

# VALENCIA COUNTY BOARD OF COMMISSIONERS

## Regular Business Meeting

February 4, 2009

PRESENT	ABSENT
Pedro G Rael, Chairman	
Donald E. Holliday, Vice-Chairman	
David R Medina, Member	
Ron Gentry, Member	
Georgia Otero-Kirkham, Member	
Eric Zamora, County Manager	
Adren Nance & Dave Pato, County Attorneys	
Sally Perea, County Clerk	
Press and Public	

1. The meeting was called to order by Chairman Pedro Rael at 5:00 P.M.

2. Chairman Rael led the Pledge of Allegiance.

### 3. Approval of Agenda

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

### 4. Approval of Minutes – January 14, 2009 Public Hearing Meeting

Commissioner Medina moved for approval. Motion carried unanimously.

#### January 21, 2009 Regular Business Meeting

Commissioner Kirkham moved for approval. Second by Commissioner Medina. Motion carried unanimously.

### 5. Public Requests – At the discretion of the Chair. (For Information Only- limited to two minutes per person on subjects not on this published agenda)

Mr. William Dean a resident of Los Chavez shared his concern on irrigation and agriculture use. Mr. Dean requested they keep the AP designation in Los Chavez.

Director of Meadow Lake Association Rosemary Lebrecht said cars speeding through that area are a problem and are putting school children in jeopardy. She requested the commission take action before a serious tragedy occurs.

Samuel Aragon member of the Meadow Lake Association said a mobile home was illegally placed in Meadow Lake. He stated problems of warrants being unsigned and not served need to be corrected.

Several residents of Valencia County, (Rio Communities, Las Maravillas and Belen) spoke in favor of building a hospital. George Moscona, Liz Sagrestano, Joseph Rizzo, Tom Mraz, Susan Herchenburg, Sylvester Saavedra, Darryl Kinsley, Darlene Pearson, L.E. Rubin, Rick Jaramillo, Frank Barr, Mike Wood, Michael Chase, Paul Readette and Charlene Ragsdale, all spoke in favor of it.

Albert Carrillo a resident of Jarales said this hospital is nothing more than a white elephant for the residents of Valencia County.

Bob Gostisha a resident of Meadow Lake thanked the commissioners for the lights, air conditioning/ heating units at the Senior Community Center. He also is in favor of a hospital.

Jim Lane a resident of Meadow Lake informed the commission there was fifty-five gallon barrels of toxin oil and trash along Fence Line Road, this was picked up a month later. Citizens should not have to go to such extreme measures to get something done.

Chairman Rael asked for comments from the commissioners on the hospital issues. The Commissioners all assured the public that they were not against a hospital being built. This mill levy was passed without the hospital being in existence and they want to make sure the money collected from the tax payers is spent properly and able to serve all tax payers in Valencia County. Judge Olguin had ruled this Mill Levy cannot be used to build a hospital. When it is built the mill levy money will be transferred.

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Chairman Rael said that is why mediation is important to work things out and thanked the audience for attending.

Chairman Rael called for a five minute break.

## **6. Non-Action Items**

### **a) Reports from Boards, Commissions & Committees**

None.

## **7. Action Items**

### **a) Consideration of Salary Increase for Elected Officials' Deputies – Eric Zamora**

Mr. Zamora presented the above item and gave a brief history. Commissioner Medina clarified the increase is a total of \$3,182.62 and asked if it includes back pay. Ms. Abril said the \$3,182.62 is just the back pay. The total amount including salaries and back pay would be \$21,772.00. Commissioner Gentry asked for a total annual cost. Ms. Abril said \$18,588.72 which includes benefits.

The question of adding three certified street ready deputies to the proposal, which had been approved by the commission but denied by DFA for a lack of revenue, was discussed. That cost would be \$157,723.

Commissioner Kirkham suggested doing this as a separate action item. The property tax increase would cover the chief deputies' salaries but not the certified officers. She recalled the only objection DFA had was the county had not identified revenue source.

County Attorney Adren Nance cautioned the commission they could not do the retroactive back pay right now because it has not been authorized by DFA. Chairman Rael clarified that the commission can not approve retroactive pay. Attorney Nance said that is correct, the 75% would be paid from the time the policy was implemented.

Commissioner Medina suggested tabling this item and having the county manager present a report of what the cost would be to increase the deputies' salaries and the additional three officers and then only send one request to DFA.

Chairman Rael requested that to be in accordance with the Open Meetings Act this be presented formally at a different meeting as this was not on this agenda. The request now was to vote on the item of the chief deputies' salary, that staff bring a resolution and then vote the resolution. The question was should they make it a 75% of the elected officials salary, (Clerk's, Assessor's and the Treasurer's).

Sheriff Rivera said he would rather get more pay for three of his officers making less money.

Chairman Rael requested two separate resolutions, one for the elected official's chief deputies and the other would be discussed with the Sheriff.

Commissioner Gentry withdrew his request of adding the three deputies due to Sheriff Rivera requesting to negotiate pay raises for the his officers.

Chairman Rael made a motion to direct County Manager Eric Zamora to present the board with a resolution to adjust salaries for the elected official's chief deputies to 75% of elected officials' salaries. Seconded by Commissioner Kirkham. Discussion. In answer to Commissioner Kirkham, Manager Zamora said this past fiscal year the chief deputies had received a fifty cent raise increase. Prior fiscal year they were denied the dollar increase because they were told of this (unwritten) 75% policy. Motion carried unanimously.

### **b) Consideration of Amendment 2008 STB GA Grant 08-L-5403 – Kenneth Griego**

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

### **c) Award Bid #641, Electrical Contractor Services, to C & Sons Electric, All State Builders and Aion Electric, LLC – Eric Zamora**

Commissioner Medina suggested approving the lowest bid and negotiating any emergency. Commissioner Gentry and Commissioner Holliday agreed.

