

May 18, 2011
Agenda
9:30 a.m. Business Meeting
Valencia County Commission Chambers
444 Luna Avenue
Los Lunas, NM 87031

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

- 1) Call Meeting to Order
- 2) Pledge of Allegiance
- 3) Approval of Agenda
- 4) Approval of Minutes: April 25, 2011-Business Meeting
May 4, 2011- Business Meeting
May 11, 2011-Public Hearing

Georgia Otero-Kirkham

DISCUSSION (Non-Action) ITEM(S)

- 5) Presentation of Los Lunas/Socorro Housing Authority: **Mary Ann Chavez**
- 6) Presentation of Cooperative Educational Services (CES) Comprehensive Employee: **Justy Armijo**
- 7) Review of Recognizing the Importance of Cooperation and the Pursuit of Regionalism MRCOG: **Eric Zamora**
- 8) Directors Reports: Update Code Enforcement/ **Ruben Chavez**
- 9) Reports from Manager, Commissions, Boards & Committees

ACTION ITEM(S)

BOARD OF COUNTY COMMISSIONERS CONVENES AS INDIGENT CLAIMS BOARD

- 10) Consideration of Indigent Report/Appeals..... **Kenny Griego/Barbara Baker**

BOARD RE-CONVENES AS BOARD OF COUNTY COMMISSIONERS

- 11) Consideration of a request to amend the Zoning Map from Rural Residential-2 (RR-2) to Community Commercial (C-2) to allow for a custom meat processing facility made by Frank Gallegos; T6N, R2E, Section 1; NMPM; Map 78; Tract 53-A-2-A; filed in Book 307, Page 2017, of the Office of Valencia County Clerk; also known as 04 El Cerro Mission Road, Los Lunas, NM.: *(Frank Gallegos)* **Eric Zamora/Jacobo Martinez**
- 12) Consideration of Application #A-661871 for a Restaurant Beer & Wine License for on premise consumption Only for Spa "N" Cuisine, Inc. dba Green House Bistro & Bakery, 5 Thomas Road, Los Lunas, NM; location is zoned PD (Planned Development)./ **Sally Perea**
- 13) Consideration of Execution of Closing Loan documents with New Mexico Finance Authority for The acquisition of Class "A" Fire Pumper for the Tome-Adelino Fire Department: **Charles Eaton**
- 14) Consideration of MOU to provide financial support for the Summer Recreation program in the Village of Los Lunas: **Kenny Griego**
- 15) Consideration of MOU to provide financial support for the Summer Recreation Program in the City of Belen: **Kenny Griego**
- 16) Consideration of MOU to provide financial support for the Summer Recreation Program in the Village of Bosque Farms: **Kenny Griego**

- 17) Consideration of MOU to provide financial support for the Summer Recreation Program in the Town of Peralta: **Kenny Griego**
- 18) Consideration of Memorandum of Understanding with the Taxation and Revenue Department Regarding monthly monitoring of employee driver history record at no cost to the County: **Kenny Griego**
- 19) Consideration of Notice of Award#664-A, Solid Waste Pick-up Services: **Eric Zamora/Angel Martinez**

FINANCIAL MATTERS:

- 20) Consideration of *Resolution 2011-___*, 2010/2011 Budget Inter & Intra Budget Transfers: **Kenny Griego**
- 21) Consideration of Approval: Payroll /Warrants: **Kenny Griego/Wilma Abril**

PUBLIC COMMENT:

Please sign up on the sheet located just outside the Commission chambers. The Board will allow each member of the public wishing to address the Board a full and complete opportunity to address the Commission

EXECUTIVE SESSION:

Pursuant to Section 10-15-1 NMSA 1978, the following matters may be discussed in closed session: a. limited personnel matters; b. pending or threatened litigation; c. 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.

NEXT COMMISSION MEETING:

- ♦ **June 1, 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.

VALENCIA COUNTY BOARD OF COMMISSIONERS

BUSINESS MEETING

MAY 18, 2011

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

1) Due to technical recording difficulties the meeting was called to order by Madam Chair Otero-Kirkham at 9:38.

2) Madam Chair led the Pledge of Allegiance.

3) Approval of Agenda

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

4) Approval of Minutes: April 25, 2011 – Business Meeting

May 4, 2011 – Business Meeting

May 11, 2011 – Public Hearing

Commissioner Holliday moved for approval of the minutes of April 25, 2011 Business Meeting. Seconded by Commissioner Romero. Motion carried unanimously.

