

VALENCIA COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting

July 15, 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	
Theresa Sanchez, Chief Deputy	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 Holliday moved for approval. Seconded by Commissioner Kirkham. Motion carried unanimously.

4. Approval of Minutes – July 1, 2009 Regular Business Meeting

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

Commissioner Holliday stated that Commissioner Kirkham should get reimburse for using her personal cell for county business.

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)

Bob Gostischa a Meadow Lake resident requested that the Board restore the funding of Tierra Bonita Association. Chairman Rael assured him that they were working on that and would be discussed at the next meeting.

Mike Wood a member of the Hospital Advisory Board was stopped by Chairman Rael from making comments that were out of order. He said personal attacks would not be allowed and asked that Mr. Wood be escorted out.

Sue Moran, for the record, reported that there have been rave parties being held with under age drinking, trash and no response from the Sheriff's department and requested that the commission follow through with this matter.

Commissioner Kirkham asked who owns the property. Ms. Moran said she does not know. Commissioner Gentry asked if she had called the Sheriff's department and Ms. Moran said the residents in the area had and had either gotten a no response or hung-up.

According to Sheriff Rivera the call log had no documentation listed on this particular matter.

Commissioner Holliday asked about investigations regarding the rave parties?

Sheriff Rivera explained that they cannot investigate if there is no crime.

Owner of II Entertainment Larry Summer stated he has played and sponsored rave parties and clarified for the record, he is not part of this particular problem.

Bill LeBrechet and Rosemary LeBrechet requested paid personai on duty for emergencies at the Meadow Lake Fire Station.

Mary Wood a Valencia County resident said a \$3.00 charge for a mandatory trash pick- up can be a burden for many people not having the money.

President of Tierra Bonita, Bill Brown had received a letter from the county business manager stating the county will not be renewing the contract as of June 30, 2009.

Chairman Rael requested staff and county attorneys look into whether the county is bound by the contract, because notice was not sufficient.

Dick Clapper resident of Rio Communities requested that residents make their address visible for 911 emergencies and said he is in favor of building a hospital.

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Roy Clements, Valencia County resident, shared personal experience with harassment and after calling 911 it took three hours for response. He requested support for unincorporated areas from the Sheriff.

George Moscona supports and requested reconsideration of funding for Tierra Bonita projects.

6. Non – Action Items

a) Presentation of Solid Waste – Ernie Byers

Solid Waste Professional Services & Consulting Associates Ernie Byers and Joseph Capone presented a power point presentation followed by discussion.

b) Reports from Directors – Directors

There were no verbal reports as they were included in each Commissioners packet.

c) Reports from Boards, Commission & Committees – County Commission

Commissioner Kirkham was abiding by the Lieutenant Governor request to address the latest finance from the Housing Authority Finances Corporations and provided the web site www.helpingnm.org. Commissioner said there is a program that helps homeless people with housing and was surprised to hear the large number of homeless people in our county. Commissioner Kirkham requested that County Manager Eric Zamora contact the Housing Authority and seek out any grants that support the homeless program.

7. Action Items

Board of County Commissioners Convene as Indigent Claims Board

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

a) Indigent Report/Appeals – Barbara Baker

Ms. Baker presented the Indigent Claims from June 5, 2009 to July 2, 2009. The amounts of claims submitted are \$749,850.91. Ms. Baker requested approval of \$67,390.36 and to deny \$682,460.55.

Commissioner Kirkham moved for approval. Seconded by Commissioner Holliday. Motion carried unanimously. **(See Exhibit A)**

Ms. Baker presented an Indigent Appeal for Mr. McGee and requested approval to pay Living Cross Ambulance the amount of \$400.00.

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

Ms. Baker presented an Indigent Appeal for Ms. McKinley and requested approval to pay UNM Health Science Center \$3,000.00.

