

VALENCIA COUNTY BOARD OF COMMISSIONERS

PUBLIC HEARING / BUSINESS MEETING

MAY 16, 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 Chairman Aragon at 5:01 P.M.

2) Mr. Spencer Wood led the Pledge of Allegiance.

3) Approval of Agenda

Commissioner Carlberg moved for approval. Seconded by Commissioner Hyder. Roll call vote. Commissioner Carlberg voted yes. Commissioner Hyder voted yes. Commissioner Eaton voted yes. Chairman Aragon voted yes. Motion carried 4-0.

Chairman Aragon stated that Commissioner Cole will not be present at this evenings meeting.

**4) Approval of Minutes: April 18, 2018- RFP Workshop Hospital/24 Hr. Healthcare Facility
April 28, 2018- Public Hearing/Business Meeting**

Commissioner Hyder moved for approval of both sets of minutes. Seconded by Commissioner Eaton. Roll call vote. Commissioner Carlberg voted yes. Commissioner Hyder voted yes. Commissioner Eaton voted yes. Chairman Aragon voted yes. Motion carried 4-0.

DISCUSSION (NON-ACTION) ITEM(S):

5) Commissioners, Committees and Reports.

Public Works Report by *Lina Benavidez*

Ms. Benavidez gave a brief review of projects that the road department has been working on such as routine maintenance as well as road improvements. (See Exhibit A)

Audio recording system went down for a few minutes during Ms. Benavidez's report

FY18 3rd Quarter Financial Report by *Loretta Trujillo*

Ms. Trujillo reported that the financial report was submitted to DFA and there are no negative cash balances in the report balances, which is what DFA looks for. (See Exhibit B)

PUBLIC HEARING ITEM(S):

**6) De Nova Appeal of P&Z Commission Decision on Variance request #2017494.
Presented by *Demetrio Chavez/Gabe Luna***

County Clerk Carabajal administered the oath to those individuals that wish to speak on this item

Mr. Gabe Luna stated that Mr. Demetrio Chavez is requesting an appeal on a Planning and Zoning commission decision made at the January 23rd meeting approving Jerry Nelson's variance application. At the meeting the commission approved Mr. Nelson's variance request, granting an 8-foot variance on side property set back requirements to place a 60x20 pole barn 7 feet from the side property line on Tract B-2, Land of Santa Ana Land LLC, with the address of 15 Tuki Court, Los Lunas. Mr. Chavez resides at 11 Tuki Court which is to the northwest of the proposed structure. Mr. Chavez is appealing the decision because the appropriate setback of 15 feet was not used but was approved for 7 feet at

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the meeting. The variance was approved at the January 23rd meeting by a vote of 3-1 with the conditions that gutters and downspouts must be installed to maintain drainage on the owner's property.

Mr. Larry Guggino stated that he is representing Mr. and Mrs. Demetrio Chavez; he provided the commission with a copy of Mr. Nelson's liquid waste permit as well as a copy of Mr. Nelson's home occupation license. The appellants do not believe that the variance is applicable; there are 2 types of variances that people can ask for. There is a use variance as well as an area variance; Mr. Nelson requested an area variance. Mr. Nelson is asking that the strict rules of the setback requirements don't apply to him; he is requesting that they should be lessened to him to fully use his property. The Valencia County ordinances in respect to variances have 6 criteria for granting approval or denial of variances. The first is if special conditions or circumstances exist which are particular to the land, building or structure involved. In this case the property is 2.11 acres and there are many different locations that Mr. Nelson could have placed the barn, in fact he could have placed it at the same location and still met the 15-foot setback requirement. There is nothing peculiar about this property that the commission should consider as reason to grant the variance. The second is would the variance be in public interest and be in harmony with the purpose and scope of why variances are granted, and variances are granted to be able to fully use the property. In this case there is no need for a variance because he can fully use the property without the variance. The third reason would the variance result in minimal detriment to the immediate vicinity.

