176	10/20/53	M	Living Cross Ambulance	01/13/13	Cabon Monoxide Poisoning		1,368.95		400.00		
*			UNM Health Sciences Center	01/13/13	*		678.00		522.06		
11177	06/13/84	F	Presbyterian Hospital	12/20/12	Cut Finger		2,120.00		1,000.00		
*			Presbyterian Hospital	12/25/12	Ulcers		3,032.80		1,000.00		
*			Presbyterian Hospital	01/21/13	Difficulty Breathing		2,793.70		1,000.00		
11178	12/29/58	M	Presbyterian Hospital	12/12-12/15/12	Infection on Arm		24,557.30		3,000.00		
11179	01/30/75	M	Lovelace Medical Center	01/22-01/25/13	Congestive Heart Failure		25,443.00		3,000.00		
11180	09/08/68	M	UNM Health Sciences Center	01/28/13	Vocal Chords Paralyzed		13,835.70		3,000.00		
11181	08/27/63	F	UNM Health Sciences Center	11/29/12	Swollen Lymphnodes		2,819.00		0.00	Assets	
11182	03/03/64	F	UNM Health Sciences Center	01/17/13	Lump on Breast		512.00		0.00	Income	
11183	04/30/59	M	UNM Health Sciences Center	01/07/13	Dislocated Shoulder		594.60		400.00		
*			UNM Health Sciences Center	01/17/13	*		12,643.58		2,600.00		
11184	12/05/84	F	Living Cross Ambulance	01/13/13	Liver Disease		1,126.68		400.00		
11185	09/28/77	M	UNM Health Sciences Center	11/07-11/08/12	Diabetic		8,962.10		0.00	No Response	
11186	09/06/66	F	UNM Health Sciences Center	01/04/13	Hypertension		621.00		478.17		
11187	09/23/69	F	Living Cross Ambulance	01/01/13	Blood Clots		1,272.86		400.00		

*		UNM Health Sciences Center	11/28/12	Abdominal Pain	1,104.15	500.00
*		UNM Health Sciences Center	11/28-11/30/12	Hysterectomy	32,495.90	1,500.00
*		UNM Health Sciences Center	01/02-01/04/13	Blood Clots	12,399.11	1,000.00
11188	M	01/09/88	11/07/12	Hernia	6,292.30	3,000.00
11189	M	12/04/53	12/04/12	Cataract Surgery	8,427.98	3,000.00
11190	M	03/07/78	12/17/12	Behavioral	1,112.95	400.00
*		Living Cross Ambulance	01/10/13	*	1,314.05	400.00
*		Living Cross Ambulance	12/17/12	*	2,104.00	1,620.08
11191	M	12/12/70	01/07-01/13/13	Pancreatitis	65,142.87	0.00 No Response
11192	F	12/12/70	12/03/12	Kidney Stone	2,645.50	0.00 No Response
11193	F	09/22/34	01/23/13	Unknown	1,468.00	0.00 No Response
11194	M	06/01/74	12/13/12	Motor Vehicle Accident	1,300.32	0.00 Additional Information
11195	M	03/23/88	11/18/12	Back Injury	207.00	0.00 Appointment Not Made
11196	M	07/15/48	01/03-01/04/13	Cardiology	14,985.50	0.00 Income
11197	M	02/01/58	01/03-01/06/13	Chest Pain	58,223.00	3,000.00
11198	M	01/30/65	12/04/12	Cyst on Groin	1,027.00	0.00 Income
11199	F	05/08/92	11/20-11/24/12	Appendectomy	18,097.63	3,000.00
11200	F	07/19/74	02/09/13	JAIL - Seizures	1,217.94	400.00
*		Living Cross Ambulance	02/09/13	*	3,139.00	2,417.03
11201	M	02/12/86	11/15/12	JAIL - Hand Injury	32.10	19.49
11202	F	01/23/67	12/07/12	JAIL - Pneumonia	3,357.00	528.33
11203	M	01/23/82	12/04/12	JAIL - Arm Injury	900.00	444.26
*		UNM Medical Group	12/04/12	*	680.00	322.16
*		UNM Medical Group	12/04/12	*	350.00	103.90
11204	M	01/23/82	07/05/12	JAIL - Swallowed Object	28.00	25.93
11205	M	09/19/67	06/05/12	JAIL - Foot Injury	30.00	25.93
*		Presbyterian Medical Group	02/01/13	*	107.00	25.93
11206	M	12/22/88	01/08/13	JAIL - Leg Injury	457.32	400.00
11207	M	05/16/92	12/04-12/05/12	Broken Hand	630.20	485.25
*		UNM Health Sciences Center	12/13/12	*	6,624.30	2,514.75
11208	F	01/05/73	12/25/12	Asthma	1,231.67	400.00
11209	M	04/02/83	11/08-11/09/12	Unknown	6,470.85	0.00 Missed Appointment
11210	F	01/31/52	01/19-01/27/13	Liver Disease	53,773.00	0.00 No Response
11211	M	08/25/61	12/18/12	Back Pain	654.80	504.19
TOTAL					558,351.38	53,037.46

VALENCIA COUNTY COMMISSION MEETING

Charles D. Eaton, Chair Alicia Aguilar, Co-Chair

Mary J. Andersen Donald E. Holliday Lawrence R. Romero

P.O. Box 1119 * * * Los Lunas, New Mexico 87031

Provider	Provider Account	Indigent Number	Amount Billed	Amount Denied	Amount Paid
UNM Health Sciences Center	218945251	11168	1,431.50	1,431.50	0.00
Living Cross Ambulance	78286	11169	1,204.21	804.21	400.00
UNM Health Sciences Center	219105350	11169	31,056.18	29,056.18	2,000.00
UNM Health Sciences Center	219686052	11169	16,952.85	16,202.85	750.00
UNM Health Sciences Center	219586575	11169	843.35	593.35	250.00
Albuquerque Ambulance	12091769	11170	569.00	169.00	400.00
Cibola Hospital	4339663	11170	6,329.00	4,829.00	1,500.00
UNM Health Sciences Center	217932466	11170	8,948.00	8,198.00	750.00
UNM Health Sciences Center	217784933	11170	5,779.50	5,029.50	750.00
UNM Health Sciences Center	218370237	11171	3,719.00	3,719.00	0.00
UNM Health Sciences Center	218953511	11172	31,066.80	31,066.80	0.00
Living Cross Ambulance	77217	11173	103.38	103.38	0.00
UNM Health Sciences Center	217614692	11174	572.00	572.00	0.00
UNM Health Sciences Center	216732412	11175	39,364.90	36,364.90	3,000.00
Living Cross Ambulance	78218	11176	1,368.95	968.95	400.00
UNM Health Sciences Center	219639382	11176	678.00	155.94	522.06
Presbyterian Hospital	000918322-2355	11177	2,120.00	1,120.00	1,000.00
Presbyterian Hospital	000918322-2360	11177	3,032.80	2,032.80	1,000.00
Presbyterian Hospital	000918322-3021	11177	2,793.70	1,793.70	1,000.00
Presbyterian Hospital	001074951-2347	11178	24,557.30	21,557.30	3,000.00
TOTALS			182,490.42	165,768.36	16,722.06

VALENCIA COUNTY COMMISSION MEETING

Charles D. Eaton, Chair Alicia Aguilar, Co-Chair

Mary J. Andersen Donald E. Holliday Lawrence R. Romero

P.O. Box 1119 * * * Los Lunas, New Mexico 87031

Provider	Provider Account	Indigent Number	Amount Billed	Amount Denied	Amount Paid
Lovelace Medical Center	P1302200732	11179	25,443.00	22,443.00	3,000.00
UNM Health Sciences Center	219771516	11180	13,835.70	10,835.70	3,000.00
UNM Health Sciences Center	218271088	11181	2,819.00	2,819.00	0.00
UNM Health Sciences Center	219831310	11182	512.00	512.00	0.00
UNM Health Sciences Center	219384062	11183	594.60	194.60	400.00
UNM Health Sciences Center	219746898	11183	12,643.58	10,043.58	2,600.00
Living Cross Ambulance	78228	11184	1,126.68	726.68	400.00
UNM Health Sciences Center	217561307	11185	8,962.10	8,962.10	0.00
UNM Health Sciences Center	219343027	11186	621.00	142.83	478.17
Living Cross Ambulance	77953	11187	1,272.86	872.86	400.00
UNM Health Sciences Center	218240661	11187	1,104.15	604.15	500.00
UNM Health Sciences Center	218815553	11187	32,495.90	30,995.90	1,500.00
UNM Health Sciences Center	219235496	11187	12,399.11	11,399.11	1,000.00
UNM Health Sciences Center	217582220	11188	6,292.30	3,292.30	3,000.00
UNM Health Sciences Center	217957190	11189	8,427.98	5,427.98	3,000.00
Living Cross Ambulance	77541	11190	1,112.95	712.95	400.00
Living Cross Ambulance	78161	11190	1,314.05	914.05	400.00
UNM Health Sciences Center	218892545	11190	2,104.00	483.92	1,620.08
Presbyterian Hospital	020265023-3006	11191	65,142.87	65,142.87	0.00
UNM Health Sciences Center	218414373	11192	2,645.50	2,645.50	0.00
TOTALS			200,869.33	179,171.08	21,698.25