Commissioner Holliday moved for approval of the minutes of May 4, 2011 Business Meeting. Seconded by Commissioner Romero. Motion carried unanimously.

Commissioner Holliday moved for approval of the minutes of May 11, 2011 Public Hearing Meeting. Seconded by Commissioner Romero. Motion carried unanimously.

DISCUSSION (Non-Action) ITEM(S)

5) Presentation of Los Lunas / Socorro Housing Authority – Mary Ann Chavez.

Cancelled, Ms. Mary Ann Chavez was not present.

6) Presentation of Cooperative Educational Services (CES) Comprehensive Employee – Justy Armijo

Competitive Benefits Administrators (CBA) Independent Advisor Justy Armijo gave a brief presentation on Cooperative Educational Services (CES) Comprehensive Employee Educational Retirement & Supplemental Program which is administered by (CBA) Competitive Benefits Administrators. Mr. Armijo said the program administered by CBA is available to Valencia County at no cost. The services provided in this program include: Group retirement planning seminars given by a fully licensed financial advisor, Individual retirement analysis which highlights estimated pension and social security benefits, retirement income gap, retiree health care premiums and retirement life insurance gap. A comprehensive employee education program can improve employee morale during times of budget tightening as well as help employees feel more confident about their retirement.

7) Review of Recognizing the Importance of Cooperation and the Pursuit of Regionalism MRCOG – Eric Zamora.

County Manager Eric Zamora stated the Council of Governments is requesting the entities within the Mid-Region Planning District to consider this resolution as a show of support for regionalism and regional partnerships. This will cover all aspects of planning, growth and development. The Mid-Region of Council of Governments will hold its Inner Governmental Task Force Meeting next month. Mr. Zamora presented this to the commission for consideration, review and for potential future action.

8) Directors Reports: Update Code Enforcement – Ruben Chavez.

Code Enforcement Director Ruben Chavez updated the commission on the activities and functions of Code Enforcement and the Animal Control Division from the facilities operations which included the mechanical and personnel aspects of his departments.

9) Reports from Manager, Commissions, Boards & Committees

County Manager Eric Zamora informed the commission that PNM will be hosting a dedication ceremony of the Los Lunas Energy Center on Wednesday June 1, 2011 at 10:00 A.M. Commissioner Andersen requested the possibility of moving the June 1, 2011 Business Meeting to the afternoon to accommodate a county presence at this dedication. The county is required to submit a budget to Santa Fe by June 1, 2011 and County Manager Zamora proposed a follow-up budget workshop for Tuesday May 24, 2011.

On direction from Madam Chair the June 1, 2011 Business Meeting was moved to 1:00 P.M. and will have the budget workshop on May 24, 2011 at 9:30 A.M.

Mr. Zamora, Commissioner Andersen and Commissioner Romero will be meeting with Jessie Lopez from the Bernalillo County Economic Development tomorrow at 10:00 A.M. They will be looking at one of their programs called the Increment of One Program which is a program the county sponsors or it helps local businesses financially and provides employee incentives which increases the number of employees and increases productivity.

Mr. Zamora gave an update on the three quiet zone projects starting with Mesa Road, Don Felipe Road and Lopez Road. This project should have started last month and at this time the railroad is requesting additional design modifications to the plan but will not impact the budget significantly. He will have a plan for review next week.

On the Valentine and Molina project, this project is under the lead of the Mid-Region Council of Governments and is waiting on the delivery of the signal equipment to proceed. The Hwy 304 quiet crossing has been in place and complete just over a year but due to some legal issues raised by the railroad, the county has been asked to re-evaluate the design and the speed limit, from 50 to 40 mph. The Department of Transportation will not change the speed without a speed study, so a study has been commissioned at the expense of the Department of Transportation Rail Section and will have an agreement ready for consideration at the June 1, 2011 commission meeting. This is in the range of a \$10,000.00 grant to perform the speed study.

Commissioner Gentry asked why the quiet zone on Horse Ranch Road hasn't been initiated. The issue there is because it's within a mile distance from the other crossing was Mr. Zamora's response.

Commissioner Romero asked if there has been any movement on the Jarales overpass proposal. Mr. Zamora said he spoke to the field representative from Senator Udall's Office and has transmitted the preliminary report and it is now being reviewed and evaluated by them at this time.