Mr. Guggino stated that Mr. Nelson did not investigate before pouring the footings and placing the barn, if the board decides in favor of Mr. Chavez then Mr. Nelson will have to take the barn down; but that sets a standard for granting a variance the standard is what the county has in its ordinance and Mr. Nelson doesn't meet that standard. The EID permit was included because in the planning and zoning minutes Mr. Nelson stated that one of the problems is that it could impact his drain field. But that is not a reason for granting a variance and the placement of the drain field basically just runs along the house. The home occupation license was included because the license is clear that Mr. Nelson cannot store any materials on that property for his business. As difficult as this may be the county commission should not encourage people to violate an ordinance when a variance isn't appropriate. In this case none of the criteria for a variance is met. Also if the roof overhangs 2 feet from the edge of the building, the building is currently 7 feet, it is actually 5 feet from the boundary line. It is not in compliance with the variance given by planning and zoning. Mr. Guggino stated that he and his client ask that commission reverse the planning and zoning commission's decision and have Mr. Nelson either move it to make it 15 feet or take it down.

Mr. Demetrio Chavez stated that Mr. Nelson built the barn and it was supposed to be 15 feet and he placed it at 7 feet with a 2-foot overhang and with the pitch that the building has all the water is going to go on his land.

Mr. Guggino stated that this will cause water to go onto his property and there is no basis to grant the variance in this particular case.

Mr. Pato asked if Mr. or Mrs. Chavez complained as the barn was being constructed or erected.

Mr. Guggino replied, yes they did, that's how all this started. They complained to the county, the county went out and informed Mr. Nelson that there was a problem then Mr. Nelson applied for the variance.

Mr. Pato asked if the appellee had any questions for the appellant.

Mr. Jerry Nelson stated that the septic field issues were addressed in the application for the variance, he uses a 30-foot gooseneck trailer and to turn around in the yard he can't drive over the leach field that's what the issue was it had nothing to do with flooding or water. The roof pitch is only a 1/12, everybody in the neighborhood is contractors one has pole barns put up against the fence. They pick living in rural residential because sometimes there are job leftovers but everything that Mr. Chavez is complaining about is the material to build the pole barn. Mr. Nelson stated that the whole property is a plan in progress the reason why the pole barn wasn't moved to the other side was because the whole time he was planning on corralling that area off for his daughter's horses, unfortunately she passed away a month ago. The barn is finished, the only thing left to do is to paint it, it is not an unsightly pole barn in fact it is a very expensive pole barn. He

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stated that throughout the whole time living at this property for some unknown reason he and the Chavez's have not seen eye to eye. He admitted that he initially made a mistake on the pole barn but since then he has followed the proper steps. Code enforcement did go out get pictures and put tape on it and his property is 1 foot lower than the Chavez property so water won't flood the Chavez property and it is aligned up with his alfalfa field, it has nothing to do with his house.

Commissioner Eaton asked if the pole barn is elevated and what the lot size is.

Mr. Nelson stated that 2 acres is the lot size and the barn is 16 inches lower than the house pad, the barn is wide open at the bottom so water can go right through it.

Mr. Pato stated that the first factor that was discussed was whether there are special conditions and circumstances that exist that are peculiar to the land, building or structure involved.

Mr. Nelson stated that his response to that was in regards to turning his trailer around because overall it's almost 70 feet.

Mr. Pato stated that the second factor is would grant the variance be in the public's interest and be in harmony with the purpose and scope set forth in the above provision. In other words, how is the erection of a pole barn on the property line or within 5 feet of the property line in the public interest?

Mr. Nelson stated that he can't really answer that regarding the public interest but if you drive the neighborhood there are 90 pole barns right up against the property line.

Mr. Pato stated that the third factor to address is would the variance result in minimal detriment to the immediate vicinity.

Mr. Nelson stated that its far enough away from the fence, while he doesn't don't have them with him he has pictures of when it did rain the water that ran off fell right there 5 feet away from the fence and didn't go anywhere near Mr. Chavez's property.

Mr. Pato stated that the next item is the variance requested the minimum variance to make possible the reasonable use of the land.