VALENCIA COUNTY COMMISSION MEETING

Charles D. Eaton, Chair Alicia Aguilar, Co-Chair

Mary J. Andersen Donald E. Holliday Lawrence R. Romero

P.O. Box 1119 * * * Los Lunas, New Mexico 87031

Provider	Provider Account	Indigent Number	Amount Billed	Amount Denied	Amount Paid
UNM Health Sciences Center	219858602	11193	1,468.00	1,468.00	0.00
Living Cross Ambulance	77880	11194	1,300.32	1,300.32	0.00
UNM Health Sciences Center	217955210	11195	207.00	207.00	0.00
UNM Health Sciences Center	218824605	11196	14,985.50	14,985.50	0.00
Lovelace Medical Center	P1300300761	11197	58,223.00	55,223.00	3,000.00
UNM Health Sciences Center	218416543	11198	1,027.00	1,027.00	0.00
Presbyterian Hospital	000485268-2325	11199	18,097.63	15,097.63	3,000.00
Living Cross Ambulance	79155	11200	1,217.94	817.94	400.00
Lovelace Medical Center	P1304000281	11200	3,139.00	721.97	2,417.03
Radiology Associates	11718310	11201	32.10	12.61	19.49
Albuquerque NM Physicians	AN200019163101	11202	3,357.00	2,828.67	528.33
UNM Medical Group	I18066435	11203	900.00	455.74	444.26
UNM Medical Group	I18018201	11203	680.00	357.84	322.16
UNM Medical Group	I18070516	11203	350.00	246.10	103.90
Radiology Associates	15257157	11204	28.00	2.07	25.93
Radiology Associates	15237045	11205	30.00	4.07	25.93
Presbyterian Medical Group	BL10082080450	11205	107.00	81.07	25.93
Superior Ambulance	13-01-0557	11206	457.32	57.32	400.00
UNM Health Sciences Center	218464816	11207	630.20	144.95	485.25
UNM Health Sciences Center	218724110	11207	6,624.30	4,109.55	2,514.75
TOTALS			112,861.31	99,148.35	13,712.96

Alicia Aguilar, Vice-Chair

Lawrence R. Romero

P.O. Box 1119 * * * Los Lunas, New Mexico 87031

Valencia County Commissioners

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VALENCIA COUNTY
Board of County Commissioners

Agenda Request Form

Department Head: Glenda Chavez
Individual Making Request: Glenda Chavez
Presentation at Meeting on: 3/20/13
Date Submitted: 03/11/13
Title of Request: Memorandum of Agreement

Action Requested of Commission:

Respectfully requesting review of said MOA and approval of agreement

Information Background and Rationale

The NM Department of Health will provide funds in the amount of \$21,209.00 for the participation of Valencia County's Emergency Management in activities designated. The MOA will expire on 6/30/13 and the funds must be expended no later than 05/31/

What is the Financial Impact of this Request?

none. There is no financial match and all activities have been completed. The Finance Department will need to create a line item for proper expenditure of funds.

Staff Comments

Legal:

"The form of the agreement is legally sufficient."

Finance:

No significant financial impact. If this agreement is approved by the VCBCC then finance will need two signed copies of the agreement and finance will need also need a budget adjustment request approv

County Manager:

No comment.

MEMORANDUM OF AGREEMENT
Between the
NEW MEXICO DEPARTMENT OF HEALTH
and
VALENCIA COUNTY

This Agreement is entered into between the **New Mexico Department of Health (DEPARTMENT)** and **Valencia County**, the entity providing services (**CONTRACTOR**).

Funding under this agreement is from the Catalog of Federal Domestic Assistance (CFDA) Program:

- A. CFDA Number – CRI/City-County 93.074
- B. Program Title – Cities Readiness Initiative (CRI)
- C. AGENCY/OFFICE – Public Health Emergency Preparedness Program - Centers for Disease Control and Prevention
- D. GRANT NUMBER – 1U90 TP000537-01

The **CONTRACTOR**'s Dun and Bradstreet Data Universal Numbering System Number (DUNS Number) is 040706756.

The **CONTRACTOR** certifies that neither it, nor its principals, are:

- A. suspended or debarred from receipt of federal funding; nor
- B. delinquent on federal debt.

IT IS AGREED BETWEEN THE PARTIES

1. PURPOSE

The purpose of this agreement is to provide continued technical assistance and financial resources for the Cities Readiness Initiative (CRI) partners within the Albuquerque Metropolitan Statistical Area (MSA). The CRI is a Centers for Disease Control and Prevention (CDC) funded program to prepare major U.S. cities and metropolitan areas to effectively respond to a large scale public health emergency, including the mass distribution of Strategic National Stockpile (SNS) medical countermeasures (MCM). Another function of this agreement is to encourage collaboration and improve readiness within the MSA by accomplishing the tasks and producing the deliverables as identified in the CDC Technical Assistance Review (TAR) and Medical Countermeasure Distribution and Dispensing (MCMDD) Composite Measure Guide. The required tasks are identified in the CDC Public Health Emergency Preparedness (PHEP) Program Cooperative Agreement Guidance and Requirements. The CRI is managed through the DEPARTMENT's Bureau of Health Emergency Management (BHEM) and Public Health Division Metro Region.

2. SCOPE OF WORK

A. The CONTRACTOR shall perform the following work:

TASK #	TASK	DELIVERABLES	DUE DATE
1.	<p>A. As a CRI/MSA partner; participate with DOH in the process to ensure that the CRI/MSA operates as a single planning jurisdiction in preparation for any incident or event that requires the distribution of Strategic National Stockpile (SNS) medical countermeasure (MCM) assets.</p> <p>B. Essential personnel participate in DOH sponsored annual training courses to include:</p> <ul style="list-style-type: none"> • Overall SNS planning elements • Management of operations • Local-State requesting SNS procedures • POD requesting SNS procedures • Tactical communication planning • Public information and communication • Security operations • Inventory management • Distribution operations • Hospitals and alternate care facilities coordination • At-Risk and functional needs • Volunteer management 	<p>A. The signature of the Emergency Manager on the agreement that states all six jurisdictions collectively represent one comprehensive CRI/MSA planning jurisdiction.</p> <p>B. Course agendas and attendee sign-in rosters.</p>	<p>December 15, 2012</p> <p>December 15, 2012</p>
2.	<p>A. The participation of essential personnel in DOH sponsored required drills and exercises to meet the TAR and MCMDD composite measure requirements. Required drills and exercises include:</p>	<p>A. Attendee sign-in rosters, drill and exercise documents to include after action reports and improvement plans.</p>	<p>February 15, 2013</p>

	<div>1. Maintaining quarterly updates to the call down roster of key functional positions and conducting quarterly call down drills utilizing the updated roster.</div> <div>2. Participating in an annual drill to test the notification and activation plan.</div> <div>3. Performing quarterly testing with all identified redundant communication systems listed on the TAR tool and having a contingency plan in place if the identified systems are unavailable.</div> <div>4. Conducting quarterly tests on communication networks (equipment/hardware) and pathways between command, management and support agencies.</div> <div>5. Completion of a minimum of three individual drills (not three of the same drill) from the following list:<ul style="list-style-type: none">• Staff notification, acknowledgement and assembly• Site activation, acknowledgement and assembly• Facility set-up• Pick list generation• Dispensing throughput/RealOpt modeling• Elements of a Full Scale Exercise</div>	
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	<p>B. Collaborate with DOH and the CRI/MSA partners to develop and revise local SNS planning elements and ensure that these elements are included in the local Emergency Operations Plan (EOP).</p> <p>C. Ensure that all required elements of the Centers for Disease Control and Prevention (CDC) Local Technical Assistance Review (TAR) are completed.</p> <p>D. Attend or provide representation at all CRI related meetings, including the TAR Self-Assessment and official Local TAR conducted by the CDC.</p>	<p>B. Revised Incident Action Plan (IAP), revised CRI Regional Response Plan and incorporation of the required TAR elements into the local EOP.</p> <p>C. Documentation demonstrating completion of the required Local TAR elements.</p> <p>D. Meeting agendas and sign-in rosters.</p>	<p>February 15, 2013</p> <p>February 15, 2013</p> <p>Ongoing, to be completed by March 15, 2013</p>
3.	<p>The purchase of required supplies and equipment, travel or contractual personnel or services during the term of this agreement for CRI program purposes. The required purchases are for use by this Valencia County and CRI/MSA partners in preparation for any incident or event that requires the distribution of Strategic National Stockpile (SNS) medical countermeasure (MCM) assets.</p> <p>Submit all purchase requests to DOH BHEM for approval prior to purchase.</p> <p>All supplies, equipment, travel and/or services purchased must be received on or before May 31, 2013.</p>	<p>Tasks 1 and 2 must be completed prior to the request for reimbursement for Task 3.</p> <p>Along with the reimbursement request invoice to BHEM, provide copies of paid vendor invoices and evidence of the receipt of purchases (such as packing slips) for all purchased supplies and equipment, travel or contractual personnel or services.</p>	<p>All documentation must be received at BHEM by 5/31/13</p>

B. Performance Measures.

The CONTRACTOR shall substantially perform the following Performance Measures:

1. Ensure preparedness for public health emergencies.
2. Improve emergency medical services and the trauma care system across the state.

3. **ADMINISTERING AGENCY**
The administering agency is the DEPARTMENT.

