

VALENCIA COUNTY BOARD OF COMMISSIONERS
BUSINESS MEETING
AUGUST 5, 2020

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

1) The meeting was called to order by Chairman Aragon 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. Chairman Aragon voted yes. Motion carried 4-0.

**4) Approval of Minutes: July 1, 2020 – ENGIE Workshop
July 1, 2020 –Business Meeting
July 15, 2020 – ICIP Workshop
July 15, 2020 –Public Hearing/Business Meeting**

Commissioner Hyder moved for approval of all 4 sets of minutes. Seconded by Commissioner Mraz. Roll call vote. Commissioner Eaton voted yes. Commissioner Hyder voted yes. Commissioner Mraz voted yes. Chairman Aragon voted yes. Motion carried 4-0.

PUBLIC COMMENT:

Mr. Monette read public comment submitted by Lindsey Diaz with Valencia Soil Water & Conservation. Ms. Diaz wrote that Valencia Soil and Water Conservation has opened the application period for the Financial Assistance Program for projects that have soil, water, or wildlife conservation merits. VSWC will also be giving away 100 native trees, community members that live in the district are eligible.

DISCUSSION (NON-ACTION) ITEM(S):

5) Commissioners, Committees and Reports.

Manager's Report: ENGIE

Mr. Monette reported that on July 1st there was a workshop held with ENGIE. After the workshop he and Ms. Trujillo met with Eric Harrigan from RBC Capital, the county's financial advisor. Concerns that were brought up were the decrease of GRT coming to the county due to the pandemic, the unfunded body camera mandate for the sheriff's office as well as possibly building a new county admin building and financing for that in the future. Mr. Monette stated that he doesn't want to jeopardize the county's borrowing powers. The county also needs to come up with \$60,000-\$70,000 to fund the hospital feasibility study. ENGIE brings the county a good project but the county would have to fund \$48,000 for a study upfront and in doing so would be agreeing to a \$4.2 million contract. Mr. Monette stated that he doesn't believe that the timing for the project is right at the moment, at this time there are too many irons in the fire.

Ms. Benavidez reported that NMDOT and BNSF will be holding a virtual meeting on Tuesday, August 18th at 6:00 P.M. regarding the Jarales overpass.

PUBLIC HEARING ITEM(S):

6) Liquor License: Peculiar Farms, DBA Europa Coffee Tea & Bakery. Presenter: County Clerk, Peggy Carabajal

Minutes of August 5, 2020 Public Hearing/Business Meeting

County Clerk Carabajal stated that Peculiar Farms has submitted a liquor license application. The applicant, Thomas Dolliahite, is seeking a restaurant beer and wine license with on premises consumption only.

Chairman Aragon opened the floor for public comment on this item. No one wished to speak on the matter. Chairman Aragon stated that the public hearing item is closed.

ACTION ITEM(S):

7) Approval of Liquor License for Peculiar Farms, DBA Europa Coffee Tea & Bakery. Presenter: County Clerk, Peggy Carabajal; Sponsor: County Manager for Regular County Business

County Clerk Carabajal stated that the restaurant liquor license is up for approval. Commissioner Mraz asked if the beer and wine would only be served on premises, nothing to go. Mr. Dollihite replied yes, that is correct nothing to go.

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

8) Approval of Resolution 2020-____: Amending Resolution 2019-32 designating the location of Election Day Polling Places for the General Election 2020. Presenter: County Clerk, Peggy Carabajal; Sponsor: County Manager for Regular County Business

