

October 3, 2012
Agenda
9:30 A.M. Business Meeting
Valencia County Commission
Chambers
444 Luna Avenue
Los Lunas, NM 87031

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

- 1) Call Meeting to Order
- 2) Pledge of Allegiance
- 3) Approval of Agenda
- 4) Approval of Minutes:
 1. September 10, 2012 (Special Meeting)
 2. September 12, 2012 (Public Hearing)
 3. September 19, 2012 (Business Meeting)

Approved:

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

• **Presentations:**

1. Wagner Farms / Chili Festival: *Roxanne Wagner*

• **Discussion / Non-Action Items**

None

• **Action Items**

2. To accept the Finding of Facts and Conclusion of Law for an appeal on a plan site: *Jacobo Martinez*
3. To accept the Findings of Facts and Conclusion of Law for a Zone Change for O-D to I-3: *Jacobo Martinez*
4. Consideration of Resolution 2012-_____ for the Infrastructure Capital Improvement Plan: *Jacobo Martinez*
5. Consideration to accept Street Lights at the Las Maravillas Subdivision Units 2 & 3: *Jacobo Martinez*
6. Consideration of Resolution 2012-_____ to accept Calle Del Oro from NM Hwy 314 to the east side of the Railroad Right-of- Way.

• **Financial Matters**

7. Consideration of Payroll / Warrants: *Nick Telles*

• **Public Comment**

BOOK 073

PAGE 789

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 (H) (2) (5) (7) & (8), the following matters may be discussed in closed session: a. personnel: b. pending or threatened litigation: c. real property: d. other: AFSCME Council 18, Local 2745 Bargaining 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.

• Executive Session Action Items

8. Consideration of Collective Bargaining Agreement with AFSCME Council 18, Local 2745

• Next Commission Meeting

- ♦ **October 17, 2012 – Business Meeting @ 9:30 A.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

OCTOBER 3, 2012

PRESENT	
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 9:30 A.M.

2) Chairman Holliday led the Pledge of Allegiance.

3) Approval of Agenda

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

4) Approval of Minutes: September 10, 2012-Special Meeting

Commissioner Andersen moved for approval of the Minutes of September 10, 2012 Special Meeting. Seconded by Chairman Holliday. Motion carried unanimously.

September 12, 2012-Public Hearing

Commissioner Otero-Kirkham moved for approval of the Minutes of September 12, 2012 Public Hearing. Seconded by Commissioner Andersen. Motion carried unanimously.

September 19, 2012-Business Meeting

Commissioner Otero-Kirkham moved for approval of the Minutes of September 19, 2012 Business Meeting. Seconded by Commissioner Andersen. Motion carried unanimously.

PRESENTATIONS:

1.) Wagner Farms / Chili Festival – Roxanne Wagner

Jimmy and Roxanne Wagner thanked the commission and the community for their support in making the First Annual Viva Chili Festival a success and look forward to the festival growing every year. The Wagner's presented the commission with T-shirts and a framed poster of the New Mexico Viva Chili Festival.

DISCUSSION / NON-ACTION ITEMS:

Commissioner Gentry asked for an update on the Detention Center Project as to the financing, construction, delivery of the Pods and also the status of the contract.

County Manager Bruce Swingle said the county has 1.1 million dollars available in the GRT fund to use for this project. The bids they received and the contract selected is about \$20,000.00 over what's available in the GRT and they are working within the detention center and finance to find the money to complete that.

County Counsel Dave Pato stated the county statutory requirement is to award the contract to the lowest bidder. This is not a request for proposals where you're examining the contractor's qualifications; it's an invitation for bid on a construction project. Where they are right now is that a protest has been filed and so the commission is prohibited from proceeding forward until that protest has been resolved. When that happens, the contract will come to the commission to award the contract.

Procurement Officer Mike Vinyard said the plan was to bring the contract to the commission for consideration at this meeting but because of the protest they are now taking steps to resolve that. The first step when you receive a protest is you go back to that vendor that has been protested. The protest dealt with paperwork that was not properly filed. They give them the opportunity to respond because it is still an open protest and at this time the intent is to get the protest resolved and get this on the agenda for the next meeting for the commission's consideration and at which point they will present all the bids, the results of the protest and at that time they can vote as to whether they want to accept the low bid. The selection of the architect was put in place before he was hired.

Chairman Holliday said this commission approved the architect in Executive Session several months back. As for the pods there's a contract with a trucking company bringing the pods any day now. It's just a matter of coordinating, they're going to bring five truck loads at different times so it has to be coordinated with the local vendor to get the pods off the trucks, store them and get tonnage down on the ground so they don't damage in any way and that's being taken care of.

Commissioner Otero-Kirkham asked Mr. Vinyard who the lowest bidder was and who filed the protest? Mr. Vinyard said its public knowledge, its AIC General Contractors with a bid of \$1.16 million dollars. All bidders were from Albuquerque, there were no local bidders. Jan Star Builders, also from Albuquerque was the contractor that filed the protest.

ACTION ITEM(S)

2. To Accept the Finding of Facts and Conclusion of Law for an Appeal on a Site Plan-Jacobo Martinez.

Commissioner Otero-Kirkham moved for approval. Seconded by Commissioner Andersen. Motion carried unanimously. (See Exhibit A)

3. To Accept the Findings of Fact and Conclusion of Law for a Zone Change for O-D to I-3 – Jacobo Martinez.

Commissioner Otero-Kirkham moved for approval. Seconded by Commissioner Romero. Motion carried unanimously. (See Exhibit B)

4. Consideration of Resolution 2012-30, for the Infrastructure Capital Improvement Plan – Jacobo Martinez.

Commissioner Romero moved for approval. Seconded by Chairman Holliday. Motion carried unanimously.

