

**VALENCIA COUNTY BOARD OF COMMISSIONERS**

**BUSINESS MEETING**

**FEBRUARY 6, 2019**

<b>PRESENT</b>	<b>ABSENT</b>
Jhonathan Aragon, Chairman	
David Carlberg, Vice-Chair	
David A. Hyder, Member	
Charles D. Eaton, Member	
Gerard Saiz, 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 5:03 P.M.

2) Mr. Jess Weston led the Pledge of Allegiance.

3) Approval of Agenda

Commissioner Saiz moved for approval. Seconded by Commissioner Carlberg.

Commissioner Eaton requested that under the discussion section of the agenda he would like to talk about the items listed for executive session and the intent.

Roll call vote. Commissioner Eaton voted yes. Commissioner Hyder voted yes. Commissioner Saiz voted yes. Commissioner Carlberg voted yes. Chairman Aragon voted yes. Motion carried 5-0.

4) Approval of Minutes: December 19, 2018 Public Hearing/Business Meeting  
January 2, 2019 Re-Organizational Business Meeting

Commissioner Hyder moved for approval of the December 19<sup>th</sup> minutes. Seconded by Chairman Aragon. Roll call vote. Commissioner Eaton voted yes. Commissioner Hyder voted yes. Commissioner Saiz abstained as he was not yet a commissioner for that meeting. Commissioner Carlberg abstained as he was not present for the meeting. Chairman Aragon voted yes. Motion carried 3-0.

Commissioner Saiz moved for approval of the January 2<sup>nd</sup> minutes. Seconded by Commissioner Hyder. Roll call vote. Commissioner Eaton abstained as he was not present for the meeting. Commissioner Hyder voted yes. Commissioner Saiz voted yes. Commissioner Carlberg voted yes. Chairman Aragon voted yes motion carried 4-0.

**DISCUSSION (NON-ACTION) ITEM(S):**

5) Commissioners, Committees and Reports.

Commissioner Saiz reported that he had attended the legislative conference in Santa Fe; he was impressed with the resources available as well as the number of county employees in attendance.

Chairman Aragon reported that he had also attended the NMC legislative conference, it was a great meeting and there was great representation from Valencia County at the conference. He went over the NMC board of director's key policy statements as well as the legislative priorities.

Mr. Monette stated that February 15<sup>th</sup> is Valencia County day at the legislature. He also reported that at the NMC Legislative conference Valencia County received the Risk Awareness Program (RAP) award. There was a 15% reduction in workman's comp claims, 26% reduction in multi-line claims, and 10% reduction in law enforcement claims. Insurance premiums up \$40,000 in law enforcement but the multi line went down \$70,000 so there is a savings of roughly around \$30,000. Mr. Monette also reported that February 19<sup>th</sup> the VALEO meeting will be held in Rio Communities and the commissioners jail inspections need to be scheduled.

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Chairman Aragon stated that he made several attempts to schedule a meeting with members of the legislative delegation and representatives from UNM Health Sciences Center, regarding if UNM would be interested in studying the feasibility of partnering with Valencia County to develop a hospital in the county. Unfortunately, the deadline for submitting appropriations, which would fund a feasibility study, is February 14<sup>th</sup> so meetings and the timeline did not line up. Chairman Aragon stated that the hospital is the county's number one issue and no matter where the hospital is located he wants this commission to be the one that brings a hospital to Valencia County.

Mr. Pato stated that Commissioner Eaton submitted a question about why individual employees were on the agenda. Mr. Pato stated that he believes the intent of having the individual county employees listed on the agenda for executive session is so the board can discuss matters concerning the individual employees including their qualifications or performance of the specific individuals. Commissioner Eaton stated that he received calls from directors who were concerned about why they were placed on the agenda without their knowledge. Commissioner Eaton requested that as a courtesy to staff they should be consulted prior to being placed on the agenda. Chairman Aragon stated that he believes that all directors were included on the agenda for executive session to not single anyone out.

**2<sup>nd</sup> Quarter Report to DFA. Presented by Loretta Trujillo**

Mr. Monette stated that the report is included in the packet for informational purposes; there is no need for Ms. Trujillo to present.