4. **COMPENSATION**
- A. The total amount payable to the CONTRACTOR under this Agreement, including gross receipts tax and expenses, shall not exceed \$21,209.00. This amount is a maximum and not a guarantee that the work assigned and to be performed by the CONTRACTOR under this Agreement shall equal the amount stated herein.
- B. The DEPARTMENT shall pay to the CONTRACTOR in full payment for services satisfactorily performed **twenty-one thousand two hundred nine dollars (\$21,209.00)** based upon deliverables, such compensation not to exceed \$21,209.00 (as set forth in Paragraph A) including gross receipts tax. The New Mexico gross receipts tax levied on the amounts payable under this Agreement shall be paid by the DEPARTMENT to the CONTRACTOR. Payment is subject to availability of funds as appropriated by the Legislature to the DEPARTMENT and to any negotiations between the parties from year to year pursuant to Article 2, Scope of Work. All invoices **MUST BE** received by the DEPARTMENT no later than fifteen (15) days after the termination of the Fiscal Year in which the services were delivered. Invoices received after such date **WILL NOT BE PAID**. Invoices shall be submitted monthly. The CONTRACTOR shall submit to the DEPARTMENT at the close of each month a signed invoice reflecting the total allowable costs incurred during the preceding month. No invoices will be reimbursed unless submitted within thirty (30) days after the last day of the month in which services were performed.

BUDGET

TASK #	DELIVERABLES	BUDGET AMOUNT	FUNDING SOURCE - Reporting Category or Project ID (DEPARTMENT USE ONLY)
1.	A. The signature of the Emergency Manager on the agreement that states all five jurisdictions collectively represent one comprehensive CRI/MSA planning jurisdiction. B. Course agendas and sign-in rosters.	\$1,060.00	DOHBT 1313

2.	<p>A. Attendee sign-in rosters, drill and exercise documents to include after action reports and improvement plans.</p> <p>B. Revised Incident Action Plan (IAP), revised CRI Regional Response Plan and incorporation of the required TAR elements into the local EOP.</p> <p>C. Documentation demonstrating completion of the required Local TAR elements.</p> <p>D. Meeting agendas and sign-in rosters.</p>	\$3,181.00	DOHBT 1313
3.	<p>Tasks 1 and 2 must be completed prior to the request for reimbursement for Task 3.</p> <p>Along with the reimbursement request invoice to BHEM, provide copies of paid vendor invoices and evidence of the receipt of purchases (such as packing slips) for all purchased supplies and equipment, travel or contractual personnel or services.</p>	\$16,968.00	DOHBT 1313
	TOTAL	\$21,209.00	

- C. The CONTRACTOR must submit a detailed statement accounting for all services performed and expenses incurred. If the DEPARTMENT finds that the services are not acceptable, within thirty days after the date of receipt of written notice from the CONTRACTOR that payment is requested, it shall provide the CONTRACTOR a letter of exception explaining the defect or objection to the services, and outlining steps the CONTRACTOR may take to provide remedial action. Upon certification by the DEPARTMENT that the services have been received and accepted, payment shall be tendered to the CONTRACTOR within thirty days after the date of acceptance. If payment is made by mail, the payment shall be deemed tendered on the date it is postmarked. However, the DEPARTMENT shall not incur late charges, interest, or penalties for failure to make payment within the time specified herein.

5. **PROPERTY**

- A. The parties understand and agree that property acquired under this Agreement shall be the property of the DEPARTMENT.
- B. The CONTRACTOR will submit to the DEPARTMENT, within 45 calendar days after the end of the contract term and during the month of July annually thereafter, an inventory of equipment purchased during the term of this agreement for \$5,000 or more per item. The CONTRACTOR's inventory will contain the CONTRACTOR's asset inventory number, name of item, description, manufacturer's serial or identification number, acquisition date and total cost, identification of federal funds used for purchase (including amount, percent of federal funds used, and identification of specific federal funds used as stated in Section 4 - Compensation -Funding Source), date received, condition (useable, not-useable), photograph and location. The CONTRACTOR will maintain and provide additional inventory

information as requested by the DEPARTMENT for at least 8 years following the last payment received under this CONTRACT. The CONTRACTOR shall submit a written request to the DEPARTMENT for approval to transfer and/or dispose of equipment.

- A. To the greatest extent possible, all equipment/products purchased by the CONTRACTOR with these funds should be American-made. Equipment is defined as tangible non-expendable personal property (including exempt property) charged directly to an award having a useful life of more than one year AND an acquisition cost of \$5,000 or more per unit. The CONTRACTOR may establish a lower threshold.

6. CLIENT RECORDS AND CONFIDENTIALITY

- A. The CONTRACTOR shall maintain complete confidential records for the benefit of clients, sufficient to fulfill the provisions of the Scope of Work, and to document the services rendered under the Scope of Work. All records maintained pursuant to this provision shall be available for inspection by the DEPARTMENT.
- B. The CONTRACTOR shall protect the confidentiality, privacy and security of all confidential information and records and shall not release any confidential information to any other third party without the express written authorization of the client when the record is a client record, or the DEPARTMENT.
- C. The CONTRACTOR shall comply with the Federal Health Insurance Portability and Accountability Act (HIPAA) of 1996, the Health Information Technology for Economic and Clinical Health Act of 2009 (HITECH Act) and applicable regulations and all other State and Federal rules, regulations and laws protecting the confidentiality of information. If the CONTRACTOR may reasonably be expected to have access to the DEPARTMENT's Protected Health Information (PHI) and is not a Covered Entity as defined by HIPAA, the CONTRACTOR shall execute the HIPAA/HITECH Business Associate Agreement as a separately executed mandatory agreement which is hereby incorporated by reference into and made part of this CONTRACT. Failure to execute the HIPAA/HITECH Business Associate Agreement when required by the DEPARTMENT shall constitute grounds for termination of this CONTRACT in accordance with Article 9 of this CONTRACT.

7. FUNDS ACCOUNTABILITY

- A. The CONTRACTOR shall maintain detailed time and expenditure records, which indicate the date, time, nature, and cost of services rendered during the Agreement term and retain them for a period of three (3) years from the date of final payment under the Agreement. The records shall be subject to inspection by the DEPARTMENT, the Department of Finance and Administration and the Office of the State Auditor. The DEPARTMENT shall have the right to audit billings both before and after payment; payment under this Agreement shall not foreclose the right of the DEPARTMENT to recover excessive or illegal payments.
- B. The CONTRACTOR receiving federal award funding is a "SUB RECIPIENT" under the Single Audit Act (31 U.S.C. §7501, et seq.).

Sub recipients expending \$500,000 or more of federal award funding, must complete an "Annual Financial Audit" in compliance with the OMB Circular A-133 and the requirements

of the New Mexico State Audit Act. The CONTRACTOR will notify the DEPARTMENT if federal funding increases to \$500,000 or more during CONTRACTOR's fiscal year.

An "Annual Financial Audit" is defined as either:

- a single audit which includes the Federal Awards provided by the DEPARTMENT; or
- a program-specific audit focused specifically on the federal awards provided by the DEPARTMENT.

The audit must be completed within 9 months of the end of the CONTRACTOR's fiscal year. Within 30 days of having received the audit from the auditor, or within 9 months of the end of the CONTRACTOR's fiscal year, whichever comes first, the CONTRACTOR must submit a copy of the audit to the Federal Audit Clearinghouse (FAC) at <http://harvester.census.gov/sac/> and to the DEPARTMENT for review. If audit findings relate to the funding provided by the DEPARTMENT, the CONTRACTOR must implement timely and appropriate corrective actions.

- B. The CONTRACTOR shall maintain financial statements and the CPA's audit or opinion for a period of no less than six years, and shall make the financial statements and the CPA's audit or opinion available to the DEPARTMENT upon request.
- C. Copies of the "Annual Audit Report" and other requested information shall be sent to:

Financial Accounting Bureau Chief
New Mexico Department of Health
Harold Runnels Building, N-3157
1190 St. Francis Drive
P.O. Box 26110
Santa Fe, NM 87502-6110

- F. The DEPARTMENT may take corrective action as deemed necessary for the CONTRACTOR's failure to comply with 7-A through 7-E above. Corrective action may include, but is not limited to, termination of CONTRACT and preclusion from engaging the CONTRACTOR in the future.

8. **LIABILITY**

As between the parties, each party will be responsible for claims or damages arising from personal injury or damage to persons or tangible property to the extent they result from negligence of its employees, subject in all cases to the immunities and limitations of the New Mexico Tort Claims Act, Section 41-4-1, et seq., NMSA 1978, as amended.

9. **TERMINATION OF AGREEMENT**

This Agreement may be terminated by either of the parties hereto upon written notice delivered to the other party at least thirty (30) days prior to the intended date of termination. Except as otherwise allowed or provided under this Agreement, the DEPARTMENT's sole liability upon such termination shall be to pay for acceptable work performed prior to the CONTRACTOR's receipt of the notice of termination, if the DEPARTMENT is the terminating party, or the CONTRACTOR's sending of the

notice of termination, if the CONTRACTOR is the terminating party; provided, however, that a notice of termination shall not nullify or otherwise affect either party's liability for pre-termination defaults under or breaches of this Agreement. The CONTRACTOR shall submit an invoice for such work within thirty (30) days of receiving or sending the notice of termination. Notwithstanding the foregoing, this Agreement may be terminated immediately upon written notice to the CONTRACTOR if the CONTRACTOR becomes unable to perform the services contracted for, as determined by the DEPARTMENT or if, during the term of this Agreement, the CONTRACTOR or any of its officers, employees or agents is indicted for fraud, embezzlement or other crime due to misuse of state or Federal funds or due to insufficient appropriation by the Legislature to the DEPARTMENT. THIS PROVISION IS NOT EXCLUSIVE AND DOES NOT WAIVE THE STATE'S OTHER LEGAL RIGHTS AND REMEDIES CAUSED BY THE CONTRACTOR'S DEFAULT/BREACH OF THIS AGREEMENT.