County Clerk Sally Perea announced Resolution 2012-30. (See Exhibit C)

5. Consideration to Accept Street Lights at the Las Maravillas Subdivision, Units 2 & 3 – Jacobo Martinez.

Code Enforcement Director Jacobo Martinez stated this request was initiated by community members that reside in the Las Maravillas Subdivision Units 2 & 3 requesting that the county take responsibility of the street lights located within their area. The street lights were previously maintained by the Valley Improvement Association. There are approximately 25 street lights located within this subdivision. The county has contacted PNM and they have offered a flat rate of \$140.00 per month for maintenance of the street lights which includes basic maintenance such light lamp replacement and replacing of photo cells. It doesn't include any other type of maintenance such as replacement of street lights or replacement of wiring. In 2011-2012 the county has paid out for the replacement of street lights and wiring in the whole area of the county \$43,000.00 in those two years for street lights. This request is made by the Las Maravillas Community, is not budgeted in the county's accounting.

GNA (Good Neighbor Association) Director Rick Wilson said the lights have been out since GNA has taken over because VIA (Valley Improvement Association) assumed responsibility for the lights out of the dues. The lights are a public safety issue and a growing concern for the safety of the residents of Las Maravillas units two and three. All they want is for the county to pay for the maintenance and operation of the lights.

Commissioner Gentry moved for approval and to work out within the county's budget a method to take care of this. Accept the maintenance of the lights because it's a unique situation as it does reference public safety and the health and welfare of the community.

Commissioner Otero-Kirkham expressed her concern that if the commission approved this request that residents from other subdivisions would come forward to ask the commission to maintain their street lights also.

Valencia County Finance Director Nick Telles asked if this was budgeted. "No it was not budgeted" was Mr. Martinez's response.

Commissioner Andersen said she can't take issue with the fact that this is a public safety issue but she is extremely concerned about setting a precedence that it's going to cause some difficulties downstream. She would like to see a formal elevation of the cost of this program before going forward. Given the condition of the county's cash flow at the moment, a \$140.00 doesn't sound like much but she's not sure that she has all the answers that she'd like to have before she votes for this and she doesn't want to vote against it, she does agree that public safety is an issue.

Chairman Holliday said if Commissioner Gentry would like to change his motion to just include Units 2 & 3 in his motion he will second that.

Commissioner Gentry said if unit one is on and still has the assessment and if that's the case he would amend his motion to say that we take on the acceptance of the two units

Minutes of October 3, 2012 Regular Business Meeting

that are currently off and let the assessments take care of the other one. Seconded by Chairman Holliday. Motion carried 4-1. Commissioner Andersen voted no.

6. Consideration of Resolution 2012-31, to Accept Calle Del Oro from NM Hwy 314 to the East Side of the Railroad Right of-way.

Commissioner Andersen moved for approval. Seconded by Commissioner Otero-Kirkham. Motion carried unanimously.

County Clerk Sally Perea announced Resolution 2012-31. (SEE EXHIBIT D)

FINANCIAL MATTERS

7. Consideration of Payroll / Warrants – Nick Telles

Commissioner Otero-Kirkham motioned for approval. Seconded by Commissioner Andersen. Motion carried unanimously. (SEE EXHIBIT E-G)

PUBLIC COMMENT

Member of the audience making comments at today's Business Meeting was Valencia County resident Mike Wood.

EXECUTIVE SESSION

EXECUTIVE SESSION- Pursuant to Section 10-15-1 (H) (2) (5) (7) & *, the following matters may be discussed in closed session: a.) Personnel; b.) Pending or threatened litigation; c.) Real property; d.) Other: AFSCME Council 18, Local 2745 Bargaining specific limited topics that are allowed or authorized under the stated statute.

Chairman Holliday motioned to go into Executive Session. Seconded by Commissioner Otero-Kirkham. Motion carried.

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

County Attorney Adren Nance stated matters that were discussed in Executive Session were limited to those items listed on the agenda for closure and no final action was taken. Commissioner Otero-Kirkham moved to approve the summary as stated by counsel. Seconded by Commissioner Romero. 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.

Executive Session Action Items:

8. Consideration of Collective Bargaining Agreement with AFSCME Council 18, Local 2745.

Commissioner Andersen moved for approval with the provision that Paragraph 14.2 and 19.1 be consistent in their meaning. Seconded by Commissioner Otero-Kirkham. Motion carried unanimously.


The next Regular Meeting of the Valencia County Board of County Commission will be held on October 17, 2012 at 9:30 A.M. in the County Commission Room at the Valencia County Courthouse.

11) Adjournment

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

NOTE: All proposals, documents, items, etc., pertaining to items on the agenda of the, October 3, 2012 Business 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



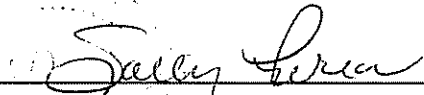
LAWRENCE R. ROMERO, MEMBER



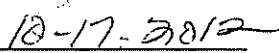
RON GENTRY, MEMBER



MARY J. ANDERSEN, MEMBER

ATTEST: 

SALLY PEREA, COUNTY CLERK



DATE

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF VALENCIA COUNTY

In the matter of PNM's Appeal of Planning
& Zoning Commission's Denial of a
Request for Site Plan Approval, Valencia
County, New Mexico

FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION

THIS MATTER came before the Board of County Commissioners of Valencia County ("the Board") on September 19, 2012, and was held pursuant to PNM's Appeal of the Planning & Zoning (P&Z) Commission's Denial of a request for Site Plan Approval to allow for the Operation of a natural gas-fired electric generating station on the property commonly described as T5N, R1E, Section 35; NMPM; Land of Toby & Maryann Cordova; Tract E-5-A; Zoned O-D; Filed in book 364, page 748; of the office of the Valencia County Clerk.

