

VALENCIA COUNTY BOARD OF COMMISSIONERS

PUBLIC HEARING / BUSINESS MEETING

MAY 20, 2020

PRESENT	ABSENT
	Jhonathan Aragon, Chairman
Gerard Saiz, Vice-Chair	
David A. Hyder, Member	Via video
Tom Mraz, Member	
Charles D. Eaton, Member	Via video
Danny Monette, County Manager	
Adren Nance & Dave Pato, County Attorneys	
Peggy Carabajal, County Clerk	Via video
Press and Public	

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

2) Commissioner Mraz led the Pledge of Allegiance.

3) **Approval of Agenda**

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

4) **Approval of Minutes:** No minutes to present

PUBLIC COMMENT:

None

DISCUSSION (NON-ACTION) ITEM(S):

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

Commissioner Mraz requested that a meeting be held to discuss starting a parks and recreation department in Valencia County.

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

Mr. Montoya recognized detention center officer Andrew Alfero as the county's employee of the month for May. Interim Warden Randy Gutierrez stated that Mr. Alfero has been with the county since 2011. Mr. Alfero is an outstanding, dependable employee with integrity.

Hospital Update Status. Presenter: *County Attorney David Pato*

Mr. Pato requested that this item be moved to later on the agenda when IT can assist with the technical issues.

Second Half Property Tax Collection Update. Presenter: *County Treasurer Deseri Sichler*

County Treasurer Sichler stated that her office reopened on April 13th with drive thru service. From April 13th through May 11th her department collected \$176,945 in cash. As of May 11th, \$44,053,300.07 has been collected for the second half of property taxes, which is \$1,861,736.40 above last year's collection at the same time for the 2018 tax year. County Treasurer Sichler thanked Chief Culp and his office for their assistance in setting up the drive thru service. (See Exhibit A)

ACTION ITEM(S):

6) **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 April 18th-May 15th and payroll dated April 24th and May 8th.

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

7) Approval of Resolution 2020-____: State Bars. Presenter: Finance Director Loretta Trujillo; Sponsor: County Manager for Regular County Business
Ms. Trujillo asked for approval of a state budget request.

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

County Clerk Carabajal announced Resolution 2020-37. (See Exhibit E)

8) Approval of Resolution 2020-____: Local Bars. Presenter: Finance Director Loretta Trujillo; Sponsor: County Manager for Regular County Business
Ms. Trujillo stated that there are no local budget requests for approval this evening.

9) Approval to Accept Funding Through the Families First Coronavirus Relief Act (FFCRA). Presenter: Grants Manager Jeremias Silva; Sponsor: Commissioner David A. Hyder

Mr. Silva stated that the county received \$50,808.09 through the FFCRA; the money can be applied on certain expenditures from March 1, 2020 through September 30, 2021. Ms. Gonzales stated that the funds will be utilized to increase the number of congregate and home delivered meals.

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

10) Consideration of Intergovernmental Services Agreement between the County of Valencia and the City of Rio Communities for Law Enforcement Protection. Presenter: Mayor Pro-tem Margaret "Peggy" Gutjahr, County Sheriff Denise Vigil; Sponsor: County Manager for Regular County Business
Sheriff Vigil stated that the service agreement has been in effect for a few years with the City of Rio Communities. The agreement supersedes all other agreements with the sheriff's office and Rio Communities, the length of term on the agreement was extended. Mr. Monette stated that that this agreement and the animal control agreement have both been approved by county legal.

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

11) Consideration of Intergovernmental Services Agreement between the County of Valencia and the City of Rio Communities for Animal Control Services. Presenter: Mayor Pro-tem Margaret "Peggy" Gutjahr, Animal Control Director Jess Weston; Sponsor: County Manager for Regular County Business

Mr. Weston stated that the only changes to the existing agreement are some grammatical changes and the agreement length of term. Mr. Nance stated that this agreement does not expire, it should not have to come back for approval unless it is renegotiated. He stated that this agreement does not need DFA approval as the county is providing a service and not exercising joint authority.

