

September 10, 2012  
Agenda  
10:00 A.M. Special Meeting  
Valencia County Commission Chambers  
444 Luna Avenue  
Los Lunas, NM 87031

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

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

A handwritten signature in black ink, appearing to read "Donald E. Holliday".

#### ACTION ITEM(S)

- 4) Consideration of approval of Census for Rio Communities Incorporation: *Mark Gwinn*
- 5) Resolution 2012-\_\_\_\_\_ Adoption of 2012 Tax Rates: *Viola Vallejos/Orlando Montoya*

#### EXECUTIVE SESSION

Pursuant to New Mexico State Statute Section § 10-15-1, the following matters, also appearing on the agenda, will be discussed in closed session: a. pending or threatened litigation (section 10-15-1-(h) (7)) 1- "Withholding Miscalculations"

- 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 the motion for closure, and that no final action was taken, pursuant to the authorization in § 10-15-1 NMSA 1978

#### EXECUTIVE SESSION ACTION ITEM(S)

- 6) Delegation of Authority to County Manager to Resolve Withholding Miscalculation

#### NEXT COMMISSION MEETING:

♦ September 12, 2012 – **Public Hearing @ 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.*

**VALENCIA COUNTY BOARD OF COMMISSIONERS**

**SPECIAL MEETING**

**SEPTEMBER 10, 2012**

<b>PRESENT</b>	
Donald E. Holliday, Chairman	
Georgia Otero-Kirkham, Vice-Chair	
Lawrence R. Romero, Member	
Ron Gentry, Member	
Mary J. Andersen Member	
Bruce Swingle, County Manager	
Adren Nance & Dave Pato, County Attorneys	
Sally Perea, County Clerk	
Press and Public	

1) The meeting was called to order by Chairman Holliday at 10:00 A.M.

2) Chairman Holliday led the Pledge of Allegiance.

3) Approval of Agenda

Commissioner Otero-Kirkham moved for approval of the agenda as amended. Seconded by Commissioner Gentry. Motion carried unanimously.

**ACTION ITEM(S)**

4) Consideration of Approval of Census for Rio Communities Incorporation – Mark Gwinn

Mr. Gwinn said this is a request to allow them to begin the process with the county to move forward toward their incorporation. They have provided the petitions to be certified, the boundary map of the area to be incorporated and have also asked the commission to accept the 2010 census as it reflects the body of the incorporation. At this time they would like to start the process to allow them to have an election to be held in January.

Commissioner Romero motioned to accept and allow the petition for the Rio Communities Incorporation to be utilized, use the 2010 U.S. Census for incorporation and the census results accepted once they are dealt with the Board of County Commissioners. Seconded by Commissioner Gentry. Motion carried unanimously.

County Attorney Adren Nance said what the statute requires that generally they deposit money for the payment of the census and what we said here is that we are not going to pay for that census; we are going to utilize a different census. So that then means that at a later time they will file the results of that census with this board and then that will start a different process. We'll wait for that to happen at a different time once it's filed and the next step in the process will start. That's where we're at.

5) Resolution 2012-28, Adoption of 2012 Tax Rates – Viola Vallejos/ Orlando Montoya.

Mr. Montoya stated the County Treasurer has received the 2012 property tax rates mandated from the Department of Finance Administration and will need to get this imposed in order to get the tax bills out in November. Tax rates did see a modest decrease.

Commissioner Otero-Kirkham moved for approval. Seconded by Commissioner Gentry. Motion carried unanimous.

County Clerk Sally Perea announced Resolution 2012-28. ( SEE EXHIBIT A )

**EXECUTIVE SESSION**

**EXECUTIVE SESSION-** Pursuant to Section § 10-15-1, the following matters also appearing on the agenda will be discussed in closed session: a.) pending or threatened litigation (section 10-15-1 (h) (7) 1-"Withholding Miscalculations."

Commissioner Otero-Kirkham motioned to go into Executive Session. Seconded by Commissioner Gentry. Roll call vote. Commissioner Andersen voted yes. Commissioner Gentry voted yes. Commissioner Romero voted yes. Commissioner Otero-Kirkham voted yes. Chairman Holliday voted yes. Motion carried 5-0.

Minutes of September 10, 2012 Special Meeting

Commissioner Otero-Kirkham moved to go back into Regular Session. Seconded by Commissioner Andersen. Motion carried unanimously.

County Attorney Adren Nance stated the matters that were discussed in Executive Session were limited to the items listed on the agenda and no final action was taken.