The Board, having considered the documents in the record before it, testimony of staff, applicants and members of the public, and argument by the parties and/or their legal representatives, **FINDS:**

Findings of Fact

1. Notice of the regularly scheduled meeting of the Board of Commissioners of Valencia County, New Mexico (the "Board") on September 12, 2012, at which the final hearing of the Appeal of the P&Z Commission Decision was published according to New Mexico Statutes and the Valencia County Interim Comprehensive Zoning Ordinance, Ordinance 2004-05, as amended ("Zoning Ordinance").
2. PNM appeals the P&Z Commission's denial of a request for Site Plan approval to allow for the Operation of a natural gas-fired electric generating station on the property commonly described as T5N, R1E, Section 35; NMPM; Land of Toby & Maryann Cordova; Tract E-5-A; Zoned O-D; Filed in book 364, page 748; of the office of the Valencia County Clerk.
3. PNM's original application was a request for approval of a Site Development Plan to allow for the Operation of a natural gas-fired electric generation facility.
4. The Planning and Zoning Commission held a public hearing on the Site Development Plan Application on August 22, 2012, and voted 3-0 to deny the site plan.
5. PNM-submitted the appeal to the Planning Department on August 25, 2012.
6. Appellant PNM provided testimony at the Planning and Zoning public hearing.
7. The appellant, PNM, contended:
 - a. There will be public road access to the site and the surrounding community.
 - b. There will not be a negative impact to the road from traffic.
 - c. The existing access easement allows for 40-foot wide public access.

Conclusions of Law

The following conclusions of law are cumulative, but are severable and independent of each other.

- A. The County is a zoning authority with the power to regulate and restrict use of land. NMSA 1978, § 3-21-1 (1995).
- B. The Board of County Commissioners is the body that exercises the powers of a county as a body politic and corporate. NMSA 1978, § 4-38-1 (1876).
- C. The Board takes notice that the Zoning Ordinance was adopted according to New Mexico statutory authority and duly recorded in the records of the Clerk of Valencia County.
- D. The Board has discretion in making zoning decisions. *See Singleterry v. City of Albuquerque*, 96 N.M. 468, 471, 632 P2d 345, 348 (1981).

E. Section 154.062(C)(1)(c) of the Valencia County Zoning Ordinance details the requirements for standing, which is required to appeal a decision of the Planning and Zoning Commission.

F. Section 154.062(C)(1)(c) requires that the appellant be "entitled by this chapter to notice of hearing prior to decision appealed; or is aggrieved or has interests adversely affected by the decision."

G. Appellant PNM has standing to appeal the decision of the Planning and Zoning Commission as the appellant meets the criteria detailed in Section 154.062(C)(1)(c).

H. Pursuant to Section 154.036(A), a site development plan must be based upon consideration of the following: (1) Characteristics of adjoining and surrounding uses; (2) Economic factors relating to the proposed use; (3) Traffic safety, internal circulation and parking; (4) Provisions for adequate noise and/or visual buffering from non-compatible uses; (5) Retention on-site existing natural features in any residential development; and (6) Problems that may arise due to development within potential hazard areas.

I. The Planning and Zoning Commission denied PNM's site development plan because of confusion relating to access to the facility.

J. PNM has provided clarification with respect to the access concerns raised by the Planning and Zoning Commission, which formed the basis for the Planning and Zoning Commission's denial of the site development plan.

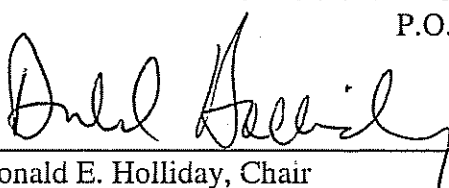
K. The clarification provided by PNM makes clear that there will be public road access to the site and the surrounding community; there will not be a negative impact to the road from traffic; and that the existing access easement allows for 40-foot wide public access.

Decision

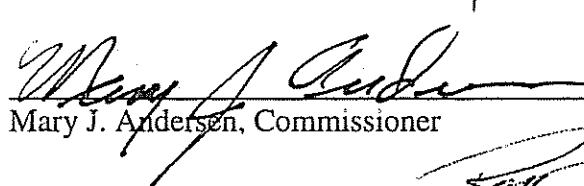
IT IS, THEREFORE, ORDERED that the Planning and Zoning Commission's Denial of the Site Development Plan to allow for the Operation of a natural gas-fired energy facility for the property described as T5N, R1E, Section 35; NMPM; Land of Toby & Maryann Cordova; Tract E-5-A; Zoned O-D; Filed in book 364, page 748; of the office of the Valencia County Clerk is hereby reversed.

