

VALENCIA COUNTY BOARD OF COMMISSIONERS

PUBLIC HEARING / BUSINESS MEETING

OCTOBER 17, 2018

PRESENT	ABSENT
Jhonathan Aragon, Chairman	
Charles D. Eaton, Vice-Chair	
David A. Hyder, Member	
David Carlberg, Member	
Helen Y. Cole, Member	
Orlando Montoya, Human Resource Director	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 5:03 P.M.

2) Mr. Rickey led the Pledge of Allegiance.

3) Approval of Agenda

Mr. Orlando Montoya stated that the OAP Director would like to give an update. Chairman Aragon stated that Mr. Montoya is filling in for Mr. Monette who is attending a multi-line insurance conference.

Commissioner Cole moved for approval. Seconded by Commissioner Hyder. Roll call vote. Commissioner Carlberg voted yes. Commissioner Hyder voted yes. Commissioner Cole voted yes. Commissioner Eaton voted yes. Chairman Aragon voted yes. Motion carried 5-0.

4) Approval of Minutes: October 3, 2018- Business Meeting

Commissioner Hyder moved for approval. Seconded by Commissioner Carlberg. Roll call vote. Commissioner Carlberg voted yes. Commissioner Hyder voted yes. Commissioner Cole voted yes. Commissioner Eaton voted yes. Chairman Aragon voted yes. Motion carried 5-0.

DISCUSSION (NON-ACTION) ITEM(S):

5) Commissioners, Committees and Reports.

Chairman Aragon reported that he had attended the NMAC board meeting last week. At the board meeting the legislative priorities were discussed along with the importance of reporting to the upcoming census which will be held in 2020.

Report on Bonds by Finance Director Loretta Trujillo

Ms. Trujillo stated that a proposed timeline was sent from RBC Capital regarding the bonds, bond closing is scheduled for February 22nd. (See Exhibit A)

Commissioner Cole reported that she had attended the OAP Advisory council meeting earlier today and at the meeting they were given contact information for Audi Cervantes with Adult Protective Services who can be called if anyone sees a senior who is homeless. Ms. Nancy Gonzales reported that an email was received on Sunday from Aging and Long-term Services acting secretary Kiki Saavedra saying that the state had resolved contract concerns with AAA and AAA was directed to provide nutritional service funds to providers. Ms. Gonzales stated that she will inform the commission when something is received in writing, she also mentioned that she would like to approach each individual local municipalities with the commissioner from that district to inform them of the funding shortages that the program is facing. Ms. Gonzales and Commissioner Cole also both mentioned that Senator Liz Stefanics attended the advisory council meeting.

PUBLIC HEARING (NON-ACTION ITEMS):

6) No items to present

ACTION ITEM(S)

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

Ms. Trujillo presented accounts payable for September 22nd thru October 5th and payroll disbursements for September 14th and September 28th.

Commissioner Carlberg moved for approval of all that was presented. Seconded by Commissioner Hyder. Roll call vote. Commissioner Carlberg voted yes. Commissioner Hyder voted yes. Commissioner Cole voted yes. Commissioner Eaton voted yes. Chairman Aragon voted yes. Motion carried 5-0. (See Exhibit B,C)

8) Consideration of Findings of Fact, Conclusions of Law & Order for approval of Zone Change by Amy E. Joy and Daniel R. Gray from Rural Residential 1 (RR-1) to Community Commercial 2 (C-2) at Lot 1, Land of Unit P LLC & Bobsons LLC, Section 26, Township 7 North, Range 2 East; MRGCD Map 72; Zoned Rural Residential 1 (RR-1); also known as 20 El Cerro Rd., Los Lunas, New Mexico 87031, 0.94 ac. Presented by: *Gabriel Luna*; Sponsor: *County Manager for Regular County Business*

Chairman Aragon moved for approval. Seconded by Commissioner Hyder. Roll call vote. Commissioner Carlberg voted yes. Commissioner Hyder voted yes. Commissioner Cole voted yes. Commissioner Eaton voted yes. Chairman Aragon voted yes. Motion carried 5-0. (See Exhibit D)

9) Consideration of Findings of Fact, Conclusions of Law & Order for approval of Zone Change by Dennis Chavez and Tamara J. Arneson from Rural Residential 1 (RR-1) to Community Commercial 2 (C-2) at Tract A and B Land of Highland Meadows Estates, LLC and D. Randy Baker and Denise Baker, Section 5, Township 8 North, range 3 West Zoned Rural Residential 1 (RR-1), 2.00 ac. Presented by: *Gabriel Luna*; Sponsor: *County Manager for Regular County Business*

Commissioner Cole moved for approval. Seconded by Commissioner Hyder. Roll call vote. Commissioner Carlberg voted yes. Commissioner Hyder voted yes. Commissioner Cole voted yes. Commissioner Eaton voted yes. Chairman Aragon voted yes. Motion carried 5-0. (See Exhibit E)

10) Consideration of Memorandum of Agreement between Department of Health and Valencia County. Presenter: *Fire Chief Brian Culp*; Sponsor: *County Manager for Regular County Business*

Chief Culp presented an MOA between the NM Department of Health and the county for the Cities Readiness Initiative (CRI). With this agreement the county has 8 deliverables that need to be met and once they have been met the county has the opportunity to receive up to \$26,377.00.