Mr. Nelson stated that the other part of the property was going to be field for a couple of horses but that has since changed.

Mr. Pato stated that the fifth factor to address is regarding the special conditions and circumstances on which the application is based, if they did not result from the negligent or knowing violation of this chapter by the applicant.

Mr. Nelson stated that he can't say that he disagrees with that, he did lay it out then became aware later of the setback that's when he stopped and went through the proper channels and researched it.

Mr. Pato stated that the final factor is would granting the variance would not violate any state or environmental regulations.

Mr. Nelson replied, absolutely not, his property is a foot lower than Mr. Chavez and he cannot see any impact on his alfalfa field from any rain coming off the roof.

Mr. Pato stated that the appellants now have the opportunity to cross examine Mr. Nelson.

Mr. Guggino asked when did the state sign off on your permit.

Chairman Aragon stated that if he's looking at it correctly then its April 9th 2018.

Mr. Guggino asked Mr. Nelson if the county made him aware that Mr. Chavez had appealed the January decision.

Mr. Nelson stated that he was aware.

Mr. Guggino stated that even though you were aware you just continued to build the barn.

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Mr. Nelson replied that he had gone through the proper channels and got the proper permits that allowed him to build the barn; he did not work on it until he had the official permits.

Mr. Guggino stated so when it was started you didn't have any permits.

Mr. Nelson replied when he first started no, then he quit work on it until he did get the permits.

Mr. Guggino stated even though you knew about this appeal you still continued to work on it.

Mr. Nelson replied that he was allowed to by the state.

Mr. Nance stated that just to be clear for the record the record will consist of what was submitted to P&Z plus what was delivered this evening.

Chairman Aragon stated that a decision will be made at later date.

Mr. Guggino asked what will be the procedural process is now.

Mr. Nance stated that the commission will have these items to review then will come back at the next meeting, they will have the opportunity to go into executive session to deliberate, but it would be on the agenda as an action item to make a decision. No other information will be added after the record is closed today. (See Exhibit C)

Board Convenes as Indigent Board

Commissioner Eaton moved for approval. Seconded by Commissioner Hyder. Roll call vote. Commissioner Carlberg voted yes. Commissioner Hyder voted yes. Commissioner Eaton voted yes. Chairman Aragon voted yes. Motion carried 4-0.

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

Ms. Garcia presented the indigent report and asked for approval in the amount \$68,445.75 she also reported that as of April 30th the indigent fund balance was \$480,223.20.

Commissioner Eaton moved for approval. Seconded by Commissioner Carlberg. Roll call vote. Commissioner Carlberg voted yes. Commissioner Hyder voted yes. Commissioner Eaton voted yes. Chairman Aragon voted yes. Motion carried 4-0. (See Exhibit D)

Board Reconvenes as Board of County Commissioners

Commissioner Hyder moved for approval. Seconded by Commissioner Eaton. Roll call vote. Commissioner Eaton voted yes. Commissioner Hyder voted yes. Commissioner Carlberg voted yes. Chairman Aragon voted yes. Motion carried 4-0.

ACTION ITEM(S):

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

Ms. Trujillo presented accounts payable for the period of April 7th-May 5th and two payroll authorizations dated April 13th and April 27th.

Commissioner Eaton moved for approval. Seconded by Commissioner Hyder. Roll call vote. Commissioner Carlberg voted yes. Commissioner Hyder voted yes. Commissioner Eaton voted yes. Chairman Aragon voted yes. Motion carried 4-0. (See Exhibit E, F)

9) Consideration to approve Preliminary Budget of FY19. Presenter: *Loretta Trujillo*; Sponsor: *County Manager for Regular County Business*