BOARD OF COUNTY COMMISSIONERS OF VALENCIA COUNTY

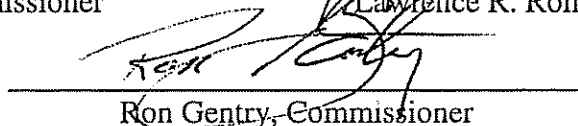
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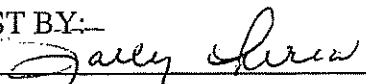

Donald E. Holliday, Chair


Georgia Otero-Kirkham, Vice-Chair


Mary J. Andersen, Commissioner


Lawrence R. Romero, Commissioner


Ron Gentry, Commissioner

ATTEST BY:

Sally Perea, County Clerk
Date: Oct 3, 2012

BOOK 073 PAGE 794-B

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF VALENCIA COUNTY

In the matter of PNM's Application to
Amend the Zone Map from OD to I-3,
Valencia County, New Mexico

FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION

THIS MATTER came before the Board of County Commissioners of Valencia County ("the Board") on September 19th, 2012, and was held pursuant to the applicant PNM's application to Amend the Zoning Map from a Outland District (OD) zoning designation to a Heavy Industrial (I-3) zoning designation on the lot commonly described as: T5N, R1E, Section 35; NMPM; Land of Toby & Maryann Cordova; Tract E-5-A; Zoned O-D; Filed in book 364, page 748; of the office of the Valencia County Clerk.

The Board, having considered the documents in the record before it, testimony of staff, applicants and members of the public, and argument by the parties and/or their legal representatives, **FINDS:**

Findings of Fact

1. Notice of the regularly scheduled meeting of the Board of Commissioners of Valencia County, New Mexico (the "Board") on September 12, 2012, at which was had the public hearing of the Application to Amend Zoning Maps, was published according to New Mexico Statutes and the Valencia County Interim Comprehensive Zoning Ordinance, Ordinance 2004-05, as amended ("Zoning Ordinance").
2. The applicant's request is for an amendment to the Zoning Map from a Outland District (OD) zoning designation to a Heavy Industrial (I-3) zoning designation on the property commonly described as: T5N, R1E, Section 35; NMPM; Land of Toby & Maryann Cordova; Tract E-5-A; Zoned O-D; Filed in book 364, page 748; of the office of the Valencia County Clerk.
3. Approval of the application will result in allowing for the development of natural gas-fired energy generation station on the subject property.
4. The property for which the zone change is requested has an Outland District (OD) zoning designation.
5. The purpose of the Outland District is to accommodate large areas which are mostly vacant, unplatted or minimally platted and predominately undeveloped.
6. The proposed use is not permitted in the OD Districts.
7. The purpose of the I-3 District is to provide for industrial uses with high nuisance characteristics that are incompatible with adjacent urban residential uses or for industrial uses where space or performance characteristics demand a specialized locale. The proposed use is for a natural gas-fired energy generation station.
8. The proposed use is a Permitted Use in the Heavy Industrial (I-3) zoning district.
9. The Planning and Zoning Commission heard this request at the monthly P&Z hearing on August 22, 2012. After hearing testimony from the applicant and taking public comments on the matter, the P&Z Commission voted 3-0 to recommend approval of the zone change.
10. The Planning and Zoning Commission Found:
 - a. The development as described by the applicant (natural gas-fired energy generation station) is appropriate considering the surrounding land use and pattern development in the area.
 - b. The development as described by the applicant (natural gas-fired energy generation station) enhances the County's protection of public health, safety and welfare.
 - c. The development as described by the applicant (natural gas-fired energy generation station) provides quality public utility that will steer urbanizing development to areas with adequate infrastructure and utility.

(EXHIBIT B)

- d. The development as described by the applicant (natural gas-fired energy generation station) strengthens the economic base of the County.
11. The Board finds the findings of the Planning and Zoning Commission well taken, and adopts the findings of the Planning and Zoning Commission.
12. The Board of County Commissioners held a Public Hearing on this request on September 12, 2012. After hearing testimony from the applicant and taking public comments on the matter, the Board of County Commissioners voted 5-0 to approve this request on September 19, 2010.
13. The findings made by the Board are each independent reasons for the decision of the Board in conditionally approving the zone change.

Conclusions of Law

The following conclusions of law are cumulative, but are severable and independent of each other.

- A. The County is a zoning authority with the power to regulate and restrict use of land. NMSA 1978, § 3-21-1 (1995).
- B. The Board of County Commissioners is the body that exercises the powers of a county as a body politic and corporate. NMSA 1978, § 4-38-1 (1876).
- C. The Board takes notice that the Zoning Ordinance was adopted according to New Mexico statutory authority and duly recorded in the records of the Clerk of Valencia County.
- D. The Board has discretion in making zoning decisions. *See Singleterry v. City of Albuquerque*, 96 N.M. 468, 471, 632 P2d 345, 348 (1981).
- E. The Board has authority and jurisdiction over the Petition for Zone Change filed by PNM.
- F. All parties entitled to notice were afforded notice in accordance with the applicable Valencia County Ordinances, New Mexico State Statutes, and common law.
- G. The applicant and the public were afforded due process pursuant to the United States Constitution, the New Mexico Constitution, and in accordance with the applicable Valencia County Ordinances.
- H. The Board takes notice that §154.061 of the Valencia County Zoning Code provides that the proposed zone change should be consistent with the goals, policies and any other applicable provisions of the Comprehensive Plan. As further delineated below, the Board's decision herein is consistent with the Comprehensive Plan.
- I. The Board takes notice that the Valencia County Comprehensive Land Use Plan of October 7, 2005, ("Comprehensive Plan") is the comprehensive plan applicable to this matter, and was properly adopted according to New Mexico statutory authority.
- J. Land Use and Housing Development Goal A of the Comprehensive Plan encourages the County to "guide development in a manner that balances the patterns of urban development with the rural character and natural resources of the County."
- K. Regional Infrastructure Goal K of the Comprehensive Plan encourages the County to "Promote regional facilities and services that meet health and safety needs of the County."
- L. Economic Development Goal P of the Comprehensive Plan encourages the County to "Strengthen the economic base of the County, expand employment opportunities, and improve local workforce skills and abilities."
- M. Section 154.061 (C) (2) of the Zoning Ordinance provides that "The proposed change [be] appropriate considering...the surrounding land uses, density and pattern of development in the area..." The future land use intended by the Applicant is consistent with the Zoning Ordinance.
- N. PNM's development of natural gas-fired energy generation station on the subject property advances the goals as stated above, as it strikes a balance between the patterns of urban development with the rural character and natural resources of the County, the generation of power enhances the health and safety needs of the County, the development of the site increases employment opportunities and strengthens the economic base of the County, and is appropriate considering the surrounding land uses, density, and patterns of development in the area.