Commissioner Holliday moved for approval. Seconded by Commissioner Kirkham. Motion carried unanimously. **(See Exhibit C)**

Board Re-Convenes as Board of County Commissioners –

Commissioner Holliday moved to re-convene as the Board of County Commissioners. Seconded by Commissioner Kirkham. Motion carried unanimously.

b) Consideration of Letter of Support First Choice Community Health Care - Bob DeFelice/Eric Zamora

Chief Executive Bob DeFelice gave his presentation of the FCCH (First Choice Communities Health) which provides primary, medical, dental, and behavioral health services. Mr. DeFelice requested a letter of support for HRSA Facility Investment Program for FIP grant funds to build a new state of the art Family Health Commons in Los Lunas. Commissioner Gentry moved for approval. Seconded by Commissioner Holliday. Motion carried unanimously. **(See Exhibit D)**

c) Final Action on Public Hearing: July 8, 2009

i) Consideration of Appeal of Permit Application for Roadrunner Metal Recycling for a Type B Site Design Review of the proposed Full-Service Metals Recycling Plant located in the Rio Grande Industrial Park, which is zoned I-3 Legal description; T4N, R2E, Section 4, NMPM; Tract 4-E-1-A-1, Lands of Rio Grande Industrial Park, LTD Co: Alice Torwirt/ Joseph E. Rizzo –County Commissioners

Chairman Rael recollected that the record was left open for the purpose of receiving the records from Planning and Zoning and the board confirmed receiving the minutes by e-mail. Commissioner Holliday made a motion to deny the appeal. Seconded by Chairman Rael. After more discussion Chair asked for a roll call vote. Commissioner Holliday yes. Commissioner Kirkham recused. Commissioner Gentry voted no. Chairman Rael voted yes. Motion carried 2-1.

- ii) **Consideration for a variance on parcel size in a Rural Residential -1, Zoning District to allow for the subdivision of the subject 1.745 acre property into a 1 acre parcel and a .745 acre parcel, Legal description: T6N, R2E, Section 1, NMPM; MRGCD Map 78, Tract 58-A, consisting of 1.745 acres; Zoned RR-1; Filed in Book 360, Page 24158 of the Office of the Valencia County Clerk; also known as 308 El Cerro Loop, Los Lunas, Valencia County, NM/Gregorio Ronquillo/Fred C. Martinez Agent-County Commission**

Commissioner Kirkham moved for approval. Seconded by Commissioner Holliday with the condition that no building be put on the smaller piece of property.

Commissioner Kirkham amended her motion to read that it be left vacant on a permanent basis. Commissioner Holliday seconded the amended motion. Motion carried unanimously.

County Manager Eric Zamora introduced the new Planning and Zoning Planner Mr. Jacobo Martinez and directed Mr. Martinez to follow through with the request.

Commissioner Kirkham directed Mr. Martinez to follow the statute to make the condition.

- iii) **Consideration to Amend Zoning Map from RR-2 to RR-1 to allow for the subdivision of the 4.15-acres subject property into one 2.15 acre parcel, 1.00 acre parcel and 1.00 acre parcel; Legal description: T7N, R2E, Section 25, NMPM; Tract 4-C-1-B-2 consisting of 4.15 acres; Zoned RR-2, filed in Book 362, Page 13295 of the Office of the Valencia County Clerk; also known as 32 Jerome Drive, Los Lunas, Valencia County, NM/Merrill Robinson –County Commission**

Commissioner Holliday made a motion for approval. Seconded by Commissioner Gentry. Motion carried unanimously.

- d) **Consideration of UNM-Valencia Campus Agreement to provide American Heart Association Training for Valencia County Emergency Service – Charles Eaton**

Commissioner Kirkham moved for approval. Seconded by Commissioner Holliday. Motion carried unanimously. (See Exhibit E)

- e) **Consideration of PNM-Electric Line Extension for Tome/Adelino Fire Station – Charles Eaton**

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

- f) **Consideration of Animal Control Service Agreements Town of Peralta & City of Belen – Ruben Chaves**

Commissioner Kirkham moved for approval. Seconded by Commissioner Gentry. Motion carried unanimously. (See Exhibit G)

- g) **Consideration of reduce the Animal Licensing fees – Ruben Chavez**

Commissioner Kirkham moved for approval. Seconded by Commissioner Holliday. Motion carried unanimously. (See Exhibit H)

- h) **Consideration of Extension of Services of Joint Powers Agreement between Town of Peralta – Ruben Chavez**

Commissioner Holliday moved for approval. Seconded by Commissioner Kirkham. Motion carried unanimously. (See Exhibit I)

- i) **Resolution 2009-30, Adopting a solid Waste Fee related to Transporting of Solid Waste Conejos Transfer Station – Eric Zamora**

County Manager Eric Zamora explained that this will allow Conejos Transfer Station to charge a fee on all vehicles transporting without a secured cover and will provide netting to those who are charged of unsecured loads. Mr. Zamora corrected the fee schedule for unsecured loads and said it would be published in English/Spanish by newspaper and would post signs for thirty days of the additional fees of unsecured loads.

