

VALENCIA COUNTY BOARD OF COMMISSIONERS
PUBLIC HEARING / BUSINESS MEETING
AUGUST 19, 2020

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

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

2) Sheriff Vigil led the Pledge of Allegiance.

3) **Approval of Agenda**

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

Chairman Aragon stated that Commissioner Eaton will be absent for tonight's meeting.

4) **Approval of Minutes: July 29, 2020- Special Business Meeting**
August 5, 2020- ICIP Workshop/Business Meeting
August 5, 2020- Business Meeting

Commissioner Mraz moved for approval of all 3 sets of minutes. Seconded by Commissioner Hyder. Roll call vote. Commissioner Hyder voted yes. Commissioner Saiz abstained as he was not present for the August 5th meetings. Commissioner Mraz voted yes. Chairman Aragon voted yes. Motion carried 3-0.

PUBLIC COMMENT:

Mr. Monette stated that he has 2 individuals who submitted public comment pertaining to the zone change. Chairman Aragon stated that they should be read during the public hearing portion of the meeting.

DISCUSSION (NON-ACTION) ITEM(S):

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

Mr. Monette reported that he has contacted NMDOT asking when last night's Jarales overpass meeting will be posted online and it was posted late this afternoon. NMDOT is leaning towards Option C but nothing definite has been decided.

Commissioner Hyder stated that the first part of the NMDOT Jarales overpass meeting had technical difficulties, he agreed that it sounds like NMDOT is leaning toward Option C. He also requested that NMDOT share the PowerPoint presentation from the last night's meeting; overall it was a good meeting.

Mr. Monette reported that the county applied for funding through the CARES Act, the abatement money for the admin building has been expended, and the county is at a 59% completion rate for the Census. He also congratulated Chairman Aragon who was recently elected Vice-President of the NMC.

Commissioner Mraz stated that any funding from the CARE Act needs to be expended by December. Mr. Monette stated that next week the county should be notified if and how much funding it was awarded.

Employee of the Month-June 2020. Presenter: Human Resources Director Orlando Montoya

Sheriff Vigil read a memo submitted by Lieutenant Joseph Rowland commending Deputy Nick Lyle. Lieutenant Rowland stated that Deputy Lyle has shown compassion and commitment to the community, especially in a recent call that Deputy Lyle was involved

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in. Sheriff Vigil recognized Deputy Lyle has having shown great strength and honor in his position.

PUBLIC HEARING ITEM(S):

6) ZC #2020-019 (AKA ZC#2020-024 thru ZC#2020-028) Valle Vista requests a zone change from Agricultural Preservation (AP) to Rural Residential 2 (RR-2).

Ms. Gonzales stated that the applicant, Scott Edeal, is requesting a zone change from Agricultural Preservation to Rural Residential. Ms. Gonzales read the legal description of one of the lots in question, Tract F4, T6N, R2E Land of Neil McCullough, Los Lunas, NM. County Clerk Carabajal swore in the individuals wishing to speak on this item. Ms. Gonzales stated that the zone change request was originally scheduled to be heard at the May 26th Planning and Zoning board meeting, it was then tabled due to concerns of the public not being able to be present. It was brought back to the planning and zoning board in June with a change to the request, there were originally 11 lots being requested for a zone change but the applicant reduced it down to 5 lots. The planning and zoning department received 2 letters of support and 17 letters of opposition in regards to the request. The request was denied by the planning and zoning board on a 3-2 vote.

The applicant, Mr. Scott Edeal stated that he would like to develop the lots like the property around it, it will blend in with the surrounding community. Commissioner Hyder asked if the lots in question were the 5 lots just on the north side of El Cerro Loop? Ms. Gonzales stated yes, that is correct. Mr. Edeal stated that he decided not to do anything with the lots on the south part, he just wants to concentrate on the northern 5 lots. Mr. Monette read letters of opposition submitted by Teresa Smith de Cherif and Geri Rhodes. Chairman Aragon asked if those individuals that submitted public comment are in close proximity to the land in question or if they are just sending opposition from afar. Ms. Gonzales stated that in the commissioner packet there is a list of address to where notices were sent. Mr. Monette stated that he does not see the names of the 2 individuals that sent public comment on the list.

Chairman Aragon announced that the county attorney is requesting a 5-minute break.

Chairman Aragon stated that he believes that it is in everyone's best interest to have the individuals present via Zoom or in person to provide testimony and to confirm if they received notice of the zone change.

Commissioner Saiz moved for approval to table items #6 and #7 per advice from the county attorney. Seconded by Commissioner Mraz. Roll call vote. Commissioner Hyder voted yes. Commissioner Saiz voted yes. Commissioner Mraz voted yes. Chairman Aragon voted yes. Motion carried 4-0.

Chairman Aragon requested that Ms. Gonzales notify those individuals with standing in regards to the zone change about the next meeting and inform them that they can participate in the meeting via the commission chambers or Zoom.