10. APPLICABLE LAW

The laws of the State of New Mexico shall govern this Agreement, without giving effect to its choice of law provisions. Venue shall be proper only in a New Mexico court of competent jurisdiction in accordance with NMSA 1978 Section 38-3-1(G). By execution of this Agreement, the CONTRACTOR acknowledges and agrees to the jurisdiction of the courts of the State of New Mexico over any and all lawsuits arising under or out of any term of this Agreement. The parties agree to abide by all state and federal laws and regulations.

11. PERIOD OF AGREEMENT

This Agreement shall be effective **November 15, 2012** or upon approval of both parties, whichever is later and shall terminate on **June 30, 2013** or as stated in **ARTICLE 9, Termination of Agreement**. Any and all amendments shall be made in writing and shall be agreed to and executed by the respective parties before becoming effective.

12. Federal Funding Accountability and Transparency Act Reporting.

The CONTRACTOR is a "SUB RECIPIENT" of federal award funding.

For sub recipients receiving \$25,000 or more in federal funding from the DEPARTMENT, the DEPARTMENT will report this agreement to the Federal government at <http://www.fsrs.gov> as required under the Federal Funding Accountability and Transparency Act (FFATA).

In addition, if the following criteria are met, the CONTRACTOR (subrecipient) meeting the following criteria must report the names and total compensation ((see 17 CFR 229.402(c)2)) of each of The CONTRACTOR's five most highly compensated executives for the CONTRACTOR's preceding completed fiscal year to the DEPARTMENT within 15 calendar days of execution of this agreement, and to the Federal government at <http://www.fsrs.gov> as required under the Federal Funding Accountability and Transparency Act (FFATA):

- A) in the CONTRACTOR's preceding fiscal year, the CONTRACTOR received 80% or more of its' annual gross revenues from Federal procurement contracts (and subcontracts) and from Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and sub-awards); and
- B) in the CONTRACTOR's preceding fiscal year, the CONTRACTOR received \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts) and from Federal financial assistance subject to the Transparency Act (and sub-awards); and

- C) the public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986.

IN WITNESS WHEREOF the parties have executed this AGREEMENT at Santa Fe, New Mexico. The effective date is **November 15, 2012** or upon approval of both parties, whichever is later.

New Mexico Department of Health

By: _____
Brad McGrath
Interim Cabinet Secretary

Date: _____

By: _____
Department of Health
Assistant General Counsel

Date: _____

CONTRACTOR

By: Bruce Swingle
Bruce Swingle
County Manager

Date: _____

By: _____
Legal Counsel

Date: _____

Approved at the regular Business Meeting of March 20, 2013 by the Board of County Commissioners.

Charles D. Eaton , Chair

Alicia Aguilar, Vice-Chair

Mary J. Andersen; District I

Lawrence R. Romero; District III

Donald E. Holliday; District V

Attested by: _____
Peggy Carabajal, Valencia County Clerk

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VALENCIA COUNTY
Board of County Commissioners

Agenda Request Form

Department Head: Jacobo Martinez

Individual Making Request: Victor Gonzales

Presentation at Meeting on: March 20, 2013

Date Submitted: March 11, 2013

Title of Request: Fee Schedule to Produce Addressing or Street Identification for the General Public

Action Requested of Commission:

Request to adopt the fee schedule as outlined to accept a payment for producing home address plates or street identification marker.

Information Background and Rationale

It has been duly noted that residents in Valencia County should clearly mark their homes with assigned address which is according to building code regulations. In an effort to raise awareness and help promote public awareness and safety in this area, the county has agreed that providing reflective addressing plates at a reasonable cost will greatly benefit the public and clearly identify their numbers in an emergency situation. These services would be provided upon request and at cost of reasonable amount and as approved by this fee schedule.

A method of collecting funds has been established in conjunction with the Treasures office. They will handle all funds collected and route them into a line item designed to support and perpetuate the addressing plate program.

This resolution to begin this program is previously accepted by the commissioners and we now wish to seek acceptance of the fee schedule associated with this project.

What is the Financial Impact of this Request?

None

Legal:

As the Commission has indicated that it is interested in pursuing a home addressing program wherein the County provides "address signs" it is important to have a uniform charge to insure that the citizens are receiving the best value, the County is not losing funds and that fees are uniformly structured. - ARN

Finance:

Staff needs to have a plan of action to collect, account for and deposit funds. CC

County Manager:

Valencia County
Board of County Commissioners
Resolution 2013-__

A RESOLUTION

IMPLIMENTING A FEE SCHEDUAL FOR PRODUCING A SIGN FOR THE PURPOSE OF HOME ADDRESSING OR
STREET IDENTIFICATION FOR THE GENERAL PUBLIC.

WHEREAS, The Board of County Commissioners met in a regularly scheduled meeting on Wednesday,
_____ 2013 at _____ am/pm in the Valencia County Commission Chambers, 444 Luna Ave., Los Lunas,
NM 87031; and,

WHEREAS, Article 9 Section 14 the Constitution of the State of New Mexico, the anti-donation clause, holds in part
that, "the state nor any county, school district or municipality" shall, "make any donation to or in aid of any person,
association or public or private corporation...", and.

WHEREAS, the production of a sign and purchase of the materials necessary to produce said sign is an expense to
the taxpayers of the County both financially and through the use of staff time to produce such signage; and,

WHEREAS, creating a sign is subject to actual expenses which include current materials cost, as well as the use of
and diversion of personnel and equipment to complete such requests; and,

WHEREAS, home addressing signs are necessary for the efficient operation of emergency services and this
Commission encourages all residences in the County to have clearly identifiable address signs for easy
identification during emergencies; and,

WHEREAS, it is the intent of this Commission to help protect its citizens by making home address signs available to
County residents on an at cost basis.

NOW THEREFORE, BE IT RESOLVED, by the Valencia County Board of County Commissioners, the following fee
schedule is hereby enacted to offset the cost of generating a sign for the purpose of street identification or home
addressing. For any person or entity requesting such for use and that such fees shall be paid in advance.

Materials Cost

Plate Price

Size	Single Side	Character(s): 0.75 ea.
6" x 18"	\$12.00	
6" x 24"	\$14.00	
6" x 30"	\$16.00	

APPROVED, ADOPTED, AND PASSED on this ____ day of _____, 2013.

BOARD OF COUNTY COMMISSIONERS

Charles D. Eaton
Chairman, District IV

Alicia Aguilar,
Vice-Chair, District II

Mary J. Andersen
Commissioner, District I

Donald E. Holliday
Commissioner, District V

Lawrence R. Romero
Commissioner, District III

Attest:

Peggy Carabajal, Valencia County Clerk

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VALENCIA COUNTY
Board of County Commissioners

Agenda Request Form

Department Head: Nick Telles

Individual Making Request: Nick Telles

Presentation at Meeting on: March 20, 2013

Date Submitted: March 11, 2013

Title of Request: Consideration of Older American Program Policy Manual

Action Requested of Commission: To approve the 2013 Older American Policy Manual that has been ratified by the OAP Advisory Council.

Information Background and Rationale: From the recent 2013 OAP program assessment the NM Non-Metro Area Agency on Aging has required for the policy manual to be approved by the Valencia County Board of County Commissioners. This action is pursuant to NM AAA Standards & Policy Manual (Section V Numbers 503 & 505)

What is the Financial Impact of this Request?

There is no significant financial impact associated with this request.

Legal:

TBD. D.P.

Finance:

There is no substantial financial impact with this request. This action is a mandatory requirement of the NM Non-Metro Area Agency on Aging. N.T.

CountyManager:

TBD. B.S.



Valencia County Older American Program 2013 Policy Manual

O.A.P. Advisory Council

Lillie McNabb – Chairperson

Wayne Gallegos – Vice Chair

Linda F. Haverty – Del Rio Representative

Emily Carrillo – Administrative Assistant O.A.P.

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The Valencia County Older American Program must ensure each eligible participant has an opportunity to voluntarily, confidentially and free from pressure, contribute toward the cost of any service. An eligible participant may never be denied services because of a personal decision not to contribute.

VALENCIA COUNTY OLDER AMERICAN PROGRAM

PROGRAM CODE OF CONDUCT

All contractors of the NCNMEDD Area Agency on Aging are required to comply with this Code of Conduct Policy. The NCNMEDD AAA will include compliance of this in the assessment process utilized for programs. Program employees, volunteers, board members and other staff (program personnel) shall adhere to the Valencia County Policies.

It is the goal of Valencia County Older American Program staff to provide these seniors with facilities and services to assist them in living comfortable, enjoyable and full mature lifestyle in their individual homes and in the Valencia County Senior Centers.

