

**VALENCIA COUNTY BOARD OF COMMISSIONERS**

**BUSINESS MEETING**

**JULY 3, 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 5:01 P.M.**

**2) Mr. Monette led the Pledge of Allegiance.**

**3) Approval of Agenda**

Commissioner Saiz stated that in a previous meeting there had been talk about moving the public comment section to the beginning of the meetings, he would like to see that done for future meetings. Commissioner Hyder asked if any resolutions needed to be amended to make that change. Mr. Pato stated that they will look into the matter.

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

**4) Approval of Minutes: June 5, 2019- Business Meeting**

Commissioner Hyder moved for approval. Seconded by Commissioner Carlberg. Roll call vote. 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.**

Mr. Monette stated that the finance director would like to have a mid-day meeting on July 29<sup>th</sup> to approve the new budget.

**ACTION ITEM(S):**

**6) Approval of Accounts Payable and Payroll Disbursements. Presenter: *Loretta Trujillo, Valencia County Finance Director*, Sponsor: *County Manager for Regular County Business***

Ms. Trujillo presented and asked for approval of accounts payable dated June 15<sup>th</sup>-June 21<sup>st</sup> and payroll dated June 7<sup>th</sup>.

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

**7) Approval of Resolution 2019-\_\_\_\_\_: State Budget Adjustment Request. Presenter: *Loretta Trujillo, Valencia County Finance Director*, Sponsor: *County Manager for Regular County Business***

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

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

County Clerk Carabajal announced Resolution 2019-34. (See Exhibit C)

Minutes of July 3, 2019 Business Meeting

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

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

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

County Clerk Carabajal announced Resolution 2019-35. (See Exhibit D)

**9) Approval of Resolution 2019-\_\_\_\_\_, Authorizing an Election for Adoption of Municipal Fire Coverage Plan 5. Presenter: A. Brian Culp, Valencia County Fire Chief; Sponsor: County Manager for Regular County**

Chief Culp asked for approval of a resolution authoring an election for the adoption of Fire Plan 5. The funding for changing to PERA Fire Plan 5 was approved in the preliminary budget. The election needs to happen within 30-60 days of approval of the resolution. August 14<sup>th</sup> would be the recommended date of the election and HR would be in charge of the election. There would be 11 people eligible to vote on the plan, it would have to have a majority vote in order for there to be a change in the plan.

Commissioner Hyder moved for approval. Seconded by Commissioner Carlberg.

Mr. Pato requested that the date of election be included in the motion for approval of the resolution.

Commissioner Hyder amended his motion to approve the resolution and include the election date of August 14, 2019. Seconded by Commissioner Carlberg. Roll call vote. Commissioner Hyder voted yes. Commissioner Saiz voted yes. Commissioner Carlberg voted yes. Chairman Aragon voted yes. Motion carried 4-0.

County Clerk Carabajal announced Resolution 2019-36. (See Exhibit E)

**10) Approval of Professional Services Contract #VCR-FY19-006 between Valencia County and Gallagher & Kennedy, P.A., to Recover Illegally Retained Amounts from the Taxation and Revenue Department. Presenter: David Pato, Valencia County Attorney; Sponsor: County Manager for Regular County**

Mr. Pato stated that several months ago the board authorized the county to issue a cooperative solicitation on behalf of multiple counties to bring a lawsuit against the Taxation and Revenue department for unauthorized reductions to distributions to the county. Reports from Taxation and Revenue were inadequate to show the transfers and the reductions made. Mr. Pato stated that TRD has the internal capacity to provide adequate reports but they have not been provided to the county. Through the lawsuit the county is hoping to recover the amounts of the unauthorized reductions and to obtain meaningful reporting on an ongoing basis from TRD, there is the possibility of the county recovering \$432,000 as a result of the lawsuit. The contract up for approval has been negotiated with Gallagher & Kennedy. Commissioner Carlberg asked if there was a timeframe for resolving this matter. Mr. Pato stated that the county is following in the steps of City of Albuquerque and the city has been in this for over a year. Commissioner Carlberg asked of the cause of the problem has been resolved. Mr. Pato stated that it's his understanding that it has not yet been resolved.

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

**PUBLIC COMMENT:**

None

**EXECUTIVE SESSION:**

Pursuant to Section 10-15-1 (H) (2) (5) 10-7-E-17 (8) the following matters may be discussed in closed session: a) Personnel; b) Pending or threatened litigation/administrative adjudicatory deliberation: *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.

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Commissioner Hyder moved to go into executive session. Seconded by Commissioner Saiz. Roll call vote. Commissioner Hyder voted yes. Commissioner Saiz voted yes. Commissioner Carlberg 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 Hyder voted yes. Commissioner Saiz voted yes. Commissioner Carlberg 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 Saiz moved to accept that summary as stated by Mr. Nance. Seconded by Commissioner Carlberg. Roll call vote. Commissioner Hyder voted yes. Commissioner Saiz voted yes. Commissioner Carlberg voted yes. Chairman Aragon voted yes. Motion carried 4-0.

**NEXT COMMISSION MEETING:**

**July 17, 2019- Public Hearing/Business Meeting @ 5:00 P.M.  
Valencia County Commission Chambers, 444 Luna Ave., Los Lunas, NM 87031**

**August 7, 2019- Business Meeting @ 5:00 P.M.  
Valencia County Commissioner Chambers, 444 Luna Ave., Los Lunas, NM 87031**

Mr. Monette stated that there will also be a special meeting on July 29<sup>th</sup> at 12:30 P.M. Chairman Aragon wished everyone and their families a safe and happy 4<sup>th</sup> of July.

**11) Adjournment**

Commissioner Hyder moved for adjournment. Seconded by Commissioner Carlberg. Roll call vote. Commissioner Hyder voted yes. Commissioner Saiz voted yes. Commissioner Carlberg voted yes. Chairman Aragon voted yes. Motion carried 4-0. **TIME: 6:14 P.M.**

**NOTE: All proposals, documents, items, etc., pertaining to items on the agenda of the July 3, 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**

  
\_\_\_\_\_  
**DAVID CARLBERG, VICE-CHAIR**

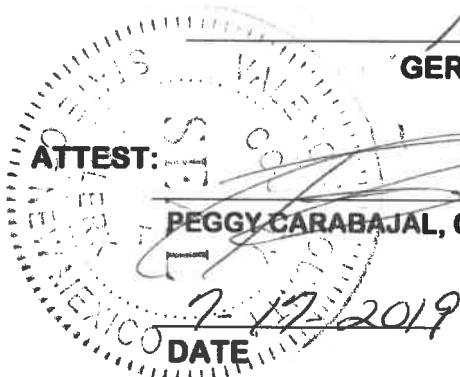
  
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**DAVID A. HYDER, MEMBER**

  
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**CHARLES D. EATON, MEMBER**

  
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**GERARD SAIZ, MEMBER**

**ATTEST:**

  
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**PEGGY CARABAJAL, COUNTY CLERK**



*The complete audio file from this meeting can be heard at <https://www.co.valencia.nm.us/>*