Commissioner Cole moved for approval. Seconded by Commissioner Hyder. Roll call vote. Commissioner Carlberg voted yes. Commissioner Hyder voted yes. Commissioner Cole voted yes. Commissioner Eaton voted yes. Chairman Aragon voted yes. Motion carried 5-0. (See Exhibit F)

11) Consideration of Capital Appropriation with NMDOT for I-25 & Morris Road. Presenter: *Lina Benavidez*; Sponsor: *County Manager for Regular County Business*

Ms. Benavidez presented a capital appropriation agreement with NMDOT for the I-25 and Morris Road project. As part of the planning process for the interchange the Federal Highway Administration requires a document called an Interstate Access Change Request. This policy is required to address key policy points prior to the approval of a new interchange. Approval of the proposed agreement would facilitate the funding for the IACR document. Commissioner Hyder stated that there may be some legal things that need to be addressed. Mr. Pato stated that he is concerned that the contract that is up for approval requires that the county is responsible for design, environmental and archeological clearing, right of way acquisition, project development, project construction, and construction management testing and there is no way that the \$250,000 will cover the responsibilities that the contract proposes for the county.

Mr. Pato stated that there were also some concerns that Mr. Porter and Ms. Sanchez expressed whether there was compliance with federal procurement requirements. He asked that the board authorize the manager to execute a renegotiated contract with NMDOT addressing the concerns. Ms. Benavidez stated that the concerns can be addressed with Molzen Corbin and possibly look at putting the funding to something other than the access change request. Mr. Pato stated that Ms. Sanchez has concerns regarding revising the authorized scope of what the appropriation was going to be used for as it may require a reauthorization by the legislature.

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Chairman Aragon moved for approval to allow Mr. Monette to renegotiate with NMDOT. Seconded by Commissioner Cole. Roll call vote. Commissioner Carlberg voted yes. Commissioner Hyder voted yes. Commissioner Cole voted yes. Commissioner Eaton voted yes. Commissioner Aragon voted yes. Motion carried 5-0.

PUBLIC COMMENT:

None

EXECUTIVE SESSION:

Pursuant to Section 10-15-1 (H) (6) and 13-1-116 (2) (5) (7) & (8) the following matters may be discussed in closed session: a) competitive sealed proposals: RFP-VCR-FY18-011, Discussion of Contents of Competitive Sealed Proposals; b) Personnel; c) Pending or threatened litigation/administrative adjudicatory deliberations: CYFD Continuum Coordinator Contract; d) real property; e) 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 Carlberg. Roll call vote. Commissioner Carlberg voted yes. Commissioner Hyder voted yes. Commissioner Cole voted yes. Commissioner Eaton voted yes. Chairman Aragon voted yes. Motion carried 5-0.

Commissioner Hyder moved to return to regular session. Seconded by Commissioner Cole. Roll call vote. Commissioner Carlberg voted yes. Commissioner Hyder voted yes. Commissioner Cole voted yes. Commissioner Eaton voted yes. Chairman Aragon voted yes. Motion carried 5-0.

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 Cole voted yes. Commissioner Eaton voted yes. Chairman Aragon voted yes. Motion carried 5-0.

ACTION ITEM(S) CONT.:

12) Direction to Staff Regarding CYFD Continuum Coordinator Contract. Presenter: *Orlando Montoya*

Mr. Nance recommended that a motion be made consistent with the contract to direct staff to continue negotiations and if required a breach of contract will be issued.

Commissioner Eaton moved for approval of the recommendation made by county legal. Seconded by Commissioner Hyder. Roll call vote. Commissioner Carlberg voted yes. Commissioner Hyder voted yes. Commissioner Cole voted yes. Commissioner Eaton voted yes. Chairman Aragon voted yes. Motion carried 5-0.

NEXT COMMISSION MEETING:

November 7, 2018- Business Meeting @ 5:00 P.M.

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

November 16, 2018- Special Business Meeting @ 1:00 P.M.

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

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

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

Commissioner Cole stated that she may not be able to make it to the November 7th meeting. Mr. Pato stated that there may be a special meeting that needs to be held next week.

13) Adjournment

Commissioner Hyder moved for adjournment. Seconded by Commissioner Eaton. Roll call vote. Commissioner Carlberg voted yes. Commissioner Hyder voted yes. Commissioner Cole voted yes. Commissioner Eaton voted yes. Chairman Aragon voted yes. Motion carried 5-0. TIME: 6:47 P.M.

NOTE: All proposals, documents, items, etc., pertaining to items on the agenda of the October 17, 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



JHONATHAN ARAGON, CHAIRMAN



CHARLES D. EATON, VICE-CHAIR



DAVID A. HYDER, MEMBER



DAVID CARLBERG, MEMBER

HELEN Y. COLE, MEMBER

ATTEST:



PEGGY GARABAJAL, COUNTY CLERK

11-7-2018
DATE