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**VALENCIA COUNTY BOARD OF COMMISSIONERS**

**BUSINESS MEETING**

**APRIL 15, 2020**

<b>PRESENT</b>	
Jhonathan Aragon, Chairman	
Gerard Saiz, Vice-Chair	(via video)
David A. Hyder, Member	(via video)
Tom Mraz, Member	
Charles D. Eaton, Member	(via video)
Danny Monette, County Manager	
Adren Nance & Dave Pato, County Attorney	
Peggy Carabajal, County Clerk	(via video)
Press and Public	

1) The meeting was called to order by Chairman Aragon at 5:00 P.M.

2) Chairman Aragon led the Pledge of Allegiance.

3) **Approval of Agenda**

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

4) **Approval of Minutes: April 1, 2020- Business Meeting**

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

**PUBLIC COMMENT:**

Mr. Monette read public comment that was submitted via email from David Tynan. Mr. Tynan stated that he read the 2005 County Comprehensive Plan, he asked if the county is planning to update the 2005 plan as it is out of date, also is the county's planning and zoning commission required to use the planning document as a guide.

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

5) **Commissioners, Committees and Reports.**

Chairman Aragon reported on the number of COVID-19 cases in the county as well as the number of tests administered in the county.

Ms. Nancy Gonzales reported that the county is awaiting more information and a meeting with MRCOG in regards to updating the county's comprehensive plan.

**Employee of the Month – April 2020. Presenter: *Human Resources Director Orlando Montoya***

Mr. Montoya recognized Lydia Maldonado as the employee of the month for April. Ms. Gonzales stated that Lydia is invaluable to the county and the Older Americans Program. Ms. Maldonado has taken over the daily operations of the Older Americans Program.

**Abatement Presenter: *Commissioner Tom Mraz, District II***

Commissioner Mraz stated that the county needs to get the abatement program going again. The process may be long and there may be a lot of paperwork involved but the program was working when the county had the program in place. The burned down/trashed mobile homes turn into drug house and havens for crime and despair, they also lower the property value of the surrounding homes. Commissioner Mraz stated that the county should start sending letters out to property owners letting them know that the county is going to start abatement so property owners can start cleaning up on their own before the county steps in at a higher cost. Commissioner Saiz, Commissioner Hyder, and Commissioner Eaton expressed that a plan needs to be discussed and put in place before any letters get mailed out.



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County Clerk Carabajal commented that the NM Supreme Court issued a ruling stating that an absentee application will be mailed to each voter registered with the Democrat, Republican and Libertarian party. While this is going to be a different type of election with the COVID-19 pandemic the county clerk's office will ensure each voter has the opportunity to vote. Commissioner Hyder asked when the applications would be mailed out. County Clerk Carabajal stated real soon, May 5<sup>th</sup> is the first day of early voting and the first day that ballots can be mailed out. Commissioner Eaton asked what will happen if the poll officials decline to work because of the coronavirus hazard. County Clerk Carabajal stated that the majority of poll workers have declined to work; her office is working on getting a process and plan in place.

**PRESENTATION(S):**

**6) Presentation of FY2021 Preliminary Budget. Presenter: *Finance Director Loretta Trujillo***

Ms. Trujillo stated that she presented several reports for the commission to review. Ms. Trujillo stated that all directors were informed about the directive from the commission to keep their budgets flat. At this time the county is not able to present a balanced budget to DFA. With the draft budget that is being presented the deficit is \$2,415,849.00. Part of the issue is a continuation from last year, last year the county had \$1,000,100 expenses over revenue. This year we have also had to account for transfers out to the Detention Center for additional money as well juvenile detention for additional money also solid waste franchise fees that were move from the general fund. One of the revenue sources that the detention center lost was revenue from the GRT tax, that tax has ended so they no longer have revenue from that source. In personnel services one new position was added for a building inspector and there was additional costs to a position created last year. Ms. Trujillo stated that the county road fund is ending with a negative cash balance due to 1/12<sup>th</sup> reserves, after meeting with DFA they stated that for this budget because of the COVID-19 issues they will accept a negative balance in the case where the reserves are what is causing the negative. In the senior citizens fund with the money that the county is anticipating getting from the state and the increases to wages due minimum wage increase the program only has funds to operate until the first quarter.

