

# VALENCIA COUNTY BOARD OF COMMISSIONERS

## PUBLIC HEARING- BUSINESS MEETING

DECEMBER 21, 2022

Valencia County Commission Chambers, 444 Luna Ave., Los Lunas, NM 87031

PRESENT	ABSENT
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	
Mike Milam, County Clerk	
Press and Public	

1) The meeting was called to order by Chairman at 5:03 P.M.

2) Warden Gutierrez led the Pledge of Allegiance.

### 3) Approval of Agenda

Chairman Saiz requested that employee of the month be removed from the agenda and items #18 and #29 be tabled. He also stated that items #19-#23 are all the same content so action will be taken on all of them at once.

Commissioner Bizzell moved for approval of the agenda as amended. Seconded by Commissioner Richardson. Roll call vote. Commissioner Richardson voted yes. Commissioner Bizzell voted yes. Commissioner Hyder voted yes. Chairman Saiz voted yes. Motion carried 4-0.

### 4) Approval of Minutes: 11/29/2022-Special Business Meeting 11/29/2022- ICIP Meeting

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

### PUBLIC COMMENT:

David Gutierrez commented that he needs to get his road paved, he would like to know how to proceed with his request.

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

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

**Employee of the Month. Presenter: Human Resources Director, Orlando Montoya;**

**Sponsor: County Commission**

Item removed, see motion in item #3.

County Clerk Milam reported that the recent audit called for by the state took two days to complete and the numbers from the audit stayed the same as the numbers from election night as well as what was approved in the canvass.

Chairman Saiz stated that the county would like to thank Beverly Dominguez-Romero and Deseri Sichler for their service to the county, neither individual was there to accept their award. Chairman Saiz also thanked Commissioner Hyder for his service as a commissioner. Mr. Nance stated that he and Mr. Pato would like to express their appreciation to Commissioner Hyder, he has been dedicated and done a lot for the county.

### PRESENTATION(S):

#### 6) Quarterly Report – Extension Office. Presenter: *Sierra Cain*, Sponsor: *County Manager, Danny Monette*

Ms. Sierra Cain reported on the recent activities of the youth 4-H program. She also stated that they are in the final stages of negotiations for filling the AG agent position.



**ACTION ITEM(S):****Board Convenes as Indigent Board**

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

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

Mr. Montoya presented the indigent report and requested approval in the amount of \$42,820.43 he also reported that the indigent fund has a balance of \$1,340,901.05

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

**Board Reconvenes as Board of County Commissioners**

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

**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 requested approval of accounts payable dated Nov 3<sup>rd</sup>- Dec. 8<sup>th</sup> and payroll dated Nov 4<sup>th</sup> and Nov. 18<sup>th</sup>.

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

**9) Approval of Resolution 2022-\_\_\_: State BARS. Presenter: *Finance Director Loretta Trujillo*; Sponsor: *County Manager for Regular County Business***

Ms. Trujillo presented a state budget adjustment and requested approval, this will also require approval from DFA.

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

County Clerk Milam announced Resolution 2022-116. (See Exhibit E)

**10) Approval of Resolution 2022-\_\_\_: Local BARS. Presenter: *Finance Director Loretta Trujillo*; Sponsor: *County Manager for Regular County Business***

Ms. Trujillo presented a local budget adjustment and asked for approval, DFA approval is not needed.

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

County Clerk Milam announced Resolution 2022-117. (See Exhibit F)

**11) Approval of Resolution 2022-\_\_\_, Authorizing and Approving Submission of a Completed Application and Declaring the Intent to Consider for Adoption an Ordinance Authorizing the Execution and Delivery of Bonds to the New Mexico Finance Authority. Presenter: *Finance Director Loretta Trujillo*; Sponsor: *County Manager for Regular County Business***

Ms. Trujillo stated that Daniel Alsup with Modrall Sperling Law firm and Kaylie W. with RBC Capital Markets are joining via phone. She stated that the voters approved the issuance of GO bonds in the Nov 8<sup>th</sup> general election, a resolution is required to authorize submission of a completed application for financial assistance as well as to declare the intent for adoption of an ordinance authorizing execution and delivery of the GO bonds to NMFA.