Decision

IT IS, THEREFORE, ORDERED that PNM's application to Amend the Zoning Map from an O-D zoning designation to an I-3 zoning designation for the property described as T5N, R1E, Section 35; NMPM; Land of Toby & Maryann Cordova; Tract E-5-A; Zoned O-D; Filed in book 364, page 748; of the office of the Valencia County Clerk is hereby granted.

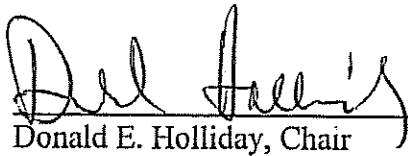
Reference to Document: (ZC12_004) Zone Change of PNM.

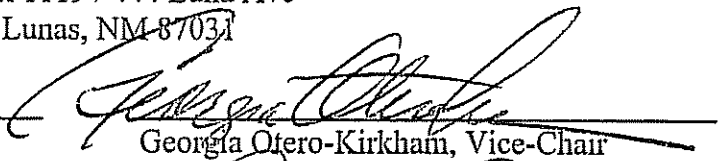
Approved and passed 3rd of October 2012, by the Board of County Commissioners of Valencia County.

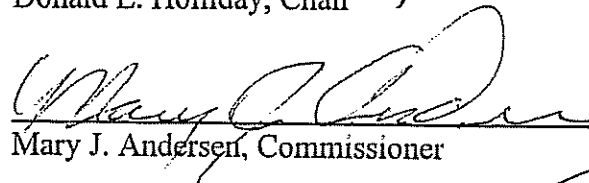
BOARD OF COUNTY COMMISSIONERS OF VALENCIA COUNTY

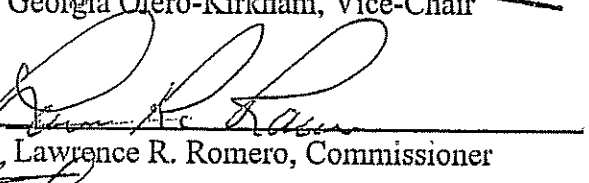
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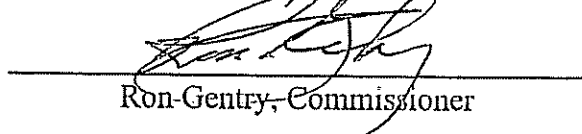
Los Lunas, NM 87031

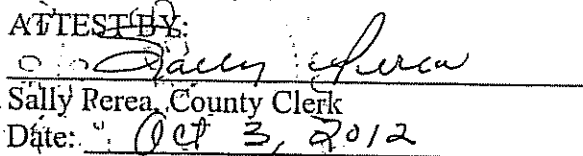

Donald E. Holliday, Chair


Georgia Ofere-Kirkham, Vice-Chair


Mary J. Andersen, Commissioner


Lawrence R. Romero, Commissioner


Ron Gentry, Commissioner

ATTEST BY:

Sally Rerea, County Clerk
Date: Oct 3, 2012

VALENCIA COUNTY
BOARD OF COUNTY COMMISSIONERS
RESOLUTION 2012- 30

A RESOLUTION
Adopting a Multi-Year Infrastructure Capital Improvements
Plan for 2014 to 2018

WHEREAS, Valencia County recognizes that the financing of Public Capital Projects has become a major concern in the County, the State of New Mexico and nationally;

WHEREAS, in times of scarce resources, it is necessary to find new financing mechanisms and maximize the use of existing limited resources;

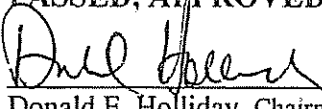
WHEREAS, systematic Capital Improvement planning is an effective tool for governmental entities and their communities to define their development needs, establish priorities and pursue positive actions and strategies to achieve necessary project development; and

WHEREAS, this process contributes to both local and regional efforts in project identification and selection in short and long-range capital planning efforts.

NOW THEREFORE, BE IT RESOLVED, by the Valencia County Board of County Commissioners that:

1. The County adopts the attached Infrastructure Capital Improvements Plan;
2. The Plan is intended to be a working document and is the first of many steps toward improving rational, long-range capital planning and budgeting for the County's infrastructure and capital needs; and
3. This Resolution supersedes *Resolution 2010-43*, and any other resolutions relating to the Infrastructure Capital Improvements Plan and which are also in conflict with the above provisions of this Resolution.

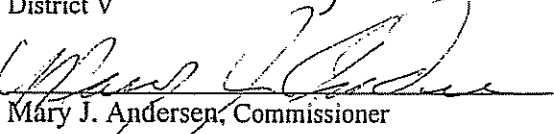
PASSED, APPROVED, AND ADOPTED on this 19th day of September, 2012.