**East Valencia Urban Gardens Program Update. Presented by Lindsey Diaz, Coordinator**  
Lindsey Diaz, Coordinator for the East Valencia Urban Gardens program gave a brief update on the program since it started in 2017. The community gardens are located at the Meadowlake community center and at the El Cerro community center. Since the program started there have been over 250 community participants, workshops are also held to educate community members of the different aspects of gardening and farming. In 2018 over 2,500 pounds of food was harvested from the gardens. Commissioner Saiz and Commissioner Aragon thanked Ms. Diaz for the service to the community, Commissioner Eaton stated that former Commissioner Martinez was looking forward to this project so he knows that this is something that he would be proud of. (See Exhibit A)

**PRESENTATION (NON-ACTION ITEMS):**

**6) Health Security Act. Presenter: Dr. Dana Millen**

Dr. Dana Millen stated that there is a bill in the legislative session right now known as house bill 295, Health Securities Act, senate bill 279. The HSA would be New Mexico's own health care coverage. HSA which is structured like a cooperative where public and private funding is pooled into one source would allow individuals the freedom of choice for a healthcare provider. The plan benefits package would be no less than what the state employee benefits package is and rates would be based on a sliding scale. A 15-member commission would administer the plan. There are several phases to even begin implementing the plan; the first phase would be studying the financing of the plan. Dr. Rick Madden, a family physician from Belen spoke in strong support of the HSA. (See Exhibit B)

**ACTION ITEM(S):**

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

Ms. Trujillo presented and asked for approval of accounts payable for December 22<sup>nd</sup> thru January 25<sup>th</sup> and payroll dated January 4<sup>th</sup> and January 18<sup>th</sup>. Ms. Trujillo stated that in the accounts payable there are a lot of voided checks but that was necessary to take care of the audit finding for stale dated checks.

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

**8) Approval of Resolution 2019-\_\_\_: State Budget Adjustment Request. Presenter: Loretta Trujillo; Sponsor: County Manager for Regular County Business**

Ms. Trujillo presented a state budget adjustment request and asked for approval.

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

County Clerk Carabajal announced Resolution 2019-10. (See Exhibit F)

**9) Approval of Resolution 2019-\_\_\_: Local Budget Adjustment Request. Presenter: Loretta Trujillo; Sponsor: County Manager for Regular County Business**

Ms. Trujillo presented a local budget adjustment request and asked for approval.

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

County Clerk Carabajal announced Resolution 2019-11. (See Exhibit G)

**10) Consideration of MOA between Valencia County and the Village of Los Lunas; Capital Appropriation Project C3182674 for the Interchange at Interstate 25 and Morris. Presenter: Lina Benavidez; Sponsor: County Manager for Regular County Business**

Ms. Benavidez stated that the MOA is for the capital appropriation that was received last year for \$350,000 she is requesting that the MOA be approved so the Village of Los Lunas can facilitate and procure the required documents for the interstate access change request which is required by FHWA.

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

Mr. Pato stated that he would like to express his gratitude to Larry Guggino with the Village of Los Lunas for his assistance in facilitating this MOA.

**PUBLIC COMMENT:**

Rita Padilla Gutierrez- Ms. Padilla-Gutierrez commented that the Valencia County comprehensive plan has language that says communities can apply to become special districts; the residents of Tome begin that process in 2013. There have been countless hours of meetings and years put into the process. Tome is the oldest community in Valencia County. Ms. Padilla-Gutierrez asked that the commission open their minds to what the residents are trying to do.

Patricia Sanchez- Ms. Sanchez commented that she is here as an advocate for the historical overlay, a lot of work has gone into it. She requested that the commission place them on the agenda to discuss the 75% rule that was imposed by a past commission. Legal opinion has been obtained and has come to the conclusion that the 75% was arbitrarily imposed.

Ann Jones- Ms. Jones commented that she is the new chairperson for Medical Care Advocates of Valencia County; she was pleased to hear that Chairman Aragon was trying to work with UNM hospital on the process. Ron Stearn with Lovelace is still very interested in the project. She also encouraged the commission to support the Health Securities Act.

Duana Draszkievicz- Ms. Draszkievicz commented that she would encourage the commission to put the Tome overlay request on the agenda; it was approved in 2014 by planning and zoning.

Commissioner Eaton welcomed former commissioner Patricia Sanchez who was in attendance at the meeting.

**EXECUTIVE SESSION:**

Pursuant to Section 10-15-1 (H) (2) (5) and 10-7-E-17 (8) the following matters may be discussed in closed session: a) Personnel: Warden Joe Chavez, County Manager Danny Monette, Orlando Montoya, Lina Benavidez, Loretta Trujillo, Julian Barraza, Jess Weston, Nancy Gonzales, Nancy Sanchez, Rustin Porter, Brian Culp, Paul Gabriel Luna; b) Pending or threatened litigation/administrative adjudicatory deliberation; c) real

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property; d) **FOP- Collective Bargaining**, 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 Eaton voted yes. Commissioner Hyder voted yes. Commissioner Saiz voted yes. Commissioner Carlberg voted yes. Chairman Aragon voted yes. Motion carried 5-0.

