

VALENCIA COUNTY BOARD OF COMMISSIONERS
Public Hearing/Business Meeting
July 18, 2018

PRESENT	ABSENT
	Jhonathan Aragon, Chairman
Charles D. Eaton, Vice-Chair	
David A. Hyder, Member	
	David Carlberg, Member
Helen Y. Cole, Member	
Danny Monette, County Manager	
Adren Nance & Dave Pato, County Attorneys	
Peggy Carabajal, County Clerk	
Press and Public	

- 1) The meeting was called to order by Vice Chairman Eaton at 5:05 PM.
- 2) Vice-Chairman Eaton asked Dave Pato to lead the Pledge of Allegiance.
- 3) Approval of Agenda

Motion for approval of the agenda by Commissioner Hyder. Seconded by Commissioner Cole. Roll call vote. Commissioner Hyder voted yes. Commissioner Cole voted yes. Vice-Chairman Eaton voted yes. Motion carried 3-0.

- 4) Approval of Minutes: June 26, 2018 (RFP Workshop Hospital 24 Hr. Emergency Healthcare Facility for Valencia County)

Motion for approval of minutes by Commissioner Cole. Seconded by Commissioner Hyder. Vice-Chairman Eaton abstained. Roll call vote. Commissioner Hyder voted yes. Commissioner Cole voted. Motion carried.

DISCUSSION (non-action items)

5) Commissioners, Committees and Reports

Danny Monette, County Manager stated that the ballots for the Bond Election will be mailed out on Friday, July 27th and will need to be returned by Tuesday, August 21st by 7:00 PM. This bond if passes will help our infrastructure.

Mr. Monette said two departments have a report in the Commissioner's packets, the Detention Center and Public Works.

PUBLIC HEARING ITEM(S)

No Items to present

Board Convened as Indigent Board

Motion by Commissioner Hyder to convene as the Indigent Board. Seconded by Commissioner Cole. Roll call vote. Commissioner Hyder voted yes. Commissioner Cole voted yes. Vice-Chairman Eaton voted yes. Motion carried 3-0.

- 6) Approval of Indigent Report. Presenter: Maria Garcia; Sponsor: County Manager for Regular County Business

Mr. Montoya presented the Indigent Report for the month of July. There were 40 claims that were submitted by individuals of the public in the amount of \$13,239.90 of which \$5,087.26 are being submitted for consideration. There were 23 claims that were submitted by individuals of the detention center in the amount of \$10,889.96 of which \$4,369.75 are being submitted for consideration. There are 13 appeals in the amount of \$1,683.05. Total of 63 claims submitted for consideration in the amount of \$11,140.06.

Commissioner Cole moved for approval. Seconded by Commissioner Hyder. Roll call vote. Commissioner Hyder voted yes. Commissioner Cole voted yes. Vice-Chairman Eaton voted yes. Motion carried 3-0.

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Board Reconvenes as Board of County Commissioners

Motion by Commissioner Cole to reconvene as the Board of County Commissioners. Seconded by Commissioner Hyder. Roll call vote. Commissioner Hyder voted yes. Commissioner Cole voted yes. Vice-Chairman Eaton voted yes. Motion carried 3-0.

ACTION ITEM(S)

7) Approval of resolution 2018-44 Fiscal year End 2018 Intra-Fund Budget Adjustments. Presenter: Loretta Trujillo; Sponsor: County Manager for Regular County Business

Ms. Trujillo presented the Intra-Fund Budget Adjustment to finalize shortages in line items and to close out the fiscal year. Motion by Commissioner Hyder for approval. Seconded by Commissioner Cole. Roll call vote. Commissioner Hyder voted yes. Commissioner Cole voted yes. Vice-Chairman Eaton voted yes. Motion carried 3-0.

County Clerk Carabajal announced Resolution 2018-44.

8) Approval of Resolution 2018-45 Fiscal Year End 2018 Inter-Fund Budget Adjustment. Presenter: Loretta Trujillo; Sponsor: County Manager for Regular County Business

Ms. Trujillo presented the Inter-Fund Budget Adjustment. She said these adjustments are designed to increase/decrease/reallocate approved revenues and/or expenditures based on the calculated need for the remainder of the year.

Motion by Commissioner Cole for approval. Seconded by Commissioner Hyder. Commissioner Hyder voted yes. Commissioner Cole voted yes. Vice-Chairman Eaton voted yes. Motion carried 3-0.

County Clerk Carabajal announced Resolution 2018-45.