In the Adult Detention fund additional funds were needed to cover the reoccurring costs of 4 positions that were approved last year as well as the additional cost of care of prisoners. Mr. Monette stated that he believes the building inspector position would be a self-funding position and the flood plain manager position had to be restructured. Commissioner Eaton stated that the detention center has always been a financial concern but especially now since the GRT has sunset and the reserves are gone. Perhaps the county needs to look into re-implementing the correctional GRT to help minimize expenses. Commissioner Saiz stated that some of the expenditures need to be re-evaluated, directors need to go back through their budgets and see if there are any cuts that can be made, every little bit helps. Commissioner Mraz stated that property back taxes need to be looked at, the county needs the revenue from those taxes. Commissioner Hyder stated that the county needs to tighten the belt on expenditures; it may take a while to see the actual impact from the COVID-19 pandemic. Chairman Aragon stated that there is a consensus from the commission for finance to review the expenditures and see what can be cut before the next update is given.

Ms. Trujillo stated that she was hoping to provide the commission with the final preliminary budget draft at the May 6<sup>th</sup> meeting. She requested approval from the commission that she is given the opportunity to try and cut additional expenditures that she is aware of. She stated that she is deeply concerned that the county's GF cash balance is declining rapidly. If the county continues to operate at this pattern, by fiscal year 2023 the county will not have that cash balance that is obligated. Everyone needs to be aware of this and start taking steps right now to avoid the continuing decrease. Commissioner Saiz stated that before the next meeting he would like to see a document that strictly highlights the recommended cuts to the budget, instead of going through the whole budget document. Commissioner Aragon stated that the county needs to be mindful with money looking at wasteful spending where cuts can be made. Ms. Trujillo stated that final approval can be made at the May 6<sup>th</sup> meeting but if that doesn't happen a special meeting can be held the following week to approve the preliminary budget. (See Exhibit A)

**ACTION ITEM(S):**



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**7) Approval to officially recognize and record Accounts Payable and Payroll Disbursements as part of the minutes of the regular county commission meeting before which body this matter came. Presenter: Finance Director Loretta Trujillo; Sponsor: County Manager for Regular County Business**  
Ms. Trujillo presented and asked for approval of accounts payable dated March 21<sup>st</sup> –April 3<sup>rd</sup> and payroll dated March 13<sup>th</sup> and March 27<sup>th</sup>.

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

**8) Approval of Resolution 2020-\_\_\_\_: State Bars. Presenter: Finance Director Loretta Trujillo; Sponsor: County Manager for Regular County Business**  
Commissioner Siaz moved for approval. Seconded by Commissioner Mraz. Roll call vote. Commissioner Eaton voted yes. Commissioner Hyder voted yes. Commissioner Saiz voted yes. Commissioner Mraz voted yes. Chairman Aragon voted yes. Motion carried 5-0.

County Clerk Carabajal announced Resolution 2020-28. (See Exhibit D)

**9) Approval of Resolution 2020-\_\_\_\_: Local Bars. Presenter: Finance Director Loretta Trujillo; Sponsor: County Manager for Regular County Business**  
Commissioner Eaton moved for approval. Seconded by Commissioner Mraz. Roll call vote. Commissioner Eaton voted yes. Commissioner Hyder voted yes. Commissioner Saiz voted yes. Commissioner Mraz voted yes. Chairman Aragon voted yes. Motion carried 5-0.

County Clerk Carabajal announced Resolution 2020-29. (See Exhibit E)

**10) Approval of Resolution 2020-\_\_\_\_: Amending Resolution 2020-21 to Add a County Commission Member to the Older Americans Program Advisory Council. Presenter: Community Development Director Nancy Gonzales; Sponsor: Commissioner David Hyder**  
Ms. Gonzales stated that the proposed amendment would allow the commission to appoint a member of the commission to sit on the OAP Advisory Council as discussed in a previous meeting. Mr. Nance stated that this amendment is to add a commissioner to the council. Chairman Aragon asked if the commission member would be a voting member. Mr. Nance stated that it would be up to the commission to decide voting or non-voting member.

