

**VALENCIA COUNTY BOARD OF COMMISSIONERS**

**PUBLIC HEARING - BUSINESS MEETING**

**APRIL 21, 2021**

<b>PRESENT</b>	<b>ABSENT</b>
Gerard Saiz, Chairman	
Jhonathan Aragon, Vice-Chair	
David A. Hyder, Member	
Troy Richardson, Member	
Joseph Bizzell, Member	
Danny Monette, County Manager	
Adren Nance & Dave Pato, County Attorneys	
Michael Milam, County Clerk	
Press and Public	

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

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

**3) Approval of Agenda**

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

**4) Approval of Minutes: April 7, 2021- Budget Workshop**

**April 7, 2021- BOCC & P&Z Workshop**

**April 7, 2021 Business Meeting**

Commissioner Hyder moved for approval of the 3 sets of minutes presented. Seconded by Commissioner Richardson. Roll call vote. Commissioner Richardson voted yes. Commissioner Bizzell voted yes. Commissioner Hyder voted yes. Commissioner Aragon voted yes. Chairman Saiz voted yes. Motion carried 5-0.

**PUBLIC COMMENT:**

Mr. Monette read public comment submitted via email from the following individuals.

Eugene Pickett commented that Black Farmers and Ranchers New Mexico as well as National Latino Farmers and Ranchers support the funding request for the community garden project.

Ann McCartney commented that the East Valencia Urban Gardens is an important program in the community, she requested that the commission approve funding two Garden Managers positions.

Ward McCartney requested that the commission approve the \$15,000 funding request for the community gardens.

Amelia Vogel commented that she supports the East Valencia Urban Gardens request for funding. She has volunteered at the gardens and they are an asset to the community.

Community Wellness Council commented that they are in support of the funding request for two garden managers for the East Valencia Urban Garden Program.

J. Newton McCarty commented that there is great potential in the East Valencia Urban Gardens Program but VSWCD needs to revisit their budget and find the funding for the positions. (See Exhibit A)

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

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

Mr. Monette reported that union negotiations are still continuing, there is a possibility of an upcoming thinning project in the Bosque and he also attended the I-25 corridor meeting held this week.

**PUBLIC HEARING ITEM(S):**

**6) Request for a zone change from Rural Residential 2 (RR-2) to Community Commercial District (C-2) to build a greenhouse, (Salgado, Leonard) Application: ZC #2021-004. Subdivision: Land of Brian & M Lynn Mikelson, Tract 40, MRGCD Map 104 NMPM, 6.41 ac; also known as 1408 Highway 116, Belen, NM 87002, Zoned Rural Residential 2 (RR-2), Filed in Book L, Page 973 in the Office of the Valencia County Clerk. The property owners want to change the zoning to be able to build a greenhouse. Presenter: *Owner, Leonard Salgado and Community Planner, Gabe Luna*; Sponsor: *Per Chapter 154 of the Valencia County Code of Ordinances***

County Clerk Milam administered the oath to those individuals wishing to speak on tonight's public hearing item.

Mr. Gabe Luna gave the legal description of the property and stated that the applicant was requesting a zone change from Rural Residential (RR-2) to Community Commercial (C-2) to build a greenhouse; the request was heard at the February 25<sup>th</sup> Planning & Zoning board meeting. The P & Z board denied the zone change request on a 4-1 vote. The property is located in vicinity to C-1 and C-2 zoned properties. The property in question is located 0.30 miles south of the closest C-1 zone, 0.50 miles south of closest C-2 zone and 0.30 miles east is an I-1 zone. Mr. Luna listed the criteria that must be considered for a zone change, he stated that their department believes that this request meets those requirements.

Mr. Leonard Salgado, representative for the property, stated that they would like to appeal the P & Zoning board's decision and request that the commission approve the zone change. He stated that they are requesting a zone change for a number of reasons including to grow their agricultural business, to create jobs in the community, and to bring in tax revenue; but in order to construct the greenhouse the county's zoning ordinance requires a zone change to C-2. The zone change is being requested to meet the county's requirements and to grow an agricultural product in a secure, climate controlled environment for production of a better crop. The property will not be an eyesore, only the tops of the greenhouse will be seen from the roadway and the greenhouse will be set back almost 400 feet from the road. He stated that he operates an agricultural business in an agricultural community and he request commission approval of the zone change.

Commissioner Bizzell asked how many jobs this will create, if the operation will be wholesale or retail and what the lease is on the property.

Mr. Salgado stated that it will bring in 5-10 jobs, the operation will be wholesale and the lease is for 18 months but they are operating on an extension; they are trying to secure funds to purchase the property.

Commissioner Bizzell stated that he has a problem with changing it to C-2 then the applicant ends up not buying the property.

Mr. Salgado stated the he has an agreement with the owner, Mr. Mikelson to close on the property at the end of June of this year.

Mr. Pato asked if the lease agreement granted the applicant to seek a zone change.

Mr. Salgado answered yes.

Commissioner Hyder asked if 24 hr. security is needed for growing hemp or marijuana.

Mr. Nance stated that he is unsure of the department of agriculture requirements.

Commissioner Aragon stated that whatever product that is being grown at the facility is irrelevant to the commissions job regarding the zone change. At the beginning of the process it was asked if the request meets the requirements set forth and it is important to keep that in mind when voting on these types of matters.

Chairman Saiz opened the floor for members of the public that signed up to speak.

Michael G. Sanchez of (875 Manzano Ave Los Lunas) stated that he did not receive notice of the zone change. He listed his reasons for supporting Mr. Salgado and stated that the commission needs to base their decision on facts and the zoning ordinance. Raymond Gonzales stated that he lives next door to the property and is against the zone change. The water needs to be used for farms and crops and not wasted on hemp and marijuana, the only reason for the zone change is for the sale of the property.