9) Approval of Accounts Payable and Payroll Disbursements. Presenter: Loretta Trujillo; Sponsor: County Manager for Regular County Business

Ms. Trujillo presented the accounts payable authorization covering disbursements from May 18, 2018 through June 30, 2018 in the amount of \$1,926,996.66. Also, included in this item is the payroll disbursement from May 5, 2018 through May 18, 2018 in the amount of \$504,822.89.

Amended motion by Commissioner Hyder for approval of the accounts payable and the payroll disbursement. Seconded by Commissioner Cole. Roll call vote. Commissioner Hyder voted yes. Commissioner Cole voted yes. Vice-Chairman Eaton voted yes. Motion carried 3-0.

10) Consideration of transfer of ownership of liquor licenses No. 0918/ Application #1086964 and No. 0742/Application # 1086934. For Allsup's Convenience Stores, Allsup's #137, Allsup's Convenience Stores, Allsup's #165. Located at 4603 Hwy 314 Los Lunas, NM and 2348 Hwy 47 Belen, NM. Presenter: Peggy Carabajal; Sponsor: County Manager for Regular County Business

Vice-Chairman Eaton stated that the Commission would take Item 10, 11 and 17 before the Commission as these are Public Hearing Items.

Chief Deputy Chavez gave the oath to those who wished to give testimony on tonight's Public Hearing Items.

County Clerk Carabajal presented the transfer of ownership of liquor license for Allsup's Convenience Stores. She stated that all regulations have been complied with by the Liquor Control Act, publication of notice, sending the applicant notice as to the time and place of this hearing. The applicant currently owns the license at both Allsup's locations but has to change to the stockholders' ownership of property. Robert Chavez was the designated person to speak on behalf of this item.

Attorney Nance stated that Items 10 and 11 can be voted on at this time and are under action items.

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Motion by Commissioner Cole for approval. Seconded by Commissioner Hyder. Roll call vote. Commissioner Hyder voted yes. Commissioner Cole voted yes. Vice-Chairman Eaton voted yes. Motion carried 3-0.

11) Consideration of license for Luz Del Cielo Vineyard. This applicant is seeking a winegrower liquor license with on premises consumption, package sales and patio. Presenter: Peggy Carabajal; Sponsor: County Manager for Regular County Business

County Clerk Carabajal stated again we have complied with all the regulations required by the Liquor Control Act, sending the applicant notice thru certified mail, the date, time and place of the hearing. The applicant is seeking a winegrower liquor license on the premises consumption, package sales and patio. The applicant Rick Torres is present.

Mr. Torres gave a summary as to his plans for the Luz Del Cielo Vineyard.

Motion by Commissioner Cole for approval. Seconded by Commissioner Hyder. Roll call vote. Commissioner Hyder voted yes. Commissioner Cole voted yes. Vice-Chairman Eaton voted yes. Motion carried 3-0.

17) Request for a Zone Change ZC #2018-057 by Wood-Franken LLC from Rural Residential 1 (RR-1) to Community Commercial District (C-2) to allow for a proposed use of a public horse and roping facility. Lots A-2-A and A-2-B; Section 33, Township 5 North, Range 2 East, Belen, NM. Presenter: Gabriel Luna; Sponsor: County Manager for Regular County Business

Vice-Chairman Eaton stated he will hear Item 17 now as it falls under Public Hearing.

Mr. Luna requested to the board a zone change from Rural Residential (RR-1) to Community Commercial (C-2) to allow for a proposed use of a public horse and roping facility. The P & Z Commission recommended approval at their meeting of June 6, 2018 by a vote of 5-0. Mr. Luna said that the Commission will render their decision at the August 1, 2018 Business Meeting.

The potential buyers Maria Castrejon for the property spoke on what they would like to do once they buy the property. This will be a family project.

Ron Gentry gave a background on the property request for a zone change. He stated he was at the Planning and Zoning meeting. The property was originally commercial, so he was confused as to why it was being changed from residential to commercial. He said that in 2008 it may have changed to rural residential. He has no problem with what the applicant wants to do with the property. He would like its original use changed back to commercial since the surrounding area is commercial.

Vice-Chairman stated that a decision on this item would be at the next Business Meeting.