We shall provide high quality, service-oriented assistance to our clients and to hire staff willing to carry out this goal. We have a commitment to work together to make a positive difference in the lives of these senior individuals and the communities we serve. We must always represent our county as being concerned for the well-being of our senior citizens. We must:

-Display honesty, integrity, and empathy in all our actions
-Have a courteous, friendly, positive attitude toward others
-Consider the priorities/wishes of our seniors when delivering services
-Maintain a regular schedule and arrive at the scheduled time

Code of Ethics

1. All staff will respect the privacy of each other, our senior participants and their families.
2. Information that staff may learn about each other, the senior participants, or their families, whether in person or from past or current records is to be kept confidential.
3. Maintain the highest standards of personal ethics and conduct at all times.
4. Ensure that unfair advantages of seniors or other persons within the program do not occur. **Includes:**
 -abuse, intentional or negligent infliction of physical pain, injury or mental anguish
 -neglect, the failure of a caregiver for provision of basic needs
 -exploitation, the improper and unauthorized use of funds, property or other resources for another's profit or advantage.
5. Shall not use their position to intimidate, coerce or threaten seniors into performing any act which the senior would not otherwise perform.
6. Shall not use privileged or confidential information for their or another's gain.
7. Will not engage directly or indirectly in a financial transaction for private gain as a result of information obtained through their position with the program.
8. Will not directly or indirectly accept compensation, gifts, loans, favors, gratuities, a future promise of future employment or anything of greater value than or service as it relates to their job in the program. (Gifts can be accepted during special holidays, but are not to be asked for and are not to exceed \$25.00.)

General Procedures:

Personal Safety Issues:

1. Staff will be aware of their surroundings at work and when entering the home of a client as these surroundings relate to their safety.
2. Staff will not enter a home, building, neighborhood or other environment which presents a threat of serious physical or emotional harm.
3. Staff will carry a minimum of personal articles with them into client homes and keep items in their possession while in the home or leave personal items in a vehicle.
4. If at any time staff personnel believe they are in danger or are being sexually or otherwise harassed, they will immediately notify the Program Administration.
(Appropriate action will be taken.)

Client Safety Issues:

1. Staff will be aware of anything in the physical surroundings of the client that poses a danger to the client.
2. We are required by state law to report any suspected abuse or neglect of a senior.
3. Staff will be aware of any changes in the physical or emotional state of a client. (These issues should be reported to the Program Administration.)

Drug Testing Policy:

Valencia County is committed to the goal of a drug-free work place in compliance with the Drug-Free Workplace Act of 1988 and with the 1994 Title 49*, Code of Federal Regulations, Part 382. (Drug and alcohol testing will be conducted for CDL drivers.)

- I. Employees will adhere to the Valencia County Drug Free Workplace Policy.

Affirmative Action Plan:

The Valencia County Older American Program affirmative action plan shall adhere to the Valencia County personnel policy regarding affirmative action.

Implementation Plan:

1. All employees will be trained on the code of conduct's requirements and the general expectations regarding appropriate behaviors. (This will be documented.)
2. Educate the public through workshops, presentations and written materials about the identification and prevention of adult abuse, neglect and exploitation.
3. Have a system or procedure for handling cases of suspected adult abuse, neglect and financial exploitation.
4. Inform seniors that financial exploitation will not be tolerated by persons within the Aging Network. (Post in large easy to read notices to caution seniors about exploitation and encourage them to report such problems to designated program staff person.)
5. Discipline a person who violates the program's code of conduct. (Allow an existing appeal process to remain in place within the already established manual or grievance procedures.)
6. Adhere to the Valencia County Personnel Policies and Procedures. (A copy is included.)

DISASTER PLAN

The purpose of this compliance plan is to summarize Valencia County Older American Program efforts to evaluate and prepare for any disasters. In the event of a disaster, the Valencia County Older American Program will implement the plan in conjunction with Valencia County, City of Belen, Village of Los Lunas, Village of Bosque Farms and Town of Peralta as necessary.

Procedures:

1. Access water and the necessary sanitary facilities.
2. Access medications/prescriptions at the local pharmacy.
3. Access to health care
 - a. A physician who will be willing to come to the center if needed.
 - b. A dentist who will be willing to come to the center if needed.
4. Determine other sources of heat if natural gas is not available.
5. Determine other sources of electricity if not available.
 - a. Obtain and maintain flashlights and batteries.
6. Access to a bank ATM machine if needed.
7. Access to paper cups, plates and eating utensils.
8. Access to hand operated can openers.

EMERGENCY PLAN

In time of emergencies, such as snow days, extreme rain, or other bad weather when vehicles cannot get through to home bound participants, the following will be implemented.

1. Notify Media Sources to announce that Senior Centers will not be open and homebound meals will not be delivered on days that the weather will not allow vans to operate.
2. Advise staff to listen to Media Sources when weather is unsafe for travel.
3. Notify Valencia County Emergency Management point of contact and Older American's Program Department head of emergency event.
4. Collaborate with Valencia County Emergency Management to secure emergency supplies and rations.
5. We will call clients scheduled for medical transport and inform them that we are unable to transport them due to weather and will transport them the next day if possible.

In emergencies where one center must close, we will transport participants to the nearest center. We will post notices at the centers informing others which center is open for seniors.

For homebound participants who live in areas where the roads get extremely muddy and the van cannot pass through, we will deliver extra shelf staple meals.

1. Deliver additional meal(s) to each homebound client at the onset of cold weather setting in. This will be the responsibility of the van drivers.
2. Give each homebound client instructions on how to prepare and care for additional meal(s).
3. In case inclement weather lasts longer than anticipated, we will attempt to deliver a meal to those homebound that are the frailest elderly. We will use any four-wheel drive vehicle available to assist with this type of delivery; it will be the responsibility of the administrative staff to coordinate with the County and City Emergency Personnel.

POLITICAL POLICY

The Valencia County Older American Program will provide equitable time to all candidates who make requests to address the seniors. The Director or the appointed designee (Site Manager) will be responsible for enforcement of the following policies. This includes approval of political activity prior to the scheduled event.

1. All agency representatives, including employees, board members, and advisory council members are prohibited from engaging in political activities with the senior citizens at a senior center. Such as:

- (a) Do not display endorsement of any individual candidate.
- (b) Do not display support of any individual candidate.
- (c) Do not display promotion of any individual candidate.

2. Time Frame Allotted:

- (a) No presentations will be done during the lunch period.
- (b) Presentation shall not exceed fifteen (15) minutes; which includes questions and answers.

3. Types of Presentations:

- (a) One to one process
- (b) Group process
- (c) Forums (sponsored by Older American Program)

4. Donations to the Senior Program:

Candidates are allowed to make donations but are required to notify the Program prior to the contribution/donation being made.

5. Distribution of Political Candidates Material:

Prior arrangements are to be made before distribution of the material.

6. Non Partisan shall adhere to the above rules.

CONGREGATE PARTICIPANTS

CODE OF CONDUCT

The Valencia County Older American Program will administer the activities at the Valencia County Senior Centers as well as the use of transportation vehicles established under the Code of Conduct policies as set forth by the Valencia County board of Commissioners. These policies are established to provide a safe and orderly environment for the senior services participants. Senior Services will focus whatever means it has at its disposal to deal with substance abuse, harassment and weapons at the Senior Centers, in vans, and in the participant's home in order to assure and protect the safety and security of its elderly participants.

Activities may be held in the Senior Centers during the regular center hours or as specifically schedule with prior permission.

1. Senior Center Hours:

- (a) Belen Senior Center 9:00 am to 3:30 pm
- (b) Del Rio Senior Center 9:00 am to 3:30 pm
- (c) Los Lunas Senior Center 8:00 am to 2:00 pm
- (d) Bosque Farms Community Center....11:00 am to 1:00 pm
- (e) Meadow Lake Senior Center 9:00 am to 2:30 pm

2. Center participants, monitored by staff, are responsible for clean up after the activity.

Nutrition (Meals):

- 1. Contributions are strictly voluntary.
- 2. Do not touch food on serving line.
- 3. Food is not to be carried out.
- 4. Cleanliness is a must.
- 5. Courtesy always.
- 6. Abuse in any form will not be tolerated.

Smoking:

No smoking in the building at any time.

Alcohol:

- 1. The presence and/or consumption of alcoholic beverages will not be allowed in any Senior Center or in any van.
 - (a) Abusive use of alcohol will not be tolerated and any person violating this policy will be asked to leave the premises immediately by the Site Manager.
 - 1. If the Site Manager encounters resistance, the police department will be called to escort the individual off the premises.
 - 2. Under no circumstance should staff or any other person attempt to physically or verbally restrain the violator.

3. The violator will be notified, in writing of the consequence of his/her action as it relates to the violation.

(b) The staff person in charge must immediately communicate and document the situation to the director or the next person in the chain of command.

Weapons (Violent Actions):

A weapon of any sort is not allowed in the Program Senior Centers. Possession of a weapon includes firearms and other objects that according to New Mexico Law fit the description of a deadly weapon. A full description of this law will be provided, upon request.

1. Anyone suspecting the presence of /or seeing a weapon shall notify the staff person in charge immediately.

(a) At the discretion of the Site Manager the Police Department will be called.

(b) Under no circumstances will the Site Manager make any attempt to remove the perpetrator.

2. When violent action perpetrated between participants, guests or any staff member, either in a physical encounter or verbal exchange, may constitute a fight, the Site Manager may attempt to verbally stop the violence. Under no circumstances should the staff person attempt to physically separate the belligerents.

(a) If resistance is encountered, the Site Manager will call the Police Department to escort the individuals out.

(b) If a suspension is ultimately justified, the person causing the problem will be sent a letter by registered mail. This letter will be signed by the Site Manager and the Program Director.

Harassment:

Harassment in any form will not be tolerated by telephone.