Madam Chair asked if all road construction projects start in July. Mr. Zamora said Cap Co-op and school bus projects will be authorized after July 1st. Their funding agreements start July 1st and end December 31st, a year and half late.

Commissioner Holliday asked on the status of the Detention Center. Mr. Zamora met with the contractor and CES (Cooperative Educational Services) which is the agency the county went through to acquire this local contractor. The pre-manufactured cells are complete and were designed in a two-story configuration. The proposal was to change to a one-story configuration. We're back to the two-configuration and the contractor has stated he cannot complete the job within the contract project amount and asking for additional funds. The meeting was to evaluate the status of his estimates and the status of the contract and see where the county sits contractually with them. The county's position is that the county has a valid contract in the amount of \$1.1 million plus gross receipts tax to complete a designed built project. The contractor has requested a 120 day extension on the project. Mr. Zamora will respond after more discussion from legal and CES.

Commissioner Gentry re-enforced the fact that this was a special type of contract award through CES (Cooperative Educational Services). It was a design built and did not go out to bid. The caveat on it was that it was design built with no change orders and we should get our product for exactly what we bid for. Commissioner Gentry reiterated that he

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would like for it to stay at that position, no change orders and no more money put into it. He wants it made very clear that this is his position on this matter.

Mr. Zamora stated that Mr. Angel Martinez attended training with the New Mexico Environmental Department, received his certification and is now the county's State Certified Septic Tank Inspector. The county no longer has to wait for the state to send someone to do an inspection, Mr. Martinez can do it pretty much on the spot.

Madam Chair said the county had at one time applied for and received a grant to replace some old septic tanks. She asked if the county can apply for another grant or is there a possibility that another grant may be available. Mr. Martinez said that same grant is going on through next fiscal year and the county is accepting applications for replacement of those septic systems.

ACTION ITEM(S)

BOARD OF COUNTY COMMISSIONERS CONVENES AS INDIGENT CLAIMS BOARD

Commissioner Andersen moved to convene as the Indigent Claims Board. Seconded by Commissioner Romero. Motion carried unanimously.

10) Consideration of Indigent Report / Appeals – Kenny Griego / Barbara Baker.

Ms. Barbara Baker presented the Indigent Claims from April 8, 2011 to May 6, 2011 and requested approval of \$47,911.68.

Commissioner Gentry moved for approval. Seconded by Commissioner Andersen. Motion carried unanimously. (EXHIBIT A)

Ms. Baker presented the Indigent Claims Appeal for Carolina Gonzales in the amount of \$898.87 to Presbyterian Hospital.

Commissioner Andersen moved for approval. Seconded by Commissioner Holliday. Motion carried unanimously. (SEE EXHIBIT B)

Ms. Baker presented the Indigent Claims Appeal for Douglas Holmes for two Presbyterian Hospital bills in the amount of \$1,000.00 and \$2,000.00.

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

11) Consideration of a Request to Amend the Zoning Map from Rural Residential-2 (RR-2) to Community Commercial (C-2) to Allow for a Custom Meat Processing Facility Made by Frank Gallegos; T6N, R2E, Section 1 NMPM, Map 78 Tract 53-A-2-A, Filed in Book 307, Page 2017 of the Office of Valencia County Clerk, also know as 04 El Cerro Mission Road, los Lunas, NM (Frank Gallegos) – Eric Zamora / Jacobo Martinez.

Madam Chair said when this was heard at the last Public Hearing Meeting she had been asked to recues herself from voting on this item for no other reason than the gentleman claimed that Madam Chair could not be unbiased in voting on this issue. Madam Chair asked the commissioners if they felt that she should not vote for that reason because other than that she feels that she can vote. Mr. Gallegos is not a relative of hers and she is in no way a partner in his meat processing plant. There were no objections with Madam Chair participating in the vote.

Commissioner Holliday said he spoke to a few of the people that reside in the area of the proposed meat processing facility and they were misadvised as to the process of this, they were thinking it was more of a slaughter house.

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

12) Consideration of Application #A-661871 for a Restaurant Beer & Wine License for on Premise Consumption Only for Spa "N" Cuisine, Inc. DBA Green House Bistro & bakery, 5 Thomas Road, Los Lunas, NM. Location is zoned PD (Planned Development) – Sally Perea.