12) Consideration for the Board of County Commissioners to sign a letter supporting the efforts of the Jarales area residents to receive funding to be used to build an overpass over the railroad crossing in the Jarales, New Mexico area. Presenter: Nick and Susan Cordova; Sponsor: Commissioner Hyder

Susan Cordova thanked Commissioner Hyder, Lina Benavidez, Public Works Director and Danny Monette, County Manager, for the countless meetings that they have attended. She said her brother was not able to attend but she brought Miguel Hidalgo with her to this meeting. This letter is in regard and support of the construction of an overpass for the railroad tracks on Jarales Road. The traffic access into the community intersected by the current railroad tracks has been an ongoing concern. Ms. Cordova said she has spoken to Steve Pearce and Tom Udall and asked for their support. Mr. Hidalgo stated how crucial this overpass will be to the community. They have petitions out and have over 2000 signatures in support of this endeavor. Ms. Cordova said BNSF is an added vital player in the County and not at all against having them in the County. To everyone's benefit in the County, the overpass is greatly needed.

Vice-Chairman Eaton and Commissioner Hyder said they have attended meetings and this is a great concern to the County. This overpass is very crucial to the residents as well as emergency services, so they embrace health, safety, and welfare of the residents.

Motion by Commissioner Hyder. Seconded by Commissioner Vice-Chairman Eaton. Roll call vote. Commissioner Cole voted yes. Commissioner Hyder voted yes. Vice-Chairman Eaton voted yes. Motion carried 3-0.

13) Consideration of FY 19 CAP-3-19 (402) Cooperative Agreement with New Mexico Department of Transportation. Presenter: Lina Benavidez; Sponsor: County Manager for Regular County Business

Ms. Benavidez presented the cooperative agreement, we received a total of \$214,506.00 and the state showed \$286,008.00 and county is \$71,502. Once we receive the funding we will move forward.

Commissioner Cole made a motion for approval. Seconded by Commissioner Hyder. Roll call vote. Commissioner Hyder voted yes. Commissioner Cole voted yes. Motion carried 3-0.

14) Consideration of FY 19 SP-3-19 (933) Cooperative Agreement with New Mexico Department of Transportation. Presenter: Lina Benavidez; Sponsor: County Manager for Regular County Business

Ms. Benavidez presented the cooperative agreement, we received a total of \$323,017.00 and the state showed \$242,263.00 and county's match is \$80,754.00.

Commissioner Cole made a motion for approval. Seconded by Commissioner Hyder. Roll call vote. Commissioner Hyder voted yes. Commissioner Cole voted yes. Motion carried 3-0.

15) Consideration of FY 19 SB-7719 (983) Cooperative Agreement with New Mexico Department of Transportation. Presenter: Lina Benavidez; Sponsor: County Manager for Regular County Business

Ms. Benavidez presented the cooperative agreement, we received a total of \$474,667.00 and the state showed \$356,000.00 and county's match is \$118,667.00.

Commissioner Cole made a motion for approval. Seconded by Commissioner Hyder. Roll call vote. Commissioner Hyder voted yes. Commissioner Cole voted yes. Motion carried 3-0.

16) Consideration of MOA between Midwest-CAP and Valencia County to use Meadow Lake and El Cerro Community Center to operate a Head Start Program. Presenter: Lina Benavidez; Sponsor: County Manager for Regular County Business

Ms. Benavidez asked consideration on the MOA between Valencia County Headstart Program and Valencia County. We currently provide services at 5 different locations and are hoping to add Meadow Lake and El Cerro Community Centers. Our program serves low-income children and families including children with disabilities. The program encourages community and family involvement through various activities and events that are held throughout the school year. We are teaming together with the Literacy Program at El Cerro and this partnership allows us to provide the classroom space needed for their education.

Motion by Commissioner Hyder for approval. Seconded by Commissioner Cole. Roll call vote. Commissioner Cole voted yes. Commissioner Hyder voted yes. Vice-Chairman Eaton voted yes. Motion carried 3-0.

18) Consideration to accept real property donation, Applicant/Owner Phyllis Cain. Presenter: Danny Monette; Sponsor: as per Resolution 2017-15

Rio Del Oro, Belen NM, Parcel #1-015-032-427-495-108130, Lot 40, Block 40, Unit 5, on 0.25 acre(s) (Acct #R019489)

Motion by Commissioner Hyder for approval on Items 18-23. Seconded by Commissioner Cole. Roll call vote. Commissioner Cole voted yes. Commissioner Hyder voted yes. Vice-Chairman Eaton voted yes. Motion carried 3-0.