Commissioner Otero-Kirkham moved to approve the summary as stated by counsel. Seconded by Commissioner Romero. Roll call vote. Commissioner Andersen voted yes. Commissioner Gentry voted yes. Commissioner Otero-Kirkham voted yes. Commissioner Romero voted yes. Chairman Holliday voted yes. Motion carried 5-0.

**EXECUTIVE SESSION ACTION ITEM(S)**

6) Delegation of Authority to County Manager to Resolve Withholding Miscalculations. Chairman Holliday moved for approval. Seconded by Commissioner Otero-Kirkham. Motion carried unanimously.

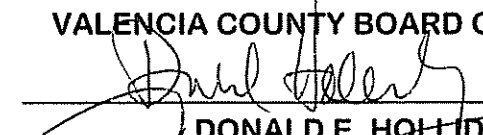
The next Public Hearing Meeting of the Valencia County Board of County Commission will be held on September 12, 2012 at 5:00 P.M. in the County Commission Room at the Valencia County Courthouse.

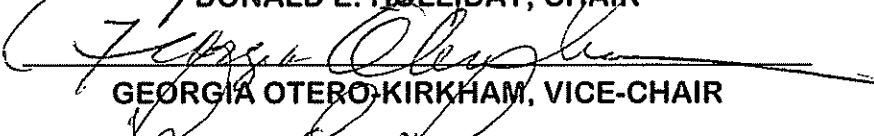
**11) Adjournment**

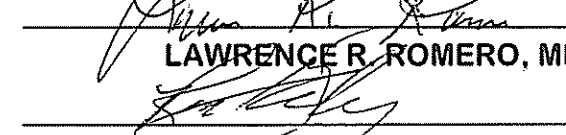
Commissioner Andersen moved for adjournment. Seconded by Commissioner Otero-Kirkham. Motion carried unanimously. **TIME: 11:03 A.M.**


**NOTE:** All proposals, documents, items, etc., pertaining to items on the agenda of the September 10, 2012 Special Meeting (presented to the Board of County Commissioners) are attached in consecutive order as stated in these minutes.

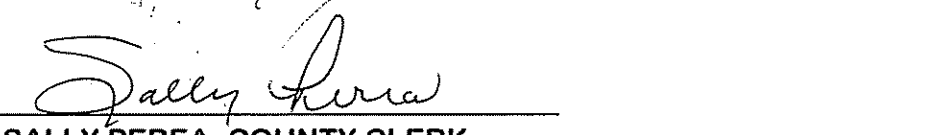
**VALENCIA COUNTY BOARD OF COMMISSIONERS**

  
\_\_\_\_\_  
DONALD E. HOLLIDAY, CHAIR

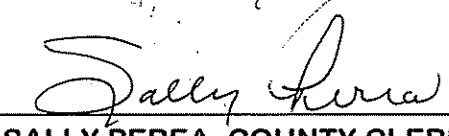
  
\_\_\_\_\_  
GEORGIA OTERO-KIRKHAM, VICE-CHAIR


  
\_\_\_\_\_  
LAWRENCE R. ROMERO, MEMBER

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

  
\_\_\_\_\_  
MARY J. ANDERSEN, MEMBER

ATTEST:

  
\_\_\_\_\_  
SALLY PEREA, COUNTY CLERK

  
\_\_\_\_\_  
DATE

**VALENCIA COUNTY  
BOARD OF COUNTY COMMISSIONERS  
RESOLUTION NO. 2012- 28**

**A RESOLUTION ORDERING THE IMPOSITION OF THE 2012 PROPERTY  
TAX RATES AS REQUIRED BY LAW**

**WHEREAS**, the Board of County Commissioners of Valencia County, New Mexico, at a Special Meeting on September 10, 2012, deem it necessary to approve the 2012 Tax Rates as set forth in the certification issued by the Department of Finance and Administration; and

**WHEREAS**, NMSA 1978, Section 7-38-34 (1973) provides that "[w]ithin five days of receipt of the property tax rate-setting order from the department of finance and administration, each board of county commissioners shall issue its written order imposing the tax at the rates set on the net taxable value of property allocated to the appropriate governmental units. A copy of this order shall be delivered immediately to the county assessor."; and

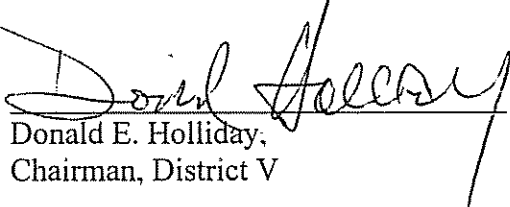
**WHEREAS**, on September 6, 2012, the County of Valencia received the 2012 property tax rate-setting order from the department of finance and administration; and,

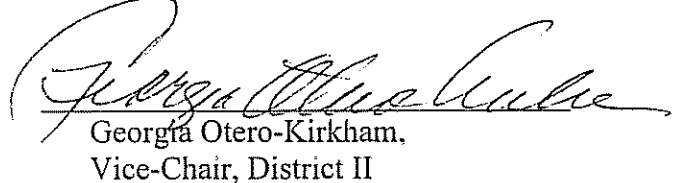
**WHEREAS**, the imposition of Property Tax Rates pursuant to Section 7-38-34, and by the 2012 Certificate of Tax Rates are hereby certified as the Tax Rates for the Government units sharing in the tax in accordance with the property tax code.