Commissioner Hyder moved for approval to return to regular session. Seconded by Commissioner Carlberg. Roll call vote. Commissioner Eaton voted yes. Commissioner Hyder voted yes. Commissioner Saiz voted yes. Commissioner Carlberg 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 Carlberg moved for approval of the summary as stated by Mr. Nance. Seconded by Commissioner Saiz. Roll call vote. Commissioner Eaton voted yes. Commissioner Hyder voted yes. Commissioner Saiz voted yes. Commissioner Carlberg voted yes. Chairman Aragon voted yes. Motion carried 5-0.

11) Consideration of MOU between FOP and Valencia County for wages. Presenter: *Danny Monette and Adren Nance*; Sponsor: *County Manager for Regular County Business*

Mr. Nance stated that that the commission intends to propose an MOU but more discussion is needed with the sheriff's department and the FOP so he suggests that it be tabled for this evening.

Commissioner Hyder moved to table the item. Seconded by Commissioner Carlberg. Roll call vote. Commissioner Eaton voted yes. Commissioner Hyder voted yes. Commissioner Saiz voted yes. Commissioner Carlberg voted yes. Chairman Aragon voted yes. Motion carried 5-0.

12) Consideration of Wardens Employment Contract. Presenter: *Orlando Montoya, HR Director*; Sponsor: *County Manager for Regular County Business*

Mr. Montoya stated that the warden's current contract has expired and is in need of a new contract. Commissioner Eaton asked for staff recommendation. Mr. Nance stated that the contract that is presented would be for 2 years and the end date would be February 28, 2021.

Commissioner Eaton moved for approval to extend for 2 years. Seconded by Commissioner Hyder. Roll call vote. Commissioner Eaton voted yes. Commissioner Hyder voted yes. Commissioner Saiz voted yes. Commissioner Carlberg voted yes. Chairman Aragon voted yes. Motion carried 5-0. (See Exhibit I)

13) Consideration of County Manager Employment Contract. Presenter: *Orlando Montoya, HR Director*; Sponsor: *County Manager for Regular County Business*

Commissioner Aragon stated that this item is being removed from the agenda. Mr. Nance stated that it will be postponed until it is brought back.

Commissioner Hyder moved to postpone the item until a later date. Seconded by Commissioner Carlberg. Roll call vote. Commissioner Eaton voted yes. Commissioner Hyder voted yes. Commissioner Saiz voted yes. Commissioner Carlberg voted yes. Chairman Aragon voted yes. Motion carried 5-0.

**NEXT COMMISSION MEETING:**

February 7, 2019- Grand Opening of Facebook's Los Lunas Data Center @ 10:00 A.M.  
4250 Messenger Loop, Los Lunas, NM 87031

February 20, 2019- Public Hearing/Business Meeting @ 5:00 P.M.  
Valencia County Commission Chambers, 444 Luna Ave., Los Lunas, NM 87031

March 6, 2019- Business Meeting @ 5:00 P.M.  
Valencia County Commissioner Chambers, 444 Luna Ave., Los Lunas, NM 87031

Chairman Aragon stated that he will not be present at the March 6<sup>th</sup> meeting; he will be traveling back from the NACO board of directors meeting at that time. The VALEO meeting will be held in Rio Communities on February 19<sup>th</sup> at 6:00 P.M. Chairman Aragon requested that Mr. Monette reach out to a facilitator and schedule a retreat to discuss priorities for the county. He also stated that Mayor Ake of Bosque Farms had approached him and requested that a meeting be held with the mayors from the municipalities where issues such as the hospital and the OAP can be discussed. Commissioner Hyder recommended that the organizational chart be worked on at the retreat. Mr. Monette asked if a hospital RFP workshop should be scheduled. Chairman Aragon stated that he would like to do the retreat then go from there.

14) Adjournment

Commissioner Hyder moved for adjournment. Seconded by Commissioner Saiz. Roll call vote. Commissioner Eaton voted yes. Commissioner Hyder voted yes. Commissioner Saiz voted yes. Commissioner Carlberg voted yes. Chairman Aragon voted yes. Motion carried 5-0. TIME: 8:27 P.M.

NOTE: All proposals, documents, items, etc., pertaining to items on the agenda of the February 6, 2019 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  
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 DAVID CARLBERG, VICE-CHAIR  
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 DAVID A. HYDER, MEMBER  
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 CHARLES D. EATON, MEMBER  
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 GERARD SAIZ, MEMBER

ATTEST: \_\_\_\_\_  
 PEGGY CARABAJAL, COUNTY CLERK  
 \_\_\_\_\_  
 DATE 3/4/2019