1. Under no circumstance will the staff person argue with the abusive caller or respond to the caller in a rude manner.

(a) Staff persons or volunteers who receive harassing telephone calls will be instructed to inform the person to call back when the caller has calmed down

(b) Oral abusive behavior will be documented and reported to the Program Director.

2. Abusive, obscene, threatening, harassing, insulting or suggestive language. This includes hate speech or epithets, (e.g. racial, ethnic, sexist, homophobic, religious slurs, and politic slurs.

(a) Person violating this harassment policy will be asked to leave.

(b) If written harassment is received the document shall be given to the Program Director.

3. If a suspension is ultimately justified, the person causing the problem will be sent a letter via registered mail, which will be signed by the Site Manager and the Program Director.

Stealing or Destruction of Property:

Any participant caught stealing or intentionally destroying property will be subject to suspension or removal from the property.

1. No abusing or destroying of property will be tolerated.
2. If suspicion of theft occurs, it shall be reported by the Program Director to the police.

Personal hygiene:

Offensive hygiene including: inappropriate, inadequate and infected clothing or personal effect or unpleasant body odor is offensive to other senior participants; the Site Manager will counsel the participant.

1. While counseling the individual, the Site Manager will try to discover why the participant is having difficulty maintaining good personal cleanliness. The lack of neatness cleanliness may, in fact, be a symptom of something being seriously wrong.
2. If the problem cannot be corrected, the participant may need to be suspended from participation at the senior center and/or vehicles. In-home services will be provided as deemed necessary.
3. Document findings and recommendations to the Program Director.

Administrative Procedures:

If the Program Director has reasonable cause to believe that a participant has violated a provision or provisions of the Program Code of Conduct, the Director will take steps as follows:

1. Due Process Procedures:
 - (a) The Director will meet with the participant in an attempt to informally resolve the issue.
 - (b) If a mutually agreeable resolution cannot be reached informally, The Director shall send written notice to the participant of intended disciplinary action. (Notice will be translated into the appropriate language, if necessary.)
 - (c) The written notice will specify the nature of the disciplinary action proposed by the Program Director.
 - (d) The notice will state the reason such an action is deemed necessary and the participant's rights in the appeal process (if the participant wishes to contest the proposed action.)
2. The appeal and hearing process is outlined in the Senior Citizen-Grievance Procedure. (page 14).

CLEANING POLICY

The Valencia County Older American Program will provide a clean and safe environment for participants.

Kitchen:

1. All dishes, pots, pans, and utensils are cleaned and stored properly after each use.
2. Sinks are cleaned after use.
3. Work counters are cleaned after each use.
4. Can opener is cleaned after each use.
5. Steam table is cleaned after each use.
6. Tray return window and surrounding area is cleaned after each use.
7. Bathroom is cleaned daily or as needed.
8. Floors are swept daily or as needed.
9. Floors are mopped daily or as needed.
10. Clean ice machine exterior daily.
11. Clean stoves, ovens, mixers, and slicers after each use.
12. Empty all trash daily or as needed.

Dining Room:

1. Wash and sanitize tables daily or as needed.
2. Sweep floor daily or as needed.
3. Mop and sanitize floor daily or as needed.
4. Clean and sanitize coffee area daily or as needed.
5. Empty all trash daily or as needed.

General Cleaning of center:

1. Vacuum as needed.
2. Empty all trash daily or as needed.
3. Clean and sanitize bathrooms daily or as needed.
4. Sweep and mop floors daily or as need.

HOMEBOUND PARTICIPANTS

CODE OF CONDUCT

The Valencia County Older American Program will administer all in-home services. This Code of Conduct lists those policies established to provide a safe and orderly environment for senior participants and the service provider.

Participant Policy:

1. Recipient of services must be courteous to staff member while in the home.
2. Recipient of service will not allow harassment in any form.
3. Violent actions by recipient of services will not be tolerated.
4. Family and friends must adhere to these policies.

Failure to comply with any policy can result in suspension or termination of services.

Due Process:

1. When the Program Director has reasonable probable cause to believe that a Participant has violated a provision or provisions of the Code of Conduct, the Director shall meet with the participant in an attempt to informally resolve the issue.
2. In the event a mutual agreement cannot be made, the Program Director will send a written notice to the participant of the intended disciplinary action. (Written notice will be translated into appropriate language.)
3. The written notice shall specify the violation and the disciplinary action taken and the participant's right to appeal.
4. The participant shall have 10 days from the date of the receipt of the written notice to request a hearing to appeal the disciplinary decision through the Grievance Committee.
5. The Grievance Committee will review the documentation and interview the participant at the nearest senior center, if possible, or in the home if necessary.

SENIOR CITIZEN – GRIEVANCE PROCEDURE

Any senior citizen that is dissatisfied with or denied services in Valencia County should follow procedures outlined as follows. Failure to follow these procedures will cause the complaint/grievance to be rejected without consideration.

1. Present original complaint or grievance in writing to the responsible staff member within five (5) days of the occurrence. (Site Manager first, then Program Director, etc.)
2. The respective individual will make every effort to resolve the situation within fourteen days of complaint/grievance.
3. If the participant is not satisfied with the results, a written report of the complaint/grievance should be submitted to the Advisory Council with a copy forwarded to the County Manager.
4. The local Advisory Council will have fourteen days to make every attempt to resolve the complaint /grievance.
5. If all of the aforementioned procedures have proven unsuccessful, the Area Agency on Aging will attempt to resolve the complaint/grievance within seven days of notification by the local Advisory Council. Area Agency on Aging physical location: 3900 Paseo del Sol Santa Fe, NM 87507 mailing address P.O. Box 5115 Santa Fe, NM 87502.
6. The Area Agency on Aging will submit the final determination to the participant. If needed, assistance of the PSA 2 Advisory Council and State Agency on Aging will be requested to arrive at a final decision.
7. The grievance committee will consist of five (5) members, with one (1) advisory council member from each senior center, where the problem did not occur. The Vice chair will be a member and chair the grievance.

DISENROLLMENT POLICY

Failure to comply with any of the posted Code of Conduct policies may result in a participant's disenrollment from the programs and services offered by the Valencia County Older American Program. Specific reasons for disenrollment are listed in the program's codes of conduct. Participant can be dis-enrolled if funding becomes unavailable.

General Guidelines:

1. Any possible disenrollment referrals shall be given to the Program Director by appropriate staff after all attempts to resolve at their level has failed.
2. After the Program Director has received referral of reasonable probable cause to believe that a participant has violated a provision or provisions of the Congregate Code of Conduct or In-Home Code of Conduct, the director shall meet with participant in an attempt to informally resolve the issue.
3. In the event a mutual agreement cannot be made, the Program Director will send a written notice to the participant of the intended disenrollment.
4. Written notice will be translated into appropriate language. (a) The written notice shall specify the violation and the participant's right to appeal.
5. The participant shall have five (5) days from the date of the receipt of the written notice to request a hearing to appeal through the Grievance Committee.
 - (a) The Grievance Committee will review the documentation and interview the participant and the Program Director.
 - (b) Thirty (30) days after final decision to dis-enroll is rendered, participant will be deactivated from New Mapis.
6. A person who is dis-enrolled may apply for consideration for reenrollment.
7. The current Grievance Committee will conduct the reconsideration.
 - (a) The participant will be encouraged to participate in other program services.

In-Home Services:

In-home services can be discontinued if participant obtains other resources.

NEW MAPIS PARTICIPANT ENROLLMENT POLICY

To define the method of tracking the number of eligible participants receiving services through the Valencia County Older American Program

Data will be collected by all programs in PSA II utilizing the Client Registration Form, the Nutritional Assessment Form, Activity of Daily Living (ADL), and Instrument Activities of Daily Living (IADL) Form.

Procedures:

1. Assessment forms must be ready for staff to complete on each participant.
2. One qualified employee/volunteer must work one on one with the client in completing the forms.
3. Make copies of all of the forms and mail originals to Non Metro Area Agency in Taos, NM.
4. Clients must sign daily logs for each serviced received.
5. At the end of the month when all rosters have been tabulated, the roster must then be submitted to the Programs Harmony on Aging Coordinator to enter the data into Harmony on Aging.
6. This cycle must be completed for each client receiving services.

NEW MAPIS

Reconciling Policy:

Each month all hard copies and all data entered into the HOA program must be reconciled to ensure that correct numbers are being reported. The HOA Coordinator will enter all data into HOA from the hard copies, and then print out this data.

Procedure:

1. Data is entered in Harmony on Aging.
2. Print Summary report
3. Reconcile with raw data. Raw data includes daily sign-in sheets, rosters, home delivered meals route sheets, transportation logs sheets, etc.
4. Reconciliation must be done on a monthly basis.
5. Reconcile to eligible meals.
6. If data does not reconcile do the following
7. Verify mathematical accuracy of raw data.
8. Verify accuracy of data entered into Harmony on Aging roster.
9. Compare raw data to data entered into Harmony on Aging.
10. Input corrections.

Client Record Policy

All clients who are entered in the aggregate and are receiving meals on a regular basis must be transitioned to registered client status. Regular basis is defined as a client receiving services on a monthly basis.

All Congregate clients will be reregistered yearly.

All homebound clients will be reassessed bi-annually.