Chairman Rael asked if there is a motion to consider amending the amendment to the electrical contractor services to approve only the low bidder, C & Sons Electric, instead of three bidders. Commissioner Medina moved for approval. Seconded by Commissioner Gentry. Motion carried unanimously.

**d) Award Bid #643, Concrete services, to Rainbow Construction, Build Corp., Fox Builders and Home Pro. Inc. – Eric Zamora**

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

Commissioner Kirkham stated for the record and informational purpose; Build Corp office is in Los Lunas and home grown in Jarales.

**e) Financial Matters**

**i) Resolution 2009-09, Increase Expenditures in the Correctional Tax GRT Fund, Co Fire Protection Fund & Juvenile Detention Fund – Wilma Abril**

Commissioner Kirkham moved for approval. Seconded by Chairman Rael. Motion carried unanimously.

County Clerk Sally Perea announced Resolution 2009-09.

**ii) Approval of Payroll/Warrants – Wilma Abril**

Ms. Abril presented the attached computer printout of all the checks issued by the Manager's Office on January 30, 2009 covering vendor bills processed. Check #87718 thru Check #97880 inclusive for the total of \$1,864,622.96.

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

Ms. Abril presented the attached computer printout of all the checks issued by the Manager's Office on January 30, 2009 covering payroll process. Direct Deposit Check #9528 thru direct deposit check #9702 inclusive. Deduction Check #97740 thru deduction check #97774 inclusive. Payroll Check #83977 thru payroll check # 84067 inclusive. Listing total \$363,060.84.

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

**8. Executive Session- Pursuant to Section 10-15-1 NMSA 1978, the following matters may be discussed in closed session: a. limited personnel matters; b. pending or threatened litigation, Trigo Canyon Road and c. other specific limited topics that are allowed or authorized under the stated statute.**

Commissioner Kirkham moved to go into Executive session. Seconded by Commissioner Holliday. Roll call vote. Commissioner Kirkham voted yes. Commissioner Holliday voted yes. Commissioner Medina voted yes. Commissioner Gentry voted yes. Chairman Rael voted yes. Motion carried 5-0.

Commissioner Medina moved to go into Regular Session. Seconded by Commissioner Kirkham. Motion carried unanimously.

County Attorney Adren Nance stated the matters discussed in executive session were; Trigo Canyon Road, he received direction to work with the Forest Service to come back with an agreement for Trigo Canyon Road and this was done and successful, if we can work something out with Forest Service and both

agree with the status of what has been done. No further action was taken.

Commissioner Kirkham moved for approval. Seconded by Commissioner Holliday. Roll call vote. Commissioner Kirkham voted yes. Commissioner Holliday voted yes.

Commissioner Medina voted yes. Commissioner Gentry voted yes. Chairman Rael voted yes. Motion carried 5-0.

**9. Action Item(s) On Executive Session Discussion**

None.

**10. County Manager's Report**

Mr. Zamora attended a meeting with the Mid-Region Council of Governments and said this was a kick-off meeting for the design of the I-25 interchange study. This interchange would be south of Main Street on Hwy 6 near Los Lunas, with a possible crossing corridor. Mr. Zamora addressed the county's concerns in regards to public's input. MRCOG have reassured the county by drafting a schedule for public meetings to discuss the interchange as well the potential impact for future river crossing.

Mr. Zamora and Mr. Griego will be attending the Legislative Session and meeting with representatives in a formal basis and will attend a specific meeting with Senator Sanchez on Thursday, February 5, 2009. Mr. Zamora will report back on what was discussed.

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Chairman Rael attended the Mid-Winter Conference and a New Mexico University course that deals with the public; he said it was a beneficial course. The course went over the basic principals in how to be effective to communicate with the general public.

**11. The next Regular Meeting of the Valencia County Board of County Commission will be held on February 11, 2009 Public Hearing Meeting (has been cancelled) no items. February 18, 2009 Business Meeting at 5:00 PM in the County Commission Room at the Valencia County Courthouse.**


**12. Adjournment**

Commissioner Gentry moved for approval. Seconded by Commissioner Holliday. Motion carried unanimously. Time 8:14:00 P.M.

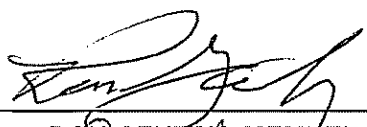
**NOTE:** All proposals, documents, items, etc., pertaining to items on the agenda of the February 4, 2009 Regular Business Meeting (presented to the Board of County Commissioners) are attached in consecutive order as stated in these minutes.


**VALENCIA COUNTY BOARD OF COMMISSIONERS**

  
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PEDRO G RAEI, CHAIRMAN

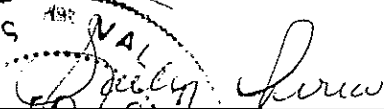
  
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DONALD E. HOLLIDAY, VICE-CHAIRMAN

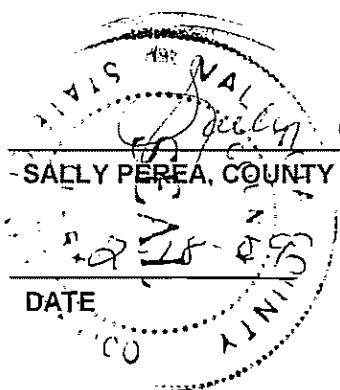
  
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GEROGIA OTERO-KIRKHAM, MEMBER

  
\_\_\_\_\_  
RON GENTRY, MEMBER

  
\_\_\_\_\_  
DAVID MEDINA, MEMBER

ATTEST:

  
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SALLY PEREA, COUNTY CLERK

  
DATE