

March 9, 2011
Agenda
5:00 p.m. Public Hearing
Valencia County Commission Chambers
444 Luna Avenue
Los Lunas, NM 87031

Board of County Commissioners

Georgia Otero-Kirkham, Chair	District II
Mary J. Andersen, Vice-Chair	District I
Lawrence R. Romero	District III
Ron Gentry	District IV
Donald E. Holliday	District V

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

DISCUSSION (Non-Action) ITEM(S)

SWEARING IN OF PARTICIPANTS

PUBLIC HEARING ITEM(S):

4) Request of a WCF Overlay Zone change on the subject property defined as: T4N, R3E, Section 18, NMPM; Rio Grande Estates; Map-120; zoned RR-2; Block 1021, Unit M, Lot 22, found in Book 294, Page 5949 of the Office of the Valencia County Clerk. (Tierra Grande Improvement Association); Eric Zamora/Jacobo Martinez

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.

NEXT COMMISSION MEETING:

♦ March 16, 2011- Business Meeting @ 9:30A.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.

Please Silence All Electronic Devices – Thank You!

VALENCIA COUNTY BOARD OF COMMISSIONERS

PUBLIC HEARING MEETING

MARCH 9, 2011

PRESENT	
Georgia Otero-Kirkham, Chairman	
Mary Andersen, Vice-Chairman	
Lawrence Romero, Member	
Ron Gentry, Member	
Donald E. Holliday, Member	
Eric Zamora, County Manager	
Adren Nance & Dave Pato, County Attorneys	
Sally Perea, County Clerk	
Press and Public	

1) The meeting was called to order by Madam Chair Otero-Kirkham at 5:00 P.M.

2) Madam Chair led the Pledge of Allegiance.

3) Approval of Agenda

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

DISCUSSION (Non-Action) ITEM(S)

None

SWEARING IN OF PARTICIPANTS

County Clerk Sally Perea administered the oath to those individuals wishing to speak.

PUBLIC HEARING ITEMS:

4) Request of a WCF Overlay Zone Change on the Subject Property Defined as: T4N, R3E, Section 18 NMPM; Rio Grande Estates; Map-120; Zoned RR-2; Block 1021, Unit M, Lot 22 Found in Book 294, Page 5949 of the Office of the Valencia County Clerk. (Tierra Grande Improvement Association) Eric Zamora / Jacobo Martinez

Valencia County Planner Jacobo Martinez stated the subject property is currently being utilized by Valencia County Rio Grande Estates Fire Department District 1, Rescue 1 and is now classified as a second main fire station. The subject property is owned by Tierra Grande Improvement Association and is being leased by Valencia County Rio Grande Estates Fire Department District 1. According to the Rio Grande Estates Fire Department Board of directors, the communication antenna will not interfere with 911 response or other forms of communication to the fire department. Tierra Grande Improvement Association will receive a monthly lease payment from Trans World Network. The tower will be a 100 ft. tall guyed tower with a 10' x10' chain link fence enclosure. Setbacks from the side yard will be approximately 50 ft. and the rear yard setbacks will be approximately 80 ft.

The Planning and Zoning Commission held a public hearing on the overlay zone on January 26, 2011 and voted 3-0 to recommend approval of the overlay zone. The Planning and Zoning Commission found that the applicants and /or petitioners have made a good faith effort on terms consistent with any applicable national agreement or on terms common to the region to accommodate request for collocation. A collocation on an existing tower is not technically feasible and property owners and/or lessors accept and accommodate the provisions for collocation prescribed by this section without placing unreasonable restrictions on lease terms when collocation is required, because the tower will be a guyed wire tower, a variance shall be applied to meet the side and rear yard setbacks for the tower. The provisions of the landscaping requirements may be waived in whole on the determination that site conditions would not be adequate to support landscape plantings or other architectural camouflage (stealth design) as well.

Tierra Grande Homeowners Association Sue Moran said the Tierra Grande area is very rural and most of their members are unable to get basic telephone service. This antenna will provide digital telephone service, not cellular service. It will come into a home via microwave transmission and will go right into the existing phone lines. A \$20.00 a month plan will include unlimited local/long distance calling, caller ID, call forwarding, call waiting and internet broadband service will also be provided at an extra cost. This will

not only be specific to Tierra Grande, this is eighteen miles line of sight which will also benefit Veguita, Rio Grande Estates and the Rio Communities area. Ms. Moran asked for the commission's consideration in approving this request.