CONGREGATE POLICY

Eligibility:

1. Participants must be 60 years of age or older. (However, an individual's spouse can participate regardless of age.)
2. Any individual with disabilities who resides in the home of an eligible senior, regardless of age. (The local service provider will determine an individual's disability status. Once a disabled individual becomes eligible, they will be allowed to participate in the meals program under the same guidelines and rights as other participants.)
3. Register eligible participant each fiscal year (July through June) by obtaining the following information:
 - (a) Name
 - (b) Address
 - (c) Age
 - (d) Ethnicity
 - (e) Date
 - (f) Person to notify in case of emergency
 - (g) Medications — health condition
 - (h) Other pertinent information (update changes as necessary)
4. All participants, including blind and/or disabled individuals will be served in accordance with the Rehabilitation Act, Section 504. (These persons and those with limited mobility will have special provisions as necessary —i.e. sturdy chairs, adequate moving space for crutches, walkers or wheelchairs.)

Policies:

Are to provide eligible individuals with improved health through nutritionally sound meals that meet the one-third Recommended Daily Allowance and to combat isolation.

Meals:

1. Provide hot or appropriate meals at least once a day, five days per week.
2. Tables and chairs will be available for all participants and will be sturdy and appropriate for older persons.
3. Individuals under the age of 60 providing volunteer services during the lunch hour will be eligible for a meal if:
 - (a) It will not affect the meals served to eligible participants.
 - (b) Elderly participant's environment and safety is not threatened.
 - (c) All health and sanitation procedures are followed.

4. Staff, guests and volunteers under age 60, ineligible for services, may not consume a meal when it will deny eligible persons an opportunity to receive a meal. (If ineligible for services, the full cost of the meal is to be paid as determined by meal cost worksheet.)

Facilities:

1. Comply with all applicable federal, state, and local health, fire, safety, building, zoning and sanitation laws, ordinances or codes.
2. Maintain procedures that will assure the facility is clean, safe and comfortable.
3. The congregate site shall have a basic first aid kit on the premises at all times.
4. A fire extinguisher will be on the premises at all times with a current inspection tag.
5. Carry out an on-site physical evacuation plan at least bi-annually.

Posted notices, Signs, Information

1. All sites must post in conspicuous locations notices to include:

- (d) The rights of eligible person to equal opportunity and access to services.
- (e) Posted grievance procedures for participants.
- (f) An evacuation plan.
- (g) Non-smoking signs, indicating that smoking is not permitted inside any Valencia County Building.
- (h) Notice that only trained staff or volunteer meal delivery persons may carry out meals to meals sites.
- (i) Code of Conduct
- (j) Fund Raising Policy
- (k) Full cost of meals to be recovered from ineligible individuals (l) Policy for serving meals to guests or staff ineligible for meals. (m) Amount of contributions for participants and how the contribution is used.

Records and Reports

1. Daily logs and other such records shall be maintained for the services provided.
2. Submit to the Non Metro Area Agency on Aging timely, complete and accurate reports on such forms containing such information as may be necessary to enable determination of compliance with the Older American Act, federal regulations, Area Agency on Aging policies and State Agency policies and procedures.
3. Scheduled programs are required to conduct and document monthly site inspections of kitchens.

IN –HOME POLICY

Contractors with the Valencia County Older American Program, who provide in-home supportive services, must comply with the following guidelines that promote the rights of each older individual who receives such services. Older individuals will be educated as to their rights. In-home individuals will have a signed "Client's Rights" on file. (This should include employee's signature and date.)

Individual's Personal Rights:

1. The right to confidentiality of records relating to the individual.
2. The right to be treated with respect and dignity.
3. The right to be cared about in an atmosphere of sincere interest and concern in which needed support and services are provided.
4. The right to be encouraged and supported in maintaining one's independence to the extent that conditions and circumstances permit, and to be involved in program of services designed to promote personal independence.

Individual's Participation Rights:

1. The right to participate in the program in the development of one's service plan for care involved to the extent possible in program planning and operation.
2. The right to be fully informed in advance about each in-home service provided and about any change in such service that may affect the well being of the individual.
3. The right to voice a grievance with respect to such services that is or fails to be provided without discrimination or reprisal as a result of voicing such grievance.

Standards for Contractor:

Contractors will develop guidelines that include the process utilized for the provision of services to include:

1. Letters of agreement detailing the responsibilities between client and person providing the service.
2. Needs assessment explaining the client "mobility, health status (disabilities), services being provided, services requested, special needs, etc.
3. Utilize some form of identification prior to entering a client's home.
4. Carefully screen individuals/agencies that will provide in-home supportive services. Doing a criminal background check when necessary.
5. Develop an ongoing training plan for staff providing in-home and other supportive services.

IN-HOME PARTICIPANTS

To define the method of tracking the number of eligible participants receiving or needing services through the Valencia County Older American Program.

Enrollment Procedures:

1. At the time a referral is received for in-home services, a qualified staff member will determine the availability of providing service.
2. After determining the availability of service, applicant will be notified whether services are available at the time.
 - (a) If services are not available, applicant will be notified they have been placed on the waiting list and suggest possible alternatives.
 - (b) Applicant will be notified when service becomes available.
3. An in-home Needs Assessment will be scheduled within 10 days by a qualified staff member.
4. An Activities of Daily Living (ADL) and Instrumental Activities of Daily Living (IADL) assessment will be completed for clients requesting in-home services of any type.
5. Bi-annually or sooner if necessary a reassessment for in-home services will be completed to determine continuation of service.
6. The determination to continue services will be based on the reassessment or by observation of the staff person providing the service.
7. An in-home service will be discontinued if the client no longer meets the in-home eligibility criteria.
8. If services are denied, a second opinion may be requested within 10 days.

Waiting list Policy For Home Delivered Meals Program:

It is the goal and mission of the Valencia County Older American Program to address the needs of the senior citizens in Valencia County. This is accomplished through local, State and federally funded programs.

A Client Waiting List is established to place people on home delivered meals. The client Waiting List will be maintained by the Assessment Coordinator. The Waiting List will be managed as follows:

1. An assessment will be made by a qualified staff member within 10 days of the inquiry to determine the situation and risk factors of the senior requesting the service.
2. Based on the assessment, a rating will be given to the individual and used to determine their placement on the Client Waiting List.

3. The client will be informed that they are on a waiting list for services and when they may receive the service.
4. A referral will be made to other service agencies as needed. All referrals will be documented on the waiting list file.
5. Determination will also be based on which driver is not over capacity on their route.

Rating criteria for individuals on Waiting Lists are as follows:

HIGH RISK: (Top of list any or all of these factors will place an individual at the front of the waiting list.

1. The individual requesting the service cannot perform one (1) or more of the required activities of daily living.
2. Individual has been diagnosed with advance dementia or Alzheimer's related disorder.
3. The individual lives alone and has no other support system.
- 4 The individual, for other reasons than those listed above, is at immediate risk of being institutionalized.

MODERATE RISK:

1. Individual cannot perform three (30 or more of the required activities of daily living.
2. Individual lives alone but does have a support system of friends and family.
3. The individual is requesting service on a temporary basis due to health reasons.

LOW RISK:

1. The individual can perform three or more of the activities of daily living, but not as efficiently as they use to.
2. The individual has a good "family and friend" support system and does not live alone.
3. The individual needs temporary service.

HOMEBOUND POLICY

Eligibility:

1. Participants must be 60 years of age or older. (However, an individual's spouse can participant regardless of age.)
2. Any individual with disabilities who resides at home with an eligible senior regardless of age. (The local service provider will determine an individual's disability status. Once a disabled individual becomes eligible, they will be allowed to participate in the meals program under the same guidelines and rights as other participants.)
3. The director or designated staff person must document and conduct intakes on all homebound participants.
 - (a) A needs assessment must be done.
 - (b) The assessment must state reason for eligibility and have the client's rights on file.
 - (c) If referred by a physician or an agency, a statement must be on file stating the reason.
 - (d) Participant must be unable to attend the Meal Site.
 - (e) The participants file must indicate whether the condition is temporary or permanent.
 - (f) Special consideration should be given to the frail and those with the greatest economic need.
 - (g) Report of suspect cases of abuse, neglect and exploitation will be made within 24 hours of awareness to the New Mexico department of Human Services.
 - (h) Individuals must not receive home-delivered meals for more than 10 days without a needs assessment.
 - (i) Participants file must be reviewed at least every six months.
 - (j) Director has the authority to make final decision based on a needs assessment and outreach visit. Exception: Individuals diagnosed with dementia or a mental condition.

Policies:

Nutrition education will be provided and documented through materials sent to the home, visit, or a telephone contact on a quartly basis for 15 minutes minimum. Providers have developed procedure for providing other supportive service for the participants to prevent isolation. Instructions for proper storage and reheating are provided monthly.

Drivers:

1. Persons delivering meals must be trained utilizing the "Handbook for Delivering meals." This must be documented.
 2. Any employee, volunteer or a designated individual of the program must deliver all home delivered meals. Name tags must be utilized.
 3. No "take outs" are allowed.
 4. The delivery driver will report immediately to designate person significant changes in the participant's physical or mental condition or environment.
 5. Volunteers are not authorized to drive program vehicles.
 6. The provider will investigate and carry out appropriate action by the first working day after awareness of any changes in their physical or mental condition or environment.
 7. The driver will record daily delivery of each meal to each participant.
 - (a) The temperature of the first and last meal delivered.
 - (b) The total delivery time.
 - (c) The condition of the meal.
8. A written alternate plan must be in place for provision of meals in emergency situations, such as bad weather.