Mr. Monette thanked the staff, Ms. Trujillo, Chief Culp and Mr. Montoya who helped in the process of bringing a balanced budget. It was not an easy process, not all directors are happy but what is being presented is a very tight budget but it does include a 2% increase for all employees. This is a preliminary budget that is sent to DFA and if they approve it a final budget will be brought before the commission in June. Ms. Trujillo thanked all the department directors for their input, it's not an easy process but it needs to be done. There were a total of 4 drafts of the budget; the preliminary budget is due June 1st while the final budget is due to DFA by July 31st. The preliminary budget is subject to change as

necessary, grants are subject to change with award letters as well. Ms. Trujillo stated that she along with Ms. Benavidez and Ms. Storey need to go over revenue bond money so we know what we have to spend for this coming fiscal year but what is being presented this evening is a balanced budget in all funds. Chairman Aragon stated that he is grateful to staff and fellow commissioners holding meetings and coming to a balanced budget. The board would like to be able to give all the wants that the directors ask for but we have to be conservative.

Commissioner Eaton moved for approval. Seconded by Commissioner Carlberg. Roll call vote. Commissioner Carlberg voted yes. Commissioner Hyder voted yes. Commissioner Eaton voted yes. Chairman Aragon voted yes. Motion carried 4-0. (See Exhibit G)

10) Approval of Resolution 2018-___: Intra-Fund Budget Adjustment. Presenter: *Loretta Trujillo*; Sponsor: *County Manager for Regular County Business*

Ms. Trujillo presented an intra-fund budget adjustment and asked for approval.

Commissioner Eaton moved for approval. Seconded by Commissioner Carlberg. Roll call vote. Commissioner Carlberg voted yes. Commissioner Hyder voted yes. Commissioner Eaton voted yes. Chairman Aragon voted yes. Motion carried 4-0.

County Clerk Carabajal announced Resolution 2018-32. (See Exhibit H)

11) Approval of Resolution 2018-___: Inter-Fund Budget Adjustment. Presenter: *Loretta Trujillo*; Sponsor: *County Manager for Regular County Business*

Ms. Trujillo presented an inter-fund budget adjustment and asked for approval.

Commissioner Carlberg moved for approval. Seconded by Chairman Aragon. Roll call vote. Commissioner Carlberg voted yes. Commissioner Hyder voted yes. Commissioner Eaton voted yes. Chairman Aragon voted yes. Motion carried 4-0.

County Clerk Carabajal announced Resolution 2018-33. (See Exhibit I)

12) Consideration of Priorities for General Obligation Bond Proceeds. Presenter: *Danny Monette*; Sponsor: *County Manager for Regular County Business*

Mr. Monette stated that the county is looking at \$7 million of bonds over a period of 4 years, taxes will remain the same. Mr. Monette asked for commission authorization to allow him to move forward with the list and prepare the bond question so no deadlines will be missed, it will be brought back before the commission for final approval.

Commissioner Carlberg moved for approval. Seconded by Chairman Aragon. Roll call vote. Commissioner Carlberg voted yes. Commissioner Hyder voted yes. Commissioner Eaton voted yes. Chairman Aragon voted yes. Motion carried 4-0. (See Exhibit J)

13) Consideration to approve the "Notice of Award" for the Mill Road Improvements project to be issued to the lowest bidder responding to Invitation for Bid #VCB FY 18-007 with the direction of Chairman to subsequently sign the contract. Presenter: *Rustin Porter*; Sponsor: *County Manager for Regular County Business*

Mr. Porter asked for commission approval to issue the notice of award to the lowest bidder, Franklins Earthmoving, for the Mill Road improvement project.

Commissioner Hyder moved for approval. Seconded by Commissioner Eaton. Roll call vote. Commissioner Carlberg voted yes. Commissioner Hyder voted yes. Commissioner Eaton voted yes. Chairman Aragon voted yes. Motion carried 4-0. (See Exhibit K)

14) Consideration to approval Resolution 2018-___: Valencia County Firefighter Nominal Fee Distribution Policy. Presenter: *A. Brian Culp*; Sponsor: *Commissioner Aragon*

Chief Culp stated that Valencia County did meet with the Rio Communities, Bosque Farms and Peralta and discussed revisions to the current resolution in place. The current policy was set up in 2016 and there are some improvements that need to be made to it. The proposed resolution allows for each of the 3 municipalities to be distributed 15% of the nominal fee GRT while the county would receive 55%. Chief Culp stated that he would like to have a review and re-evaluation of the proposed resolution in one year to see if any additional changes need to be made. The current program would end June 30th.