Commissioner Kirkham moved to approve the amended fee schedule. Seconded by Commissioner Holliday. Motion carried unanimously. (See Exhibit J)

Chief Deputy Theresa Sanchez announced Resolution 2009-30.

- j) **Consideration of Grant Agreement for Valencia Land Fill Closure – Eric Zamora**

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Commissioner Gentry moved for approval. Seconded by Commissioner Kirkham. Motion carried unanimously. **(See Exhibit K)**

k) Consideration of Cooperative Program Agreements Contract; Cooperative State Funds (COOP), School Bus Route) & County Arterial Program – Eric Zamora

Commissioner Gentry moved to approve all Program Agreements Contract. Seconded by Commissioner Holliday. Motion carried unanimously. **(See Exhibit L)**

l) FINANCIAL MATTERS

i) Consideration of the Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY 2009 Local Solicitation – Rene Rivera

Capitan Don Donges gave a brief history of the Edward Byrne Memorial Justice Assistance Grant and JAG program.

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

ii) Consideration of Payroll/ Warrants – Wilma Abril

Ms. Abril presented the attached computer list of all checks issued by the County Manager's Office on July 7, 2009 covering payroll.

Commissioner Kirkham moved for approval. Seconded by Commissioner Holliday. Motion carried unanimously. **(See Exhibit M)**

Ms. Abril presented the attached computer list of all checks issued by the County Manager's Office on July 9, 2009 covering vendor bills.

Commissioner Kirkham moved for approval. Seconded by Commissioner Holliday. Motion carried unanimously. **(See Exhibit N)**

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, and c. contents of competitive sealed proposals for Administrative Building Architect solicited pursuant to the Procurement Code discussed during the contract negotiation process, other specific limited topics that are allowed or authorized under the stated statute.

By consensus the Board tabled this item until further information is obtained.

9. Action item(s) on Executive Session Discussions

a) Consideration of Administrative Building Architect

None.

10. County Manager's Report

County Manager Eric Zamora's discussion was delegating of authority to the County Manager to enter into certain contract agreements.

Board discussed a five thousand or less authority on certain contract agreements, report to the commission and having two signatures for these transactions, the County Manager and Business Manager.

11. The next Special Meeting of Valencia County Board of County Commission will be held July 22, 2009 at 5:00 P.M. in the County Commission Room at the Valencia County Courthouse. The next Regular Business Meeting of the Valencia County Board of County Commission will be held on August 5, 2009 at 5:00 PM in the County Commission Room at the Valencia County Courthouse.

12. Adjournment

Commissioner Holliday moved for approval. Seconded by Commissioner Kirkham. Motion carried unanimously. Time 7:36:54 P.M.

NOTE: All proposals, documents, items, etc., pertaining to items on the agenda of the, July 15, 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

Via Telephone

PEDRO G RAEI, CHAIRMAN

Donald E. Holliday

DONALD E. HOLLIDAY, VICE-CHAIRMAN

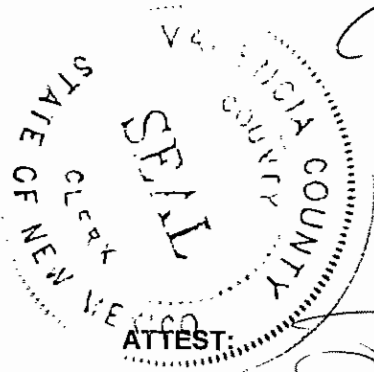
Georgia Otero-Kirkham

GEORGIA OTERO-KIRKHAM, MEMBER

Ron Gentry

RON GENTRY, MEMBER

DAVID MEDINA, MEMBER



ATTEST:

Sally Perea
SALLY PEREA, COUNTY CLERK

8-5-09
DATE