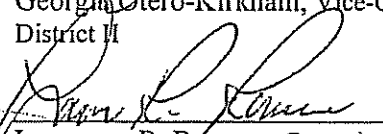
Donald E. Holliday, Chairman
District V




Georgina Otero-Kirkham, Vice-Chair
District II



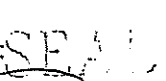
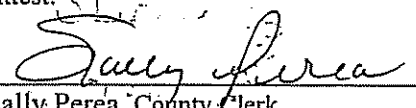
Mary J. Andersen, Commissioner
District I



Lawrence R. Romero, Commissioner
District III



Ron Gentry, Commissioner
District IV

Attest: 


Sally Perea, County Clerk
OF NEW MEXICO

(EXHIBIT C)

Infrastructure Capital Improvement Plan FY 2014-2018

Valencia County
Project Summary

ID	Rank	Project Title	Top 5 Rank	Category	Funding Sources	Funded to date	2014	2015	2016	2017	2018	Total Project	Mos to compl
22236	2014-01	County-Wide Road Improvements	1	Hiways/Roads/Streets/Bridges	LGRANT SGRANT LFUNDS	0	2,000,000	2,205,000	2,310,000	2,450,000	5,575,000	14,540,000	0
22237	2014-02	EMS Transport Building/Equipment	2	Health-Related Cap Infra	LGRANT LBONDS LFUNDS	0	2,600,000	0	0	0	0	2,600,000	0
20138	2014-03	New Valencia County Administration Complex	3	Adm/Service Facilities (local)	LGRANT LBONDS LFUNDS	0	6,000,000	0	0	0	0	6,000,000	0
18231	2014-04	Illegal Dumping Abatement Equipment	4	Public Safety Equipment/Bldgs	LGRANT LFUNDS FLOAN FGRANT SGRANT	0	0	200,000	200,000	100,000	0	500,000	0
14071	2014-05	Road Department Heavy Equipment Purchase	5	Hiways/Roads/Streets/Bridges	LGRANT LFUNDS	0	300,000	305,000	275,000	0	0	880,000	0
18222	2014-06	Construct Valencia County Railroad Overpasses		Hiways/Roads/Streets/Bridges	FGRANT LGRANT OTHER	0	6,300,000	0	0	0	0	6,300,000	0
11299	2014-07	Jarales Fire Department Renovations		Fire	LGRANT SGRANT FGRANT LFUNDS	0	450,000	80,000	250,000	150,000	350,000	1,280,000	0
18241	2014-08	New Hospital Planning Funds		Health-Related Cap Infra	LBONDS LGRANT LFUNDS	0	1,500,000	0	0	0	0	1,500,000	0
20156	2014-09	Senior Service Facilities Renovations/Equipment		Senior Facilities	LGRANT SGRANT LFUNDS	0	667,300	0	0	0	0	667,300	0
9977	2014-10	Conejos Transfer Station Building Improvements		Solid Waste	LGRANT SGRANT OTHER	0	200,000	0	0	0	0	200,000	0
9829	2014-11	Land Fill Closure/Conejos Clean-up		Solid Waste	LGRANT FLOAN LFUNDS	0	315,000	0	0	0	0	315,000	0
22243	2014-12	Upgrade County IT Software		Adm/Service Facilities (local)	LGRANT LFUNDS OTHER	0	1,000,000	0	0	0	0	1,000,000	0
9827	2014-13	Solid Waste Transfer Equipment		Solid Waste	LGRANT LFUNDS	0	180,000	130,000	67,000	67,000	125,000	569,000	0

Infrastructure Capital Improvement Plan FY 2014-2018

10529	2014-14	Rio Grande Estates Fire District Equipment	Fire	LGRANT FGRANT LFUNDS	0	165,000	110,000	110,000	400,000	300,000	1,085,000	0
18257	2014-15	Tome-Adelino Fire District Remodel/Equipment	Fire	LFUNDS LGRANT	0	450,000	100,000	350,000	350,000	350,000	1,600,000	0
11298	2014-16	Valencia El Cerro Fire District Equip/Renovations	Fire	LGRANT SGRANT FGRANT LFUNDS	0	250,000	150,000	450,000	350,000	150,000	1,350,000	0
18225	2014-17	Meadowlake Fire District Equipment	Fire	LGRANT FLOAN SGRANT LFUNDS	0	310,000	230,000	150,000	150,000	150,000	990,000	0
18256	2014-18	Los Chavez Fire District Equip/Renovations	Fire	LFUNDS LGRANT	0	60,000	100,000	125,000	350,000	350,000	985,000	0
11296	2014-19	Manzano Vista Fire District Equipment	Fire	LGRANT SGRANT FGRANT LFUNDS	0	150,000	150,000	35,000	150,000	350,000	835,000	0
11290	2014-20	Highland Meadows Fire District Equipment	Fire	LGRANT FGRANT LFUNDS	0	60,000	200,000	250,000	150,000	500,000	1,160,000	0
18253	2014-21	New Road Department Substation	Adm/Service Facilities (local)	LFUNDS LGRANT	0	270,000	0	0	0	0	270,000	0
18252	2014-22	Hwy 116 & Castillo Traffic Light	Hiways/Roads/Streets/Bridges	LGRANT LFUNDS	0	275,000	0	0	0	0	275,000	0
18255	2014-23	Meadowlake Road Improvements	Hiways/Roads/Streets/Bridges	LFUNDS LGRANT	0	105,000	1,528,000	1,550,000	0	0	3,183,000	0
20035	2014-24	Meadowlake Community Center Improvements	Adm/Service Facilities (local)	LGRANT LFUNDS	0	276,000	330,000	0	0	0	606,000	0
20151	2014-25	El Cerro Community Center Renovations	Adm/Service Facilities (local)	LGRANT LFUNDS	0	315,000	0	0	0	0	315,000	0
14079	2014-26	Monterey Blvd Road Improvements	Hiways/Roads/Streets/Bridges	LGRANT LFUNDS	0	50,000	407,700	0	0	0	457,700	0
18220	2014-27	Van Camp Blvd Paving/Expansion	Hiways/Roads/Streets/Bridges	LGRANT LFUNDS	0	272,000	0	0	0	0	272,000	0
11306	2014-28	New Countywide Fire Districts Improvements	Fire	FGRANT LGRANT SGRANT	0	413,000	100,000	600,000	750,000	500,000	2,363,000	0

