



February 13, 2013
Agenda
5:00 p.m. Public Hearing Meeting
Valencia County Commission Chambers
444 Luna Avenue
Los Lunas, NM 87031

Board of County Commissioners

Charles Eaton, Chair District IV
Alicia Aguilar, Vice-Chair District II
Mary Andersen District I
Lawrence R. Romero District III
Donald Holliday District V

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

Two handwritten signatures in black ink, likely of the Chair and Vice-Chair, positioned over the agenda items.

PUBLIC HEARING ITEM(S):

SWEARING IN OF PARTICIPANTS

- 5) Consideration of Ordinance Adopting the 2006 Edition of the International Fire Code.

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 (H) (2) (7) & (8), the following matters may be discussed in closed session: a. personnel: b. pending or threatened litigation: Los Chavez Community Assn. v. Valencia County Et. al. No. D-1314-CV-09-0426 c. real property: d. 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:

♦ February 20, 2013- Business Meeting @ 5:00 P.M.

Hospital presentations by Village of Los Lunas and the City of Belen will start at 3:00 p.m.

Valencia County Commission Board Room, 444 Luna Ave LL, NM

ADJOURN:

Please Silence All Electronic Devices – Thank You!

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.

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VALENCIA COUNTY BOARD OF COMMISSIONERS

PUBLIC MEETING

FEBRUARY 13, 2013

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|---|--|
| PRESENT | |
| Charles Eaton, Chairman | |
| Alicia Aguilar, Vice-Chair | |
| Lawrence R. Romero, Member | |
| Donald E. Holliday, Member | |
| Mary J. Andersen, Member | |
| Bruce Swingle, County Manager | |
| Adren Nance & Dave Pato, County Attorneys | |
| Peggy Carabajal, County Clerk | |
| Press and Public | |

- 1) The meeting was called to order by Chairman Eaton at 5:00 P.M.
- 2) Valencia County Resident Mike Woods led the Pledge of Allegiance.
- 3) Approval of Agenda
Commissioner Romero motioned for approval. Seconded by Commissioner Aguilar. Motion carried unanimously.

SWEARING IN OF PARTICIPANTS

County Clerk Peggy Carabajal administered the oath to those individuals wishing to give testimony at this evening's meeting.

PUBLIC HEARING ITEM(S)

- 4) Consideration of Ordinance Adopting the 2006 Edition of the International Fire Code.
Steven Gonzales
The intent of the ordinance is to increase the abilities of the fire department to enforce rules and regulations of fire safety throughout the County. Chairman Eaton asked if this ordinance would specifically apply to the unincorporated areas of Valencia County. Fire Chief Gonzales answered yes; the ordinance was for the unincorporated areas. Attorney Nance stated as the ordinance has already been advertised then it shall be considered at the next business meeting for adoption. If approved the ordinance would then go into effect thirty days after approval.

PUBLIC COMMENT:

Valencia County Residents speaking at tonight's meeting were Clark Metcalf, Mike Woods and Tom Mraz.
All comments were having to do with the hospital issue and included but not limited to advising the commissioners that letting Ameris get involved in Valencia County healthcare would be a major mistake. Also that the mill levy money should go to whomever puts the first hospital in operation. And if the hospital really wanted to serve the needs of the county then build it somewhere in the middle of county, not at one end or the other.

Discussion

Commissioner Aguilar stated that she and the other Commissioners attended a workshop last week. According to Commissioner Aguilar the workshop was very successful. During the workshop the plans and goals of the commission were discussed. One particular item that was discussed was the hospital. The commissioners are united in moving forward to best represent the public, which is why they are allowing both Belen and Los Lunas to come forward with presentations at the next Business meeting to be held on February 20th. What Commissioner Aguilar gathered from the workshop is that the commissioners are all on the same page to move the county forward especially regarding the hospital issue and making the best decisions for the County. Commissioner Andersen is also looking forward to the upcoming presentations. According to her its time the public hears both sides presented as clearly and concisely as possible.
Commissioner Aguilar commented that another issue brought up at the workshop was the overcrowding problem at the Detention Center. At the workshop the County Manager had presented the commissioners with a report regarding the Detention Center. One particular item that stood out on the report was that one inmate has been incarcerated in