Commissioner Hyder moved for approval of the resolution with the commission member as a non-voting member. Seconded by Commissioner Mraz.

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

County Clerk Carabajal announced Resolution 2020-30. (See Exhibit F)

**11) Approval of Resolution 2020-26, Amendment 1 Appointing Members to the Valencia County Older Americans Advisory Council. Presenter: Community Development Director Nancy Gonzales; Sponsor: Per Commission Direction on April 1, 2020 (tabled 03/11/2020)**  
Commissioner Eaton stated that he would like to appoint Wayne Gallegos with Robert Noblin as the alternate.

Commissioner Hyder stated that he would like to appoint Arturo Saiz with Peggy Carabajal as the alternate.

Commissioner Saiz stated that he would like to appoint Jerrie Lynn Romero with Wayne Dingman as the alternate.

Commissioner Mraz stated that he would like to appoint Kim Close with no alternate at this time

Chairman Aragon stated that he would like to appoint Frank Cox with Rose Poitras as the alternate.



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Chairman Aragon moved for approval to add the names given by each commissioner and to appoint Commissioner Hyder to the advisory council board. Seconded by Commissioner Saiz.

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

County Clerk Carabajal announced Resolution 2020-31. (See Exhibit G)

**Board Convenes as Indigent Board**

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

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

Mr. Montoya presented the indigent report and asked for approval in the amount of \$23,513.34 he also reported that the fund balance is right around \$300,000.

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

**Board Reconvenes as Board of County Commissioners**

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

**EXECUTIVE SESSION:**

Pursuant to Section 10-15-1 (H) (7) the following matters may be discussed in closed session: a) Pending or threatened litigation: *Mercer Zoning appeal, VIA v. La Cabra*; b) 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 Mraz. Roll call vote. Commissioner Eaton voted yes. Commissioner Hyder voted yes. Commissioner Saiz voted yes. Commissioner Mraz voted yes. Chairman Aragon voted yes. Motion carried 5-0.

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

**NEXT COMMISSION MEETING:**

**May 6, 2020- Business Meeting @ 5:00 P.M. via Facebook live**  
Valencia County Commission Chambers, 444 Luna Ave., Los Lunas, NM  
87031

**May 20, 2020- Public Hearing/Business meeting @ 5:00 P.M.**  
Valencia County Commission Chambers, 444 Luna Ave., Los Lunas, NM  
87031

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**June 3, 2020- Business Meeting @ 5:00 P.M.**  
**Valencia County Commissioner Chambers, 444 Luna Ave., Los Lunas, NM 87031**

**13) Adjournment**

Commissioner Hyder moved for adjournment. Seconded by Commissioner Mraz. Roll call vote. Commissioner Eaton voted yes. Commissioner Hyder voted yes. Commissioner Saiz voted yes. Commissioner Mraz voted yes. Chairman Aragon voted yes. Motion carried 5-0.  
**TIME: 7:47 P.M.**

**NOTE:** All proposals, documents, items, etc., pertaining to items on the agenda of the April 15, 2020 Business Meeting (presented to the Board of County Commissioners) are attached in consecutive order as stated in these minutes.

**VALENCIA COUNTY BOARD OF COMMISSIONERS**

*Jonathan Aragon*  
074EBCD7A2A7461

**JHONATHAN ARAGON, CHAIRMAN**

*Gerard Saiz*  
4D5CFE8D0C0446

**GERARD SAIZ, VICE-CHAIR**

*David Hyder*  
A8A2A9888A7464

**DAVID A. HYDER, MEMBER**

*Tom Mraz*  
162047982A2A285

**TOM MRAZ, MEMBER**

*Charles Eaton*  
DE5C83341CE94F8

**CHARLES D. EATON, MEMBER**

**ATTEST:**

DocuSigned by:  
*Peggy Carabajal*  
DE28FD56CE014E0

**PEGGY CARABAJAL, COUNTY CLERK**

5/11/2020

**DATE**

*Minutes are not verbatim. The complete audio file from this meeting can be heard at <https://www.co.valencia.nm.us/>*