PNM 2012

Invoice Date	Utility	Account #	Meter #	Location	Jan	Feb	March	April	May	June	July	Total
#REF!												
LM II												
12/28/11	PNM	0550371-1	0709937	0 Artisma at Apache Plume, LL	52.60	52.73	47.28	44.74				197.35
12/28/11	PNM	0554611-0	0440852	33 Cliffrose Trl., LL	53.21	67.38	60.35	58.16				239.10
12/28/11	PNM	0555443-4	0466016	14 Cliffrose Trl., LL	68.10	69.32	73.44	46.80				257.66
12/28/11	PNM	0555488-7	0500356	3 Dogwood Ln., LL	103.61	108.20	95.73	96.34				403.88
12/28/11	PNM	0555926-4	0451521	21 Buckbrush, LL	28.61	29.46	25.35	25.71				109.13
12/28/11	PNM	0556900-1	0462512	19 Dogwood Ln., LL	32.24	31.39	28.50	27.77				119.90
												1,327.02
LM III												
12/28/11	PNM	0557378-6	Unmetered	0 Las Maravillas III, STLTS 7, LL	136.36	136.36	136.36	136.36	104.64			650.08
12/22/11	PNM	1262305-0	0672627	1 Camino La Canada, LL	133.54	134.39	117.43	111.84	107.83	81.74	45.56	732.33
12/22/11	PNM	0557136-3	0483690	0 Flores Bonitas @ Lirio, LL	9.23	9.23	9.23	9.23	9.23		121.54	167.69
												1,550.10
#REF!												

Acceptance of Maintenance Responsibilities for Calle De Oro

Resolution No. 2012- 31

WHEREAS, Commissioner Andersen has requested that the Board of County Commissioners of the County of Valencia consider the acceptance of Calle De Oro, because Calle De Oro serves as the only egress and ingress to approximately 11 parcels.

WHEREAS, the Board of County Commissioners has adopted a procedure by which roads may be accepted for maintenance in the County; and

WHEREAS, among the various requirements for acceptance of a road for maintenance, (1) the road must be dedicated to the County; (2) the road must meet the minimum standards for county roads together with the needs, if applicable, of necessary construction to bring the road up to standards with particular attention to the soil content, or, in the alternative, the Public Works Director shall provide a cost estimate to bring the road up to county specifications; (3) the Director and the Code Enforcement Department together with the Rural Addresser shall review the proposed road and provide a written analysis of the impact of the road on adjoining county roads together with related concerns of the departments. Such report shall reflect approval of affected utility easement holders; (4) the Fire Chief shall review the proposed road for safety concerns involving ingress and egress and other related concerns in a written analysis; (5) that, upon substantial completion by the owner(s) of the conditions addressed by the various county departments or if the road meets the specified health, safety and welfare requirements set forth in this section, the Director shall submit the petition and agency comments to the County Manager for presentation to the Board of County Commissioners (Board), provided that the Board may, in its discretion in extraordinary circumstances, grant a full or partial waiver in order to accept roads for maintenance that do not otherwise meet the above road standards if the acceptance of the road is essential to the protection of the public health, safety and welfare, with the understanding that county maintenance of accepted roads will be undertaken with available funding and pursuant to priorities for road maintenance county-wide; and,

WHEREAS, in making a determination as whether to grant a full or partial waiver of these requirements, the Board of County Commissioners must consider (a) the number of occupied dwellings on the road; (b) whether the road is a collector or local access road; (c) whether the road is an established school bus route; (d) whether mail deliveries are made on the road; (e) accessibility to dwellings of emergency service, medical and fire protection due to inclement weather; and (f) the adequacy of driving space and water runoff; and,

WHEREAS, acceptance of dedication is reserved for the Board who has the option to accept the dedication, to not accept the dedication, or to accept the dedication contingent upon roads being constructed in conformance with county standards and specifications; and,

WHEREAS, NMSA 1978, § 66-6-23.1 (D) (2003) requires that "[t]he board of county commissioners of each of the respective counties shall, by April 1 of every year, certify reports to the secretary of transportation of the total mileage of public roads maintained by each county as of April 1 of every year; provided that in their reports, the boards of county commissioners shall identify each of the public roads maintained by them by name, route and location"; and

WHEREAS, accepting maintenance of said road would afford the County of Valencia the opportunity to include such roads on the road list submitted to the Secretary of Transportation so that the County may be reimbursed for its maintenance costs; and

WHEREAS, having considered the a) the number of occupied dwellings on the road; (b) whether the road is a collector or local access road; (c) whether the road is an established school bus route; (d) whether mail deliveries are made on the road; (e) accessibility to dwellings of emergency service, medical and fire protection due to inclement weather; and (f) the adequacy of driving space and water runoff; the Board of County Commissioners has determined that a waiver of the requirements set forth in Section 94.066 is appropriate; and,

WHEREAS, the Board of County Commissioners has been presented with the reports required by Section 94.066(C);

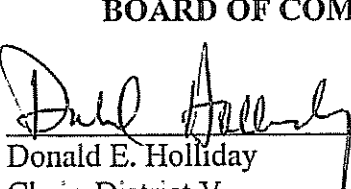
EXHIBIT D)

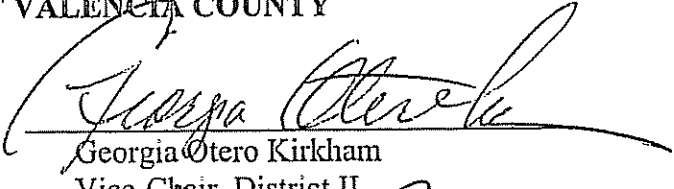
WHEREAS, acceptance of maintenance of said road would promote the health, welfare, and safety of the residents of Valencia County; and


NOW, THEREFORE, BE IT RESOLVED, that the Valencia County Board of County Commissioners, in regular session on October 3, 2012, does hereby accept the road shown on the accompanying map.