Commissioner Hyder moved for approval. Seconded by Commissioner Mraz. Roll call vote. Commissioner Eaton voted yes. Commissioner Hyder voted yes. Commissioner Mraz voted yes. Vice Chairman Saiz voted yes. Motion carried 4-0. (See Exhibit H)

12) Consideration to Approve Contract for Audit Services. Presenter: Purchasing Agent, Rustin Porter; Sponsor: County Manager for Regular County Business

Mr. Porter stated that he is requesting approval of an audit services contract with Southwest Accounting Solutions for the FY 19 audit, this will be the third year with the company. Commissioner Hyder asked if there was time to look for another company as there had been several complaints of unprofessionalism regarding Southwest Accounting. Mr. Monette stated that some of the commissioners had expressed that they weren't happy with the company so he, along with Ms. Trujillo and Mr. Porter had discussed

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starting the RFP process but that was right before COVID-19 hit. Starting over right now will be a time crunch and the audit would not be submitted on time. Mr. Monette stated that it is best to stick with Southwest Accounting for this year, he stated that he spoke with the company and expressed the county's unhappiness with them. Mr. Porter stated that this can be an RFQ based on three written quotes and not have to go through the full RFP process as the amount is under the threshold. Ms. Trujillo stated that starting over with a new company right now runs the county the chance of not meeting the audit deadline. Also, at this point most audit companies already have their schedules full. Mr. Porter stated that from the procurement standpoint Southwest Accounting fulfilled their timeframe and fulfilled the dollar amount that was originally quoted. Contract wise they fulfilled their contract obligations. Commissioner Eaton stated that he is worried about discussing possible contract termination in open discussion. Mr. Pato stated that the board should be careful with statements made about vendors when the issues haven't been discussed with the vendor and or given the opportunity to correct the issues.

Commissioner Eaton moved for approval of the agreement. Seconded by Commissioner Saiz. Roll call vote. Commissioner Eaton voted yes. Commissioner Hyder voted no. Commissioner Mraz voted no. Vice Chairman Saiz voted yes. Motion tied 2-2.

Mr. Pato stated that since the motion does not pass it will have to be brought back to the next meeting when there is a full board.

13) Approval of Resolution 2020-___, Amending Resolution 2019-30, Adopting the Road Project Priorities for Expanding General Obligation Bond Funds. Presenter *Public Works Director Lina Benavidez*, Sponsor: *County Manager for Regular County Business*

Ms. Benavidez stated that she is requesting that the following roads in the Ranchitos Subdivision be added to the 2019 bond request: Jardin, Rancherita, Yerba, Cerco, and Araro.

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

County Clerk Carabajal announced Resolution 2020-38. (See Exhibit I)

Board Convenes as Indigent Board

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

14) 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 \$23,985.54 he also reported that the fund balance is around \$269,000.

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

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 Mraz voted yes. Vice Chairman Saiz voted yes. Motion carried 4-0.

Hospital Update Status. Presenter: *County Attorney David Pato*

Mr. Pato gave a brief history of the hospital matter since the mill levy was approved in 2006. He stated that the county has recently received legislative funding for conducting a feasibility study. The county is currently still awaiting clarification from NMDOH regarding if the mill levy can be used to support the operation and maintenance of a remote campus of an existing hospital. (See Exhibit K)

EXECUTIVE SESSION:

Pursuant to Section 10-15-1 (H) (a) the following matters may be discussed in closed session: a) Pending or threatened litigation: *Mercer Zoning Appeal, Belen Schools vs.*

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BOCC; 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 Mraz voted yes. Vice Chairman Saiz voted yes. Motion carried 4-0.

Commissioner Mraz moved to return to regular session. Seconded by Commissioner Hyder. Roll call vote. Commissioner Eaton voted yes. Commissioner Hyder voted yes. Commissioner Mraz voted yes. Vice Chairman Saiz 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 Mraz moved for approval of the summary by Mr. Nance. Seconded by Commissioner Eaton. Roll call vote. Commissioner Eaton voted yes. Commissioner Hyder voted yes. Commissioner Mraz voted yes. Vice Chairman Saiz voted yes. Motion carried 4-0.

NEXT COMMISSION MEETING:

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

**August 10, 2016- Public Hearing/Business Meeting @ 5:00 P.M. via facebook live
Valencia County Commission Chambers, 444 Luna Ave., Los Lunas, NM 87031**

15) Adjournment

Vice Chairman Saiz adjourned the meeting. **TIME: 6:55 P.M.**

NOTE: All proposals, documents, items, etc., pertaining to items on the agenda of the May 20, 2020 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

Gerard Saiz
Gerard Saiz (Jan 8, 2020 11:15 AM)

GERARD SAIZ, VICE-CHAIR

David A. Hyder
David A. Hyder (Jan 8, 2020 11:16 AM)

DAVID A. HYDER, MEMBER

Tom Mraz
Tom Mraz (Jan 8, 2020 11:17 AM)

TOM MRAZ, MEMBER

Charles D. Eaton
Charles D. Eaton (Jan 11, 2020 11:18 AM)

CHARLES D. EATON , MEMBER

ATTEST:

Peggy Carabajal
Peggy Carabajal (Jan 8, 2020 11:20 AM)

PEGGY CARABAJAL, COUNTY CLERK

Jun 8, 2020

DATE

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