Meals:

1. The meal is to be given directly to the participant unless permission is granted to enter the home and conveniently place the meal with direction from the participant or an authorized caregiver.
2. A participant must receive written instructions for proper storage and heating of foods which are not consumed immediately. This must be done as soon as participants begin receiving meals.
3. The participants must be given the opportunity to contribute towards the service voluntarily and free from pressure.
4. The participant must be assured confidentiality with their contributions.
5. Meals will be packed and sealed to provide easy access for the participants while minimizing food spills and damage.
6. Meal carriers will be cleaned and sanitized daily. If not sanitized, they must have a sanitized liner.
7. Meal carriers used to transport trays or container of hot or cold foods will be enclosed and equipped with insulation.

Hot Foods:

1. Hot storage of potentially hazardous foods will be such that foods are held until delivered at 140 degrees Fahrenheit or above except during necessary period of preparation.
2. Holding time for hot food will not exceed two hours from the time when the food is taken from the equipment in which cooking or reheating is completed until it is delivered.
3. Supplies and carriers will be used that assure that hot foods are packaged and transported in separate carriers from cold foods.
4. Hot foods will be sent out in aluminum or reusable trays. Styrofoam does not maintain the correct temperature, but may be used for cold entrée items.
5. If participant is unable to open aluminum or reusable trays driver will open them.

Cold Foods:

1. Refrigeration of potentially hazardous food will be such that foods are pre-chilled in less than four hours and held at 40 degrees Fahrenheit or below during the transport: fruit or vegetable salads that do not contain potentially hazardous food will be pre-chilled.
2. When frozen or chilled meats are begin provided, the provider and the participants must be able to provide safe conditions for storing, thawing and reheating.

Safety:

1. Drivers or designated staff will report any unsafe condition to program administration.

VAN UTILIZATION POLICY

It is the policy of the Valencia County Older American Program and the Advisory Council that PSA II providers must utilize program van, purchased with federal, state, or other matching funds, at all times for the purpose for which they were intended. Priority must be given for provision of services to eligible participants, our Senior Citizens.

Driver and Staff Procedures:

1. No staff/non-senior shall use vans for personal use.
2. Any employee seen using the county vehicle after working hours for personal use will be subject to immediate disciplinary action. No family member or other person under the age of 60, not authorized by the administrative office, will ride in any county vehicle at any time.
3. Courtesy to the Senior Citizens is of the utmost importance and is stressed at all times.
4. Drivers will assist Senior Citizens during boarding and un-boarding program vehicles.
5. Drivers will assist Senior Citizens from their house or apartment to the van and back when such help appears necessary.
6. Handicap van will be used for disabled participants who require its use. These vans will be used for non-disabled participants also and to transport homebound meals.
7. Out of state utilization: For out-of-state trips, vans or buses shall be rented. Cost shall be divided and paid by passengers.

Safety:

All incidents/accidents must be reported to the police, the Transportation Supervisor, the Safety Office, and Risk Management personal as well as the respective supervisor.

Other Rules or Regulations:

1. To schedule van use, Senior Citizens need to call 24 hours prior to the date of needing transportation.
2. Smoking will not be allowed by anyone in the County vehicles at any time.
3. Non-food items pertaining to livestock, pets, and all other animals are not to be transported in program vehicles.
4. No packages or items over 20 pounds will be transported in program vehicles.
5. No vans will be used to transport participants to any gambling establishment.
6. No van will be used to transport participants to any liquor establishment, (with the exception of a restaurant which may serve liquor.)

VAN MAINTENANCE POLICY

Each driver is assigned a vehicle for the purpose of transporting Senior Citizens to and from the senior center, medical appointments, and shopping trips and for delivering homebound meals. It is their responsibility to ensure that the vehicles are in safe operating condition.

Operation:

1. Every day, each driver will complete a pre-trip inspection of the assigned vehicle.
2. Each and every time a driver uses a vehicle other than the one assigned, that un-assigned driver is responsible for completing a pre-trip inspection.
 - (a) Each pre-trip inspection will include:
 - ... Check all fluids
 - ... Tire inflation and wear
 - ... Lights working properly
 - ... Brakes
 - ... Cleanliness of vehicle
 - ... Assure vehicle is in safe running condition
 - (b) Each driver will be responsible for informing the transportation supervisor of any needed repairs.
 - (c) Each driver is responsible for keeping the assigned vehicle clean and clutter free. To make arrangements to clean vehicle, notify program administration.
 - (d) Vehicle maintenance shall be in accordance with County policy and procedures.

Record Keeping:

1. The following applies should a driver be involved in an automobile accident:
 - (a) Notify Immediately:
 - ... Police
 - ... Transportation supervisor who notifies the director
 - ... Use Notification of accident form to gather all needed information
2. Program administration will keep all records pertaining to individual vehicles which includes:
 - (a) Pre-trip inspections
 - (b) Maintenance history
 - (c) All parts purchased for each vehicle

CELLULAR PHONE POLICY

Van drivers may be assigned a cellular phone for use while working. This phone is to be used for services pertaining to job related duties only (example: calling a senior for directions to their home).

1. The Program will pay for the calls pertaining to the Program. No personal calls are to be made from these phones.
2. If the phone becomes damaged, please bring it to your supervisor's attention immediately.
3. Cellular phones are not to be used while vehicle is in motion.

PROGRAM INCOME **HISTORY**

All funds administrated by the Valencia County Older American Program are derived as follows: Federal, State, and County funds are a set amount each year and cannot be changed.

Program Income Contributions from seniors and other sources vary from year to year depending on senior participants and must be estimated from prior years.

Policy on Program Income:

Each Center's Site Manager and Advisory Council Member will be knowledgeable and able to educate seniors and staff as to where program income is derived and how it is expended. (This policy can be verbally translated into appropriate language upon request.)

1. The Site Manager and Advisory Council member, in a particular center, will at all times ensure their center adheres to the Valencia County Older American Program. They will educate their senior participants and staff as to where funds are expended.
2. The Site Manager will educate new Advisory Council members and staff.
3. The Site Manager will also ensure that a poster (explaining program income) is posted in a prominent place at the center at all times.

FUND RAISING

Programs conducting fund raising activities (Bingo, ceramic sales, gift shop sales, etc.) which utilize program resources including the use of facilities, equipment, and staff, must recognize these funds as program income. Program Income must be budgeted and expended in the same fiscal year in which it was earned. All funds derived from fund-raiser activities are to benefit seniors. Responsibility for center fund raising will be with the Site Manager.

1. All monies derived from the Center fund raising will go back into the center's programs for the benefit of all the seniors.
2. A fair amount of funds derived through each fund raiser must be allocated to the Valencia County Older American Program based on the following percentages submitted to the Area Agency on Aging for utility expense. (This will cover the actual cost of utilities for 3 centers.)

... Bosque Farms Center	no charge
... Los Lunas Center	no charge
... Belen Center	10 %
... Del Rio Center	10%
... Meadow Lake Center	10%
2. Each center is allowed to have a flea market monthly. There will be a charge of \$5.00 per table which will be deposited into the activity fund.

Record Keeping:

All center funds will be deposited at the Valencia County Treasures Office by the Program Administration and will be disbursed through Purchase Orders.

1. Deposit
 - (a) A ledger sheet must be kept for each fundraiser showing what monies were raised.
 - (b) All monies with a copy of the ledger are turned into the Program Administration for deposit.
 - (c) Program Administration will deposit all monies into each center's individual account on the day the money is received.
 - (d) Each meal site manager keeps a ledger for each month and submits copies of this ledger to the Program Administration with monthly reports.
 - (e) Site Managers are responsible for seeing this policy is complied with.
2. The Valencia County Older American Program and independent auditors will conduct an external audit after each fiscal year, in July or August.

Solicitations

Solicitations by any person, agency or company for private gain are prohibited. Center managers have a responsibility to avoid providing a captive audience for unauthorized solicitors.

HANDLING DONATIONS FROM HOMEBOUND PARTICIPANT

All donations for homebound meals are voluntary and are not to be asked for by any staff member. Each driver will be responsible for donations received from the participants on his/her designated route.

1. All donations will be placed in a locked box.
2. At the end of the day Program Administration will open each envelope and receipt the money.
3. All money will be deposited at the Valencia County Treasures office by Program Administration.

Bingo Policy:

1. "Donations" will no longer be solicited and used to compensate the Bingo Callers;
2. Bingo Callers will call bingo on a strictly volunteer basis;
3. If donations are volunteered (offered without solicitation or coercion), the donations will be placed in an activity fund, managed by the Site Manager, that will benefit the Center's recreational and/or nutritional activities;
4. Volunteered donations, not to exceed ten cents per game, can be collected to purchase refreshments and for no other purpose;
5. Bingo card distributors or collectors will also do this on a strictly volunteer basis and shall not accept tips or any other monetary payment;
6. Schedules will be developed for all volunteer Bingo Callers so that each one has an equal opportunity to participate in the activity;
7. Site Managers or their designated OAP staff shall be present during the time that bingo is taking place, however if staff is not available, bingo will be cancelled for that day.
8. Any violation of the mandate, disruptive behavior, and/or conflict with the Centers' staff over this activity will result in an automatic suspension of the Bingo activity at the applicable Center;

Approved at the regular Business Meeting of March 20, 2013 by the Board of County Commissioners.

Charles D. Eaton , Chair

Alicia Aguilar, Vice-Chair

Mary J. Andersen; District I

Lawrence R. Romero; District III

Donald E. Holliday; District V

Attested by: _____
Peggy Carabajal, Valencia County Clerk

END

OF

AGENDA