County Clerk Carabajal stated that the proposed resolution eliminates El Cerro Community Center and adds Manzano Vista fire department, Meadowlake Community Center and the VC Admin building as election day polling sites for the General Election. Commissioner Mraz asked if there are people in place to work the election sites. County Clerk Carabajal stated that they are working on a list now. Commissioner Hyder asked what brought about the changes. County Clerk Carabajal stated that the El Cerro Community center wasn't adequate enough, and voters always thought the Admin building was a voting site. Commissioner Hyder asked what the distance is between Meadowlake Community Center and Ann Parish. Chairman Aragon stated that he believes that it is a little over 6 miles. County Clerk Carabajal stated that the Meadowlake Community Center site was added due to Commissioner Mraz requesting it stating that there was a need in that area. She stated that there had been a site there in the past and there was low voter turnout so hopefully the numbers will be better. Commissioner Hyder asked what will be done about the lighting situation as it gets dark at 4:30-5:00 PM during the General election. Ms. Benavidez stated that they are trying to get the current lighting system back up. Chairman Aragon asked if the Los Lunas Schools Admin building will still be a site. County Clerk Carabajal replied yes.

Commissioner Mraz moved for approval. Seconded by Commissioner Eaton. Roll call vote. Commissioner Eaton voted yes. Commissioner Hyder voted no. Commissioner Mraz voted yes. Chairman Aragon voted yes. Motion carried 3-1.

County Clerk Carabajal announced Resolution 2020-51. (See Exhibit B)

9) Approval of MOA between Valencia County and The New Mexico Men's Recovery Academy. Presenter: Commissioner, Tom Mraz; Sponsor: Commissioner, Tom Mraz
Commissioner Mraz stated that the men in the program are on probation and parole and have to do 450 hours of community service; they work hard and get things done. He stated that he and Judge Chavez met with the new director of the program. The program has a van that can bring 10-11 guys to a project and they would be able to help with clean ups on the mesa.

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

10) Consideration of Resolution 2020-____; Establishing the Valencia County Older Americans Program Advisory Council (Revision 1). Presenter: Community Development/OAP Director, Nancy Gonzales; Sponsor: Commissioner, David A. Hyder
Ms. Gonzales stated that this resolution authorizes the OAP Advisory Council to choose the types of officers that they deem appropriate. Mr. Nance stated that this resolution incorporates the previous revisions made earlier in the year. The only thing that will change is the format of officers. Commissioner Hyder stated that at the last OAP meeting they had discussed getting rid of the title of chair and vice-chair and perhaps have a rotating facilitator.

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

County Clerk Carabajal announced Resolution 2020-52. (See Exhibit D)

11) Approval of Older Americans Council By-laws. Presenter: *Community Development/OAP Director, Nancy Gonzales*; Sponsor: *Commissioner, David A. Hyder*
Ms. Gonzales stated that this resolution would establish the bylaws that the Advisory Council has worked on. She also stated that the council worked with herself, staff and Mr. Nance when drawing up the by-laws.

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

Mr. Nance stated that the approval of the bylaws is not a resolution.

12) Consideration to Award Professional Service Agreement for On-Call Civil Engineering Services. Presenter: *Purchasing Director, Rustin Porter*; Sponsor: *County Manager for Regular County Business*

Mr. Porter asked for approval of an agreement between the county and Molzen Corbin & Associates for on-call civil engineering projects for the Public Works department. The projects will be completed through task orders.

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

13) Finding of Facts for ZC #2019-077 Pinnacle Consulting requests for a Wireless Communication Facilities Overlay District. The property at Tract A-1, Land of Mapach, LLC; S4 T6N R2E; MRGCD Map 80 NMPM, also known as 17 Plata Rd, Los Lunas, NM 87031; Zoned Rural Residential 2 (RR-2); 2.37 ac, Filed in Book N, Page 435 in the Office of the Valencia County Clerk. Presenter: *County Planner, Gabriel Luna*; Sponsor: *County Manager for Regular County Business*

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

14) Finding of Facts for ZC #2020-001 Avilio Chavez requests a Zone Change from Rural Residential 2 (RR-2) to Neighborhood Commercial (C-1). The property at Tract 15A1; S35, T7N, R2E; MRGCD Map 76 NMPM, Los Lunas, New Mexico 87031; Zoned Rural Residential 2 (RR-2); 2.13ac, Filed in Cabinet N, Page 680 in the Office of the Valencia County Clerk. Presenter: *County Planner, Gabriel Luna*; Sponsor: *County Manager for Regular County Business*