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19) Consideration to accept real property donation, Applicant/Owner Lola Garbarino. Presenter: Danny Monette; Sponsor: as per Resolution 2017-15

Rio Del Oro, Belen NM, Parcel #1-015-032-110-193-000310, Lot 31. Block 18, Unit 6, on 0.25 acre(s) (Acct #R013484)

Motion for approval on Item 18.

20) Consideration to accept real property donation, Applicant/Owner Brenda Buffenmeyer, Administer of the Estate of Doris M. Martin. Presenter: Danny Monette; Sponsor: as per Resolution 2017-15

Rio Del Oro, Los Lunas NM, Parcel #1-020-034-345-455-000140, Lot 14, Block 72, Unit 24, on 0.25 acre(s) (Acct #R029288)

Motion for approval on Item 18.

21) Consideration to accept real property donation, Applicant/Owner Ronald G. Sorensen, Trustee for the Trust of Ronald Grant Sorensen. Presenter: Danny Monette; Sponsor: as per Resolution 2017-15

Rio Del Oro, Belen NM, Parcel #1-022-031-425-040-000350, Lot 35, Block 34, Unit 31, on 0.25 acre(s) (Acct #R002226)

Rio Del Oro, Los Lunas NM, Parcel #1-021-035-072-046-000470, Lot 47, Block 12, Unit 24, on 0.25 acre(s) (Acct #R055854)

Canyon Del Rio, Belen NM, Parcel #1-019-022-235-450-000380, Lot 38, Block 31, Unit 1, on 0.50 acre(s) (Acct #R046821)

Motion for approval on Item 18.

22) Consideration to accept real property donation, Applicant/Owner Judy Johnson Heartsock (Miller). Presenter: Danny Monette; Sponsor: as per Resolution 2017-15

Rio Grande Estates, Belen NM, Parcel #1-015-023-457-027-101600, Lot 30, block 32, Unit 2, on 1.00 acre(s) (Acct #R016099)

Motion for approval on Item 18.

23) Reconsideration to accept real property donation, Applicant/Owner MJD Realty Family, A Nevada Limited Partnership. Presenter: Danny Monette; Sponsor: as per Resolution 2017-15

Rio Del Oro, Belen NM, Parcel #1-012-031-280-480-000360, Lot 36, Block 2, Unit 54, on 0.25 acre(s) (Acct #R109748)

Motion for approval on Item 18.

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 an opportunity to address the board in conjunction with the Public Participation, Resolution No. 2018-09 adopted by the board Limited to three (3) minutes per person

Jill Ogelsby spoke on the Valencia County Literacy Program. She explained how well the program is doing.

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/administrative adjudicatory deliberation; 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

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- 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.

No items to discuss in executive session.

NEXT COMMISSION MEETINGS

July 30, 2018- Special Business Meeting @ 1:00 P.M.
Valencia County Commission Chambers, 444 Luna Ave., Los Lunas, NM 87031

August 1, 2018- Business Meeting @ 5:00 P.M.
Valencia County Commission Chambers, 444 Luna Ave., Los Lunas, NM 87031

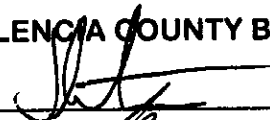
August 15, 2018- Public Hearing/Business Meeting @ 5:00 P.M.
Valencia County Commission Chambers, 444 Luna Ave., Los Lunas, NM 87031

Adjourn:


Motion by Commissioner Hyder to adjourn. Seconded by Commissioner Cole. Roll call vote. Commissioner Hyder voted yes. Commissioner Cole voted yes. Vice-Chairman Eaton voted yes. Motion carried 3-0.

Time being: 6:10 PM

VALENCIA COUNTY BOARD OF COMMISSIONERS




JONATHAN ARAGON, CHAIRMAN




CHARLES D. EATON, VICE-CHAIR



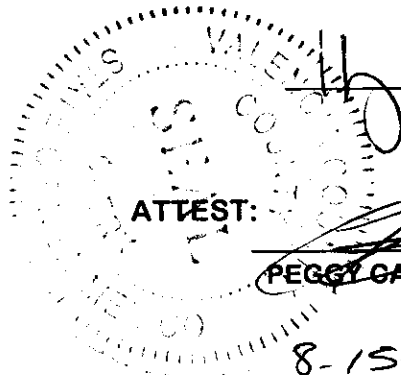
DAVID A. HYDER, MEMBER



DAVID CARLBERG, MEMBER



HELEN Y. COLE, MEMBER



ATTEST:



PEGGY CARABAJAL, COUNTY CLERK

8-15-2018
DATE