Chairman Aragon mentioned that some concerns that were brought up in the 3 meetings include assurance that this matter would be revisited in one year to address any concerns, will there be a detailed report of the moneys being collected and the

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reimbursement as well as why is Valencia County the one that has the authority to dictate change to the policy.

Commissioner Hyder moved for approval. Seconded by Commissioner Carlberg. Roll call vote. Commissioner Carlberg voted yes. Commissioner Hyder voted yes. Commissioner Eaton voted yes. Chairman Aragon voted yes. Motion carried 4-0.

County Clerk Carabajal announced Resolution 2018-34. (See Exhibit L)

15) Consideration to approve Resolution 2018-___: Valencia County Firefighter Nominal Fee Program. Presenter: A. Brian Culp; Sponsor: Commissioner Aragon

Chief Culp stated that this resolution ties into the resolution that was passed in the last agenda item, the proposed resolution has a breakdown of how the volunteers will be paid per call/training/meeting.

Commissioner Eaton moved for approval. Seconded by Commissioner Hyder. Roll call vote. Commissioner Carlberg voted yes. Commissioner Hyder voted yes. Commissioner Eaton voted yes. Chairman Aragon voted yes. Motion carried 4-0.

County Clerk Carabajal announced Resolution 2018-35. (See Exhibit M)

Commissioner Eaton recognized Councilman Wayne Gallegos and Councilman Gerard Saiz who were in attendance, he stated that he was glad that they could be here for the next agenda item.

16) Consideration to approval Non-Metro Agency on Aging Direct Purchase of Services Vendor Agreement Amendment No. 1 Contract No. 2016-17-60028. Presenter: Nancy Gonzales; Sponsor: County Manager for Regular County Business

Mr. Pato stated that the Non-Metro Agency on Aging is proposing an amendment to Valencia County's OAP contract, the reduction in the contract would include \$15,000 for transportation, and \$13,000 home delivered meals and \$57,000 for congregate meals. The contract permits for modification or termination based on congress or the legislature's failure to appropriate adequate funding for the program. However, there is indication that congress increased rather than diminished distribution for the program. The county manager was able to obtain information from the NMAC that there was an increase in each of the OAP title 3 programs which are congregate meals, home-delivered meals and supportive services. It's in the board's discretion to approve the amendment which results in a reduction or to hold the NM AAA to its present contractual commitment.

Commissioner Aragon stated that he recently attended a meeting with Ms. Gonzales regarding AAA; there are a number of counties that do not contribute to their OAP. The county has always stuck to their end of the contract and has done every bit that we could but this is a huge hit to the county's program. Commissioner Eaton stated that the OAP has been a struggling program and the county pays the lions share for the continued operation of the program. The OAP is as critical as other programs out there, the county is going to continue doing what it is doing but for the county to consider an amendment for reduction it is an injustice to the program and the county. To expect the county to do the same or more with less funding is just not right. Mr. Nance stated that many counties are dealing with budget cuts, the way the program was originally designed to work was that funds come from the state legislature and federal government and the contractor would receive the money and provide services to the seniors; when local government stepped in to provide services to take the place of the vendor/contractors instead of receiving the money as it was meant to be the counties began supplementing the programs and Valencia County is supplementing the program to a huge amount. It is a state/federal program that the county is having to subsidize.

Commissioner Hyder asked if all counties in New Mexico are taking huge hits like this. Mr. Nance stated that the counties that chose to step into the role of contractor are. Mr. Monette stated that he had reached out to the NMAC as well as the Managers Affiliate and Valencia County took the largest cut at \$89,000. Mr. Pato stated that the cuts are being generated based on NM Triple AAA utilizing a new formula to determine distributions, we already have a contract and changing the formula mid course is not right. Mr. Monette stated that last year the county subsidized the OAP \$289,000 if the amendment was signed as of right now there would only be enough money to keep the program going for 2 more weeks. Mr. Pato stated that we can't tell our seniors that we can't take them to doctor's appointment or can't deliver a meal; there is no alternative we need to make sure that the current level of funding is maintained. The proposed amendment to the existing

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contract would reduce the contracts sum, the county would be receiving less funding for home delivered meals, transportation and congregate meals. It is up to the board whether to sign or reject the proposed amendment.