Commissioner Eaton moved for approval. Seconded by Chairman Aragon. Roll call vote. Commissioner Eaton voted yes. Commissioner Hyder voted yes. Commissioner Mraz voted no. Chairman Aragon voted yes. Motion carried 3-1. (See Exhibit H)

15) Finding of Facts for ZC #2020-018 Verizon Wireless requests for a Wireless Communication Facilities Overlay District. The property at Tracts 8, 9, 10, 11; Meadow Lake Subdivision; Unit 3; also known as 741 Meadowlake Rd, Los Lunas, NM 87031; Zoned Neighborhood Commercial (C-1); 1.75 ac. Presenter: *County Planner, Gabriel Luna*; Sponsor: *County Manager for Regular County Business*

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

16) Consideration to Approve the FY21 State of New Mexico Tourism Department Litter Control and Beautification "Clean & Beautiful" Grant Program Agreement. Presenter: *Grant Coordinator, Jeremias Silva*; Sponsor: *Commissioner, Charles D. Eaton*

Mr. Silva asked for approval to accept the FY21 grant between the NM State Tourism dept and the county allowing the county to hold recycling and litter control events. The total amount of the award is \$33,000 with the county's 25% match of \$8,250. The county's 25%

Minutes of August 5, 2020 Public Hearing/Business Meeting

match will be met by county employees time and service in which that employee is working on a recycling event.

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

EXECUTIVE SESSION:

Pursuant to Section 10-15-1 (H) (2) & (7) the following matters may be discussed in closed session: a) Personnel: *Detention Center Warden Applicant Randy Gutierrez*; b) Litigation: *Bailon v. BOCC*

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. Chairman Aragon voted yes. Motion carried 4-0.

Commissioner Hyder moved to return to regular session. Seconded by Commissioner Mraz. Roll call vote. Commissioner Eaton voted yes. Commissioner Hyder voted yes. Commissioner Mraz 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 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 Mraz voted yes. Chairman Aragon voted yes. Motion carried 4-0.

ACTION ITEMS CONT.:

17) Direction to Staff Regarding Employment of Detention Center Warden. Presenter: *Human Resource Director, Orlando Montoya*; Sponsor: *Pursuant to Personnel Policy Resolution 2008-17*

Mr. Montoya asked for direction from the commission on how to proceed. Mr. Nance requested that Mr. Monette be given the authority to negotiate and enter into a contact with Mr. Gutierrez.

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

NEXT COMMISSION MEETING:

August 19, 2020 – Public Hearing/Business Meeting @ 5:00 P.M. via Facebook Live
Valencia County Commission Chambers, 444 Luna Ave., Los Lunas, NM 87031

September 2, 2020 – Business Meeting @ 5:00 P.M. via Facebook Live
Valencia County Commission Chambers, 444 Luna Ave., Los Lunas, NM 87031

18) Adjournment

Commissioner Hyder moved for adjournment. Seconded by Commissioner Mraz. Roll call vote. Commissioner Eaton voted yes. Commissioner Hyder voted yes. Commissioner Mraz voted yes. Chairman Aragon voted yes. Motion carried 4-0. TIME:8:20 P.M.

NOTE: All proposals, documents, items, etc., pertaining to items on the agenda of the August 5, 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

JHONATHAN ARAGON, CHAIRMAN

GERARD SAIZ, VICE-CHAIR

Gerard Saiz

DAVID A. HYDER, MEMBER

David A. Hyder

TOM MRAZ, MEMBER

CHARLES D. EATON, MEMBER

ATTEST:

Peggy Carabajal

PEGGY CARABAJAL, COUNTY CLERK

8-19-2020

DATE

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