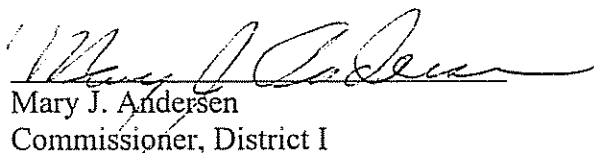
**NOW, THEREFORE, BE IT RESOLVED**, that the Board of County Commissioners of Valencia County hereby approve and implement the aforementioned 2012 Certificate of Tax Rates, attached hereto.

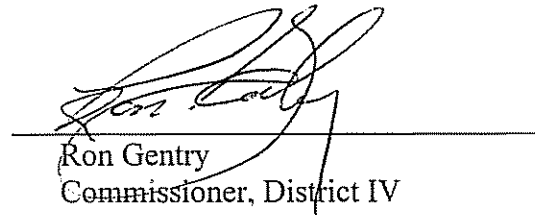
**APPROVED, ADOPTED, AND PASSED** on this 10<sup>th</sup> day of September 2012.

**BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF VALENCIA**

  
Donald E. Holliday,  
Chairman, District V

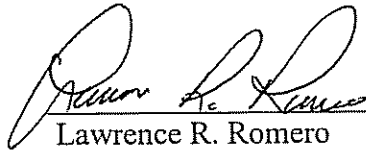
  
Georgia Otero-Kirkham,  
Vice-Chair, District II

  
Mary J. Andersen  
Commissioner, District I

  
Ron Gentry  
Commissioner, District IV

( EXHIBIT A )

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Lawrence R. Romero  
Commissioner, District III

Attest:



Sally Perea, County Clerk



CERTIFICATE OF PROPERTY TAX RATES IN MILLS

VALENCIA COUNTY

TAX YEAR 2012

NET TAXABLE VALUE:

\$1,264,212.404

MUNICIPALITY:

TAXABLE VALUE:

CATEGORY:

	23327		93561		5662236	
	23 327	3LL OUT R	3BN OUT NR	3BN OUT R	PR IN NR	PR OUT NR
State Debt Service	13,873,032	1,360	1,360	1,360	1,360	1,360
County Operational	6,508	1,360	1,360	1,360	1,360	1,360
County Debt Service	0,709	6,508	11,850	6,508	11,850	11,850
Total State	0,709	0,709	0,709	0,709	0,709	0,709

Total County	7,217	12,559	7,217	12,559	7,217	12,559
Municipal Operational	0,000	0,000	0,000	0,000	0,000	0,000
Municipal Debt Service	0,000	0,000	0,000	0,000	0,000	0,000
Total Municipal	0,000	0,000	0,000	0,000	0,000	0,000
School District Operational	0,189	0,500	0,211	0,500	0,189	0,500
School District Debt Service	8,192	8,192	7,675	7,675	8,192	8,192
School Dist. Cap. Improvement	2,000	2,000	2,000	2,000	2,000	2,000
House Bill 33, School Building	3,000	3,000	3,000	3,000	3,000	3,000
School District Ed. Tech. Debt Svc	0,000	0,000	0,000	0,000	0,000	0,000
Total School District	13,381	13,692	9,886	10,175	13,381	13,692
Total State, County, Municipal, & School District	21,958	27,611	18,463	24,094	21,958	27,611
Other:						
Valencia County Hospital	2,739	2,750	2,739	2,750	2,739	2,750

UNM Valencia Branch (1)	1,924	2,000	1,924	2,000	1,924	2,000
UNM Valencia Bldg Levy (2)	0,850	0,850	0,850	0,850	0,850	0,850
Total Other	5,513	5,600	5,513	5,600	5,513	5,600
GRAND TOTAL	27,471	33,211	23,976	29,694	27,471	33,211

Where Applicable:

Cattle Indemnity	10,000
Sheep/Goats/Swine/Alpacas	10,000
Dairy Cattle	5,000
Bison/Camelids/Ratites	10,000
Horses/Asses/Mules	10,000