Commissioner Andersen, as a member of the advisory board, abstained from voting. Commissioner Holliday moved for approval. Seconded by Commissioner Gentry. Motion carried 4-0.

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13) Consideration of Execution of Closing Loan Documents with New Mexico Finance Authority for The Acquisition of Class "A" Fire Pumper for the Tome-Adelino Fire Department – Charles Eaton.

Commissioner Gentry moved for approval. Seconded by Commissioner Andersen. Motion carried unanimously. (SEE EXHIBIT D)

14) Consideration of MOU to Provide Financial Support for the Summer Recreation Program in the Village of Los Lunas – Kenny Griego

Commissioner Holliday moved for approval. Seconded by Commissioner Andersen. Motion carried unanimously. (SEE EXHIBIT E)

15) Consideration of MOU to Provide Financial Support for the Summer Recreation Program in the City of Belen – Kenny Griego.

Commissioner Gentry moved for approval. Seconded by Commissioner Romero. Motion carried unanimously. (SEE EXHIBIT F)

16) Consideration of MOU to Provide Financial Support for the Summer Recreation Program in the Village of Bosque Farms – Kenny Griego.

Commissioner Holliday moved for approval. Seconded by Madam Chair Otero-Kirkham. Motion carried unanimously. (SEE EXHIBIT G)

17) Consideration of MOU to Provide Financial support for the Summer Recreation Program in the Town of Peralta – Kenny Griego.

Commissioner Holliday moved for approval. Seconded by Madam Chair Otero-Kirkham. Motion carried unanimously. (SEE EXHIBIT H)

18) Consideration of Memorandum of Understanding with the Taxation and Revenue Department Regarding Monthly Monitoring of Employee Driver History Record at no Cost to the County – Kenny Griego.

Commissioner Gentry moved for approval. Seconded by Commissioner Holliday. Motion carried unanimously. (SEE EXHIBIT I)

19) Consideration of Notice of Award #664-A Solid Waste Pick-up Services – Eric Zamora / Angel Martinez.

County Manager Eric Zamora said this is a consideration for notice of award, this is not a contract for solid waste RFB #664-A. Commissioner Holliday motioned to reject the bid. Seconded by Commissioner Romero. Motion carried 3-0. Commissioner Gentry and Commissioner Andersen did not vote.

FINANCIAL MATTERS:

20) Consideration of Resolution 2011-28, 2010 / 2011 Budget Inter & Intra Budget Transfers - Kenny Griego.

Commissioner Holliday moved for approval. Seconded by Madam Chair. Motion carried unanimously.

County Clerk Sally Perea announced Resolution 2011-28. (SEE EXHIBIT J)

21) Consideration of Approval: Payroll / Warrants – Kenny Griego / Wilma Abril

Madam Chair moved for approval of payroll / warrants. Seconded by Commissioner Holliday. Motion carried unanimously. (SEE EXHIBIT K & L)

PUBLIC COMMENTS:

Members of the audience making public comments were Valencia County residents Mike Wood, Sue Moran, Clarke Metcalf, Mary Wood, Alice Torwrit and Carol Romero.

NEXT COMMISSION MEETING:

The next Regular Meeting of the Valencia County Board of County Commission will be held on June 1, 2011 at 1:00 P.M. in the County Commission Room at the Valencia County Courthouse.

ADJOURNMENT

Commissioner Andersen moved for adjournment. Seconded by Commissioner Holliday. Motion carried unanimously. TIME 11:11 A.M.

NOTE: All proposals, documents, items, etc., pertaining to items on the agenda of the May 18, 2011 Business Meeting (presented to the Board of County Commissioners) are attached in consecutive order as stated in these minutes.

VALENCIA COUNTY BOARD OF COMMISSIONERS


GEORGIA OTERO-KIRKHAM, MADAM CHAIR

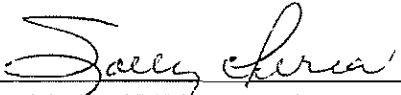

MARY J. ANDERSEN, VICE-CHAIRMAN


LAWRENCE B. ROMERO, MEMBER


RON GENTRY, MEMBER


DONALD E. HOLLIDAY, MEMBER

ATTEST:


SALLY PEREA, COUNTY CLERK

6-1-2011
DATE