Commissioner Eaton moved to reject the proposed amendment. Seconded by Commissioner Hyder. Roll call vote. Commissioner Carlberg voted yes. Commissioner Hyder voted yes. Commissioner Eaton voted yes. Chairman Aragon voted yes. Motion carried 4-0.

17) Consideration to accept real property donation, Applicant/Owner Mary Aasterud. Presenter: *Danny Monette*; Sponsor: *as per Resolution 2017-15*

- *Rio Grande Estates, Belen NM, Parcel #1-010-025-445-000-101380, Lot 38, Block 971, Unit H, on 0.50 acre(s) (Acct #R087128)*
- *Rio Grande Estates, Belen NM, Parcel #1-010-025-445-000-101390, Lot 39, Block 971, Unit H, on 0.50 acre(s) (Acct #R087129)*
- *Rio Grande Estates, Belen NM, Parcel #1-010-025-445-000-201400, Lot 40, block 971, Unit H, on 0.50 acre(s) (Acct #R087130)*
- *Rio Grande Estates, Belen NM, Parcel #1-010-025-445-000-201410, Lot 41, Block 971, Unit H, on 0.50 acre(s) (Acct #R087131)*

Mr. Monette stated that properties in items #17-#22 have been through the correct process and he recommends approval of the items.

Commissioner Hyder moved for approval of items #17-#22. Seconded by Commissioner Carlberg. Roll call vote. Commissioner Carlberg voted yes. Commissioner Hyder voted yes. Commissioner Eaton voted yes. Chairman Aragon voted yes. Motion carried 4-0. (See Exhibit N)

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

- *Rio Grande Estates, Belen NM, Parcel #1-012-025-189-368-000160, Lot 16, Block 1347, Unit U, on 0.50 acre(s) (Acct #R087996)*

Item approved in motion made in #17. (See Exhibit O)

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

- *Rio Del Oro, Belen NM, Parcel #1-018-032-453-232-100010, Lot 1, Block 11, Unit 2, on 0.25 acre(s) (Acct #R043237)*
- *Rio Del Oro, Belen NM, Parcel #1-018-032-453-232-100020, Lot 2, Block 11, Unit 2, on 0.25 acre(s) (Acct #R043238)*
- *Rio Del Oro, Belen NM, Parcel #1-018-032-453-232-100060, Lot 6, Block 11, Unit 2, on 0.25 acre(s) (Acct #R048803)*
- *Rio Del Oro, Belen NM, Parcel #1-018-032-453-232-100070, Lot 7, Block 11, Unit 2, on 0.25 acre(s) (Acct #R048804)*
- *Rio Grande Estates, Belen NM, Parcel #1-010-024-009-018-000200, Lot 20, Block 1278, Unit O, on 0.50 acre(s) (Acct #R079250)*
- *Rio Grande Estates, Belen NM, Parcel #1-010-024-009-018-000220, Lot 22, Block 1278, Unit O, on 0.50 acre(s) (Acct #R079251)*
- *Rio Grande Estates, Belen NM, Parcel #1-010-024-009-018-000230, Lot 23, Block 1278, Unit O, on 0.50 acre(s) (Acct #R079252)*

Item approved in motion made in #17. (See Exhibit P)

20) Consideration to accept real property donation, Applicants/Owners Charles Ramsey and Loretta Ramsey Smith. Presenter: *Danny Monette*; Sponsor: *as per Resolution 2017-15*

- *Rancho Rio Grande West, Belen NM, Parcel #1-002-026-275-095-255610, Lot 21, Block 1, Unit 12 on 5.00 acre(s) (Account Number #R080185)*