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the county jail for at least four years and there were four other inmates that had been locked up for more than two years but less than four years. Commissioner Holliday asked who sets up the case load for the judges? According to the report Judge Sanchez has been issued forty cases, Judge Otero thirteen cases and fifteen cases were broken up between Sanchez, Otero, and Hawkes. Is it possible for the cases be distributed differently? Mr. Swingle stated that the overcrowding is a serious issue at the Detention Center. Today approximately forty inmates are being housed in Cibola County. These inmates cost about \$50,000-\$70,000 per month to be housed out of county. Of the 198 inmates listed on the report only six of them have release dates. Mr. Swingle, the Detention Center Warden Joe Chavez, and the county attorneys have met with the courts to try to start a Community Custody Program, but were unsuccessful in their attempt. According to Mr. Swingle the judges are more interested in pre prosecution type programs, and the county does not have money for that. Commissioner Andersen wants to invite the judges to a public meeting to talk frankly and openly with the them and the District Attorney. Commissioner Aguilar asked if the District Attorney was aware of all these inmates awaiting trial. Mr. Swingle informed the Commissioners that the judges and the District Attorney receive a monthly report. Warden Chavez makes a detailed, quality report that is sent to them each month.

The inmate population numbers are down compared to even last month, currently were at just under two hundred inmates whereas before we were just over two hundred. Mr. Swingle assured the commission that the courts are aware of the overcrowding situation. Commissioner Holliday asked for clarification regarding the one hundred ninety-eight inmates. Are they the ones currently at the Detention Center not including the ones housed out of county. Mr. Swingle confirmed that yes the one hundred ninety eight inmates is not including the forty being housed out of county.

Mr. Swingle said he had discussed with Warden Chavez what percentage of inmates would qualify to participate in a community custody program and according to Warden Chavez 30-45% of the current inmate population would; these inmates do not have serious charges.

Chairman Eaton suggests sending correspondence to the District Attorney and judges to share the report with them and to inform them that the Commissioners recognize this as a critical situation. Chairman Eaton also suggested that the Commissioners request the District Attorney come and give a summary as to the reasoning to the length of time individuals are incarcerated before they are sentenced.

EXECUTIVE SESSION:

Pursuant to Section 10-15-1 (H) (2) (7) & (8) the following matters may be discussed in closed session; a) Personnel b) Pending or threatened litigation Los Chavez Community Assn v. Valencia County Et. al NO. D-1314-CV-09-0426 c) real property d) other specific limited topics that are allowed or authorized under the stated statute.

Commissioner Andersen motioned to go into Executive Session. Seconded by Commissioner Holliday. Roll call taken. Commissioner Romero voted yes. Commissioner Andersen voted yes. Commissioner Aguilar voted yes. Commissioner Holliday voted yes. Chairman Eaton voted yes. Motion carried 5-0

Commissioner Romero motioned to go back into regular session. Seconded by Commissioner Holliday. Motion carried unanimously.

County Attorney Adren Nance stated that the items that were discussed in Executive Session were limited to pending litigation with Los Chavez Community Association vs. Valencia County and no final action was taken.

Commissioner Andersen motioned for approval of the summary as stated by Attorney Nance. Commissioner Holliday seconded the motion. Commissioner Romero voted yes. Commissioner Aguilar voted yes. Commissioner Andersen voted yes. Commissioner Holliday voted yes. Chairman Eaton voted yes. Motion carried 5-0.

NEXT COMMISSION MEETING:

The next Regular Meeting of the Valencia County Board of County Commission will be held on February 20, 2013 at 5:00 P.M. Meeting in the County Commission Room at the Valencia County Courthouse.

5) Adjournment

Commissioner Andersen moved for adjournment. Seconded by Commissioner Aguilar. Motion carried unanimously. TIME: 6:10 P.M.

NOTE: All proposals, documents, items, etc., pertaining to items on the agenda of the February 13, 2013 Public Hearing Meeting (presented to the Board of County Commissioners) are attached in consecutive order as stated in these minutes.

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VALENCIA COUNTY BOARD OF COMMISSIONERS



CHARLES EATON, CHAIR



ALICIA AGUILAR, VICE-CHAIR



LAWRENCE R. ROMERO, MEMBER



DONALD E. HOLLIDAY, MEMBER



MARY J. ANDERSEN, MEMBER

ATTEST:



PEGGY CARABAJAL, COUNTY CLERK

DATE

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