Ms. Gonzales stated that she will reach out to those that have standing in the matter. (See Exhibit A)

ACTION ITEM(S):

7) Approval of Zone Change 2020-019 (aka ZC 2020-024-ZC 2020-028): Valle Vista requests a Zone Change from Agricultural Preservation (AP) to Rural Residential 2 (RR-2). Presenter: County Planner, Gabriel Luna; Sponsor: County Manager for Regular County Business

Tabled in motion made in item #6

8) Approval of Recognition and Recording of Accounts Payable and Payroll Disbursements. Presenter: Finance Director Loretta Trujillo; Sponsor: County Manager for Regular County Business

Ms. Trujillo presented and asked for approval of accounts payable dated July 13th- July 31st and payroll dated July 17th and July 31st.

Commissioner Mraz 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.(See Exhibit B,C,D)

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9) Approval of Resolution 2020-_____ and Resolution 2020-_____: State BARS. Presenter: Finance Director Loretta Trujillo; Sponsor: County Manager for Regular County Business

Ms. Trujillo presented 2 state budget adjustment requests and asked for approval.

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

County Clerk Carabajal announced Resolution 2020-53 and 2020-54. (See Exhibit E, F)

10) Consideration of Agreement with Visual Labs for Body Camera Program. Presenter: Purchasing Director, Rustin Porter; Sponsor: Commissioner Gerard Saiz

Mr. Porter stated that he is requesting approval of an agreement with Visual Labs. Senate Bill 8 requires law enforcement agencies to use body worn cameras. The sheriff's department will need to obtain a program and software provider to comply with SB 8. Visual Labs would be the service provider for the software; cameras would be purchased through the state price agreement with Verizon. The first one- year subscription for the software will be \$59,600. Chief Deputy Jeff Noah stated that they researched a total of four big companies and the county is under a strict deadline. The body cameras are based on a phone, the contract that is before the commission for approval includes an app that would be placed on the phone. The video would be directly uploaded to the cloud the deputy recording cannot access the video.

Chief Deputy Noah stated that the sheriff's department is also asking for an extra position due to the extremely time-consuming job of redacting the video footage. He stated that they are anticipating there to be over 1,534 hours of video footage per month not including footage from court security, detectives, or civil deputies. Commissioner Mraz asked how long the video footage is stored. Chief Deputy Noah stated that the service contract provides for 3,000 hours of video a month and the standard retention rate with the company is 180 days, the state requires a minimum of 120 days. Mr. Monette stated that the videos are stored on a Microsoft cloud server so they are the property of Valencia County.

Commissioner Hyder moved for approval of items #10 and #11. Seconded by Commissioner Mraz. Roll call vote. Commissioner Hyder voted yes. Commissioner Saiz voted yes. Commissioner Mraz voted yes. Chairman Aragon voted yes. Motion carried 4-0.(See Exhibit G)

Mr. Pato stated that an amended IPRA request resolution will be presented at the next meeting where the fees will be adjusted.

11) Approval of Creation of New Evidence Tech Position for Body Camera Video Processing. Presenter: Chief Deputy, Jeff Noah; Sponsor: Commissioner Gerard Saiz
See item #10 for approval. (See Exhibit H)

12) Consideration to Approve a Contract with AECOM for the Updating of the Valencia County Hazard Mitigation Plan. Presenter: Purchasing Director, Rustin Porter; Sponsor: County Manager for Regular County Business

Mr. Porter stated that the county has received a grant to have the Multi-Jurisdictional Mitigation Plan reviewed and updated. The county's last FEMA approved plan was completed in 2015 and the plan needs to be updated every 5 year. There will be a maximum in kind match of \$18,750 which will be divided between the county, MRGCD, City of Belen, City of Rio Communities, Town of Peralta, Village of Bosque Farms and the Village of Los Lunas.

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

Board Convened as Indigent Board

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

13) Approval of Indigent Report. Presenter: Human Resources Specialist, Maria Garcia; Sponsor: County Manager for Regular County Business

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Ms. Garcia presented the indigent report and asked for approval in the amount of \$24,748.33 she also reported that as of August 5th the indigent fund balance was \$569,023.44.

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

NEXT COMMISSION MEETING:

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

September 16, 2020 – Public Hearing/Business Meeting @ 5:00 P.M. via Facebook Live
Valencia County Commission Chambers, 444 Luna Ave., Los Lunas, NM 87031

Commissioner Mraz stated that Mr. Porter had informed him that the contract for the comprehensive plan will be awarded on or around November 4th.

14) Adjournment

Commissioner Hyder moved for adjournment. Seconded by Commissioner Mraz. Roll call vote. Commissioner Hyder voted yes. Commissioner Saiz voted yes. Commissioner Mraz voted yes. Chairman Aragon voted yes. Motion carried 4-0. TIME: 6:13 P.M.

NOTE: All proposals, documents, items, etc., pertaining to items on the agenda of the August 19, 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

Jonathan Aragon

GERARD SAIZ, VICE-CHAIR

Gerard Saiz

DAVID A. HYDER, MEMBER

David A. Hyder

TOM MRAZ, MEMBER

Tom Mraz

CHARLES D. EATON, MEMBER

ATTEST: *Peggy Carabajal*

PEGGY CARABAJAL, COUNTY CLERK

9/2/2020

DATE

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