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- *Rio Grande Estates, Belen NM, Parcel #1-018-030-210-056-100140, Lot 14, Block 1218, Unit S on 0.50 acre(s) (Account Number #R044777)*
- *Rio Grande Estates, Belen NM, Parcel #1-018-030-210-056-100150, Lot 15, Block 1218, Unit S on 0.50 acre(s) (Account Number #R044778)*

Item approved in motion made in #17. (See Exhibit Q)

21) Consideration to accept real property donation, Applicant/Owner Timothy Smith and Maria Hockerson, Trustees of The Smith Children’s Trust. Presenter: Danny Monette; Sponsor: as per Resolution 2017-15

- *Located in Los Lunas NM, Parcel #2-001-031-205-431-000000, Section 36, Tract 6N, Range 1W Portion of Lot 13, on 4.40 acre(s) (Acct #R055797)*

Item approved in motion made in #17. (See Exhibit R)

22) Reconsideration to accept real property donation, Applicants/Owners Judith Green and Emily Mummey. Last presented and accepted by the Board of County Commissioners on February 7, 2018.

- *Rio Grande Estates, Belen NM, Parcel #1-016-024-031-373-100900, Lot 10, Block 87, Unit 4, on 1.00 acre(s) (Acct #R015327)*

Item approved in motion made in #17. (See Exhibit S)

PUBLIC COMMENT:

None

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/administrative adjudicatory deliberations: Los Lunas v. Valencia County, Saiz v. Valencia County and Belen School Board v. Valencia County; c) real property; d) other specific limited topics that are allowed or authorized under the stated statute.

Mr. Nance stated that what was to be discussed is limited to what was presented on the agenda for executive session.

Commissioner Hyder moved to go into executive session. Seconded by Commissioner Aragon. Roll call vote. Commissioner Carlberg voted yes. Commissioner Hyder voted yes. Commissioner Eaton voted yes. Chairman Aragon voted yes. Motion carried 4-0.

Commissioner Hyder moved to return to regular session. Seconded by Commissioner Carlberg. Roll call vote. Commissioner Carlberg voted yes. Commissioner Hyder voted yes. Commissioner Eaton voted yes. Chairman Aragon voted yes. Motion carried 4-0.

Mr. Nance stated that the matters discussed in executive session were limited to those in the motion for closure and no final action was taken.

Commissioner Hyder moved for approval of the summary as stated by Mr. Nance. Seconded by Commissioner Carlberg. Roll call vote. Commissioner Carlberg voted yes. Commissioner Hyder voted yes. Commissioner Eaton voted yes. Chairman Aragon voted yes. Motion carried 4-0.

NEXT COMMISSION MEETING:

June 6, 2018- Business Meeting @ 5:00 P.M.

Valencia County Commission Chambers, 444 Luna Ave., Los Lunas, NM 87031

Mr. Monette stated that the June 20th meeting is cancelled because of the NMAC conference. There will be a meeting on June 13th for canvassing the election. The date of the first meeting in July will be moved because the first meeting in July would fall on the 4th of July.

23) Adjournment

Commissioner Hyder moved for adjournment. Seconded by Commissioner Carlberg. Roll call vote. Commissioner Carlberg voted yes. Commissioner Hyder voted yes.

Commissioner Eaton voted yes. Chairman Aragon voted yes. Motion carried 4-0. **TIME: 7:06 P.M.**

NOTE: All proposals, documents, items, etc., pertaining to items on the agenda of the May 16, 2018 Public Hearing/Business Meeting (presented to the Board of County Commissioners) are attached in consecutive order as stated in these minutes.

VALENCIA COUNTY BOARD OF COMMISSIONERS

[Signature]

JHONATHAN ARAGON, CHAIRMAN

[Signature]

CHARLES D. EATON, VICE-CHAIR

[Signature]

DAVID A. HYDER, MEMBER

[Signature]

DAVID CARLBERG, MEMBER

[Signature]

HELEN Y. COLE, MEMBER

ATTEST:

[Signature]

PEGGY CARABAJAL, COUNTY CLERK

6-6-2018

DATE