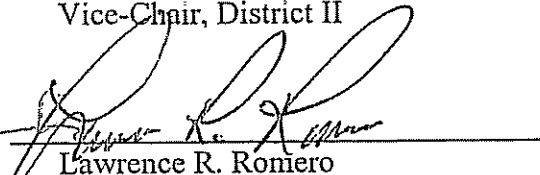
PASSED, APPROVED, AND ADOPTED THIS 3rd DAY OF OCTOBER, 2012.


BOARD OF COMMISSIONERS OF VALENCIA COUNTY


Donald E. Holliday
Chair, District V

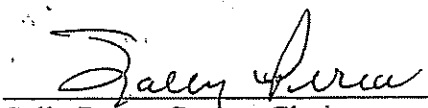

Georgia Otero Kirkham
Vice-Chair, District II


Mary J. Andersen
Commissioner, District I


Lawrence R. Romero
Commissioner, District III


Ron Gentry
Commissioner, District IV

Attest:


Sally Perea, County Clerk

VALENCIA COUNTY
BOARD OF COUNTY COMMISSIONERS
ACCOUNTS PAYABLE AUTHORIZATION

Sally Perea

The attached computer printout lists all the checks issued by the Manager's Office on September 19, 2012 covering vendor bills processed on the above date.
Check # 115102 to 115109 inclusive, for the total of \$10,348.83.

All have been reviewed for:

1. Appropriate documentation and approvals.
2. Authorized budget appropriations.
3. Compliance with New Mexico Statutes, and
4. DFA Rules and Regulations.

In recognition of the above, the Fiscal Office requests this action be officially recorded in the minutes of the regular county commission meeting before which body this matter came.

Recommended:

Chudina Card

Director of Finance

Done this 3rd day of October, 2012.

VALENCIA COUNTY BOARD OF COMMISSIONERS

Donald E. Holliday

Donald E. Holliday, Chair

Lawrence R. Romero

Lawrence R. Romero, Commissioner

Ron Gentry

Ron Gentry, Commissioner

Georgia Otero-Kirkham

Georgia Otero-Kirkham, Vice-Chair

Mary J. Andersen

Mary J. Andersen, Commissioner

ATTEST:

Sally Perea

Sally Perea, County Clerk

(EXHIBIT E)

Sally Perea

VALENCIA COUNTY
BOARD OF COUNTY COMMISSIONERS
PAYROLL AUTHORIZATION

The attached computer printout lists all checks issued by the Managers Office on September 21, 2012 covering payroll process on the above date.
Direct Deposit Check# 26997 through Direct Deposit Check # 27195 inclusive.
Deduction Check # 115110 through Deduction Check # 115146 inclusive.
Payroll Check # 93207 through Payroll Check # 93356 inclusive.
Listing total \$ 400,988.59

All have been reviewed for:

1. Appropriate documentation and approvals.
2. Authorized budget appropriations.
3. Compliance with New Mexico Statutes, and
4. DFA Rules and Regulations

In recognition of the above, the Manager's Office request this action be officially recorded in the minutes of the regular County Commission meeting before which body this matter came.

Recommended:

Christina Card
Christina Card, Finance Administrator

Done this 3rd day of October, 2012

VALENCIA COUNTY BOARD OF COMMISSIONERS

Donald E. Holliday
Donald E. Holliday, Chair

Georgia Otero-Kirkham
Georgia Otero-Kirkham, Vice Chair

Mary Andersen
Mary Andersen, Commissioner

Ron Gentry
Ron Gentry, Commissioner

Lawrence Romero
Lawrence Romero, Commissioner

ATTEST:

Sally Perea
Sally Perea, County Clerk

(EXHIBIT F)

VALENCIA COUNTY
BOARD OF COUNTY COMMISSIONERS
ACCOUNTS PAYABLE AUTHORIZATION

Sally Perea

The attached computer printout lists all the checks issued by the Manager's Office on September 26, 2012 covering vendor bills processed on the above date.
Check # 115147 to 115253 inclusive, for the total of \$359,206.52.

All have been reviewed for:

1. Appropriate documentation and approvals.
2. Authorized budget appropriations.
3. Compliance with New Mexico Statutes, and
4. DFA Rules and Regulations.

In recognition of the above, the Fiscal Office requests this action be officially recorded in the minutes of the regular county commission meeting before which body this matter came.

Recommended:

Christina Corda

Finance Administrator

Done this 3rd day of October, 2012.

VALENCIA COUNTY BOARD OF COMMISSIONERS

Donald E. Holliday
Donald E. Holliday, Chair

Lawrence R. Romero
Lawrence R. Romero, Commissioner

Ron Gentry
Ron Gentry, Commissioner

Georgia Otero-Kirkham
Georgia Otero-Kirkham, Vice-Chair

Mary J. Andersen
Mary J. Andersen, Commissioner

ATTEST:

Sally Perea
Sally Perea, County Clerk

(EXHIBIT G)