Andrew M. Jensen Development and Deployment Manager for Trans World Network Corporation gave a brief overview of the process involved for the purpose of providing digital broadband and digital telephone service to rural communities that are currently underserved.

Commissioner Andersen asked Mr. Jensen is this the only place in the county that he would be interested in. Currently that is the case but if things go well in this area, they would be looking to expand into other areas. At this point in time, it's strictly a strategic location to get to Torrance County, was Mr. Jensen's response.

Madam Chair asked for anyone in opposition of the installation of the tower. No one was present to speak in opposition of the tower.

(SEE EXHIBIT A)

PUBLIC COMMENTS:

Amber Chavez who is with YDI Youth Development Inc. the Valencia county division has come before the Commission to ask for its support in sponsoring the Underage Drinking Post Prom Prevention Event which will take place on the 26th of March for Valencia High School, April 30th for Belen and Los Lunas High Schools. The county sponsored and supported this activity last year in the amount of \$800.00.

County Manager Eric Zamora said the county contributed \$800.00 toward this event which was funded through the counties juvenile program and believes the county can come up with the funding again this year.

Rio Grande Estates Residents Veronica Muela and Loren Jury have come before the Commission to express their concerns in regards to damage being done to their properties by unfenced cattle. They have covenants that follow their deeds and after speaking to Planning and Zoning have recently discovered that their area is now planned development which does not conform to their deed covenants. They currently do not have a Homeowners Association in their area and are here today to ask the Commission for an amendment to stop commercialization of cattle, which their covenants do not have, or to ask for a zone change in their specific area.

County Planner Jacobo Martinez said they have discussed this issue of cattle grazing in residential development. With some of the issue being fenced in, fenced out, we are a fenced out state and that is a state mandate in our different zoning laws. The Planned Development Laws does not specify whether cattle are allowed or not allowed. Planned Development is an Overlay Zone that provides covenants, then the residents need to regulate those covenants but the covenants in this area were created in the 1960's and there's not a Homeowners Association to regulate those covenants.

Commissioner Gentry recommended that Ms. Muela and Mr. Jury go to the Livestock Board. Ms. Muela said she planned on doing that.

Valencia County resident Mike Wood commented on the economic impact the hospital will have on the community and the entire county.

Clarke Metcalf Valencia County resident reminded the commission as to what their responsibilities are with the position they hold in which they represent over 70,000 citizens. Mr. Metcalf quoted excerpts from two articles which appeared in the New Mexico Business Weekly and the University of New Mexico Health Sciences Center referring to the proposed hospital in Valencia County.

Mr. Jim Lane said within the last month someone that has been dumping trash along Mesa Estates Road (AKA Fence Line Road) and it's more then he can pick up in a bag and being a county maintained road, would like to know what the procedure would be to have the county clean this up. These people need to be caught and prosecuted.

Commissioner Holliday in the past has called solid waste and they send a truck to pick it up.

The next Regular Business Meeting of the Valencia County Board of County Commission will be held on March 16, 2010 at 9:30 A.M. in the County Commission Room at the Valencia County Courthouse.

11) Adjournment 6:40 P.M.

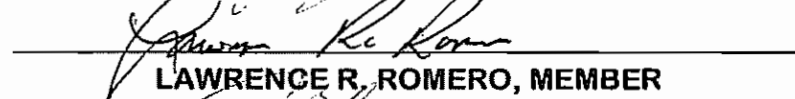
Commissioner Andersen moved for adjournment. Motion carried unanimously.

NOTE: All proposals, documents, items, etc., pertaining to items on the agenda of the March 9, 2011 Public Hearing Meeting (presented to the Board of County Commissioners) are attached in consecutive order as stated in these minutes.

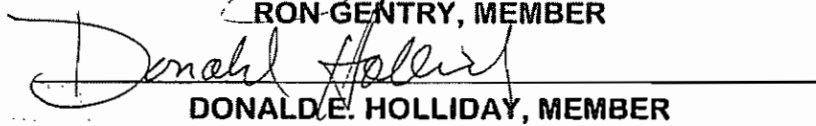
VALENCIA COUNTY BOARD OF COMMISSIONERS


GEORGIA OTERO-KIRKHAM, CHAIRMAN



MARY J. ANDERSEN, VICE-CHAIRMAN


LAWRENCE R. ROMERO, MEMBER


RON GENTRY, MEMBER


DONALD E. HOLLIDAY, MEMBER

ATTEST:


SALLY PEREA, COUNTY CLERK

3-16-2011
DATE