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

County Clerk Milam announced Resolution 2022-118. (See Exhibit G)

**12) Approval of Resolution 2022-\_\_\_\_: Authorizing the Execution and Delivery of a Loan Agreement and Intercept Agreement by and Between Valencia Del Norte Fire District and the New Mexico Finance Authority and Approval of Accompanying Documents. Presenter: Finance Director Loretta Trujillo, Sponsor: County Manager for Regular County Business**

Ms. Trujillo stated the county fire department has applied for a loan from NMFA to purchase a new fire truck and equipment. This resolution allows for the distribution of state fire protection fund revenues to be redirected from the state treasurer to NMFA for payment of the loans principal and interest.

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

County Clerk Milam announced Resolution 2022-119. (See Exhibit H, H-1)

**13) Consideration of Agreement between Valencia County & University of New Mexico (UNM) for the use of the Valencia County Community Center to Teach Adult Education Classes. Presenter: Public Works Director, Lina Benavidez, Sponsor: County Manager for Regular County Business**

Ms. Benavidez requested approval of the agreement between the county and UNM-VC, continued use of the community center will allow the UNM-VC to expanded the classes they currently offer to the community.

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

**14) Consideration of Agreement between Valencia County & Valencia County Literacy Council (VCLC). Presenter: Public Works Director, Lina Benavidez, Sponsor: County Manager for Regular County Business**

Ms. Benavidez requested approval of the agreement between the county and VCLC allowing them use of facilities in the county.

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

**15) Consideration of MOA for Fuel Usage by the Middle Rio Grande Conservancy District. Presenter: Public Works Director, Lina Benavidez, Sponsor: County Manager for Regular County Business**

Ms. Benavidez requested approval of the MOA between the county and the MRGD to revise the current MOA and change the administrative fee to a set rate of \$200.00 per billing cycle instead of a percentage.

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

**16) Appointment of Freeholders to Evaluate Phillip Road for Possible Vacation. Presenter: Public Works Director, Lina Benavidez, Sponsor: County Manager for Regular County Business**

Ms. Benavidez requested approval to appoint three freeholders to review and make a recommendation regarding the vacation of a county maintained road. The individuals that have been appointed in the past include Michelle Merrell, John Clemmons and Bobby Caldwell.



Commissioner Hyder moved for approval to appointment the three freeholders that have used in the past. Seconded by Commissioner Richardson. Roll call vote. Commissioner Richardson voted yes. Commissioner Bizzell voted yes. Commissioner Hyder voted yes. Chairman Saiz voted yes. Motion carried 4-0.

**17) Consideration of Acceptance of Obra Circle for County Maintenance (District III).  
Presenter: Public Works Director, Lina Benavidez, Sponsor: County Manager for Regular County Business**

Ms. Benavidez stated that the applicant Celina Allison is joining the meeting via Zoom, Ms. Tesa Mast stated that Ms. Allison left the Zoom meeting. Ms. Benavidez stated that the road is a public road but is currently not existing, Ms. Allison would like the county road department to go in a build a road and continue maintenance on it. Ms. Benavidez stated that she recommends denial at this point until the resident builds the road as she does not want to set a precedence that the county will go in and build roads for residents. She stated that if Ms. Allison has the road built she would recommend routine maintenance. Commissioner Hyder stated that he agrees with Ms. Benavidez to not create a road to serve one resident.

Commissioner Hyder moved to deny the request. Seconded by Commissioner Richardson. Roll call vote. Commissioner Richardson voted yes. Commissioner Bizzell voted yes. Commissioner Hyder voted yes. Chairman Saiz voted yes. Motion carried 4-0.

**18) Consideration of MOA Between Valencia County and 13th Judicial District Court for Security System Upgrades. Presenter: Public Works Director, Lina Benavidez, Sponsor: County Manager for Regular County Business**  
Item tabled.

**19) Consideration of the State of New Mexico Department of Transportation 2022 Capital Appropriation Project Grant Agreement Number C3223178- District 1.  
Presenter: Public Works Director, Lina Benavidez, Sponsor: County Manager for Regular County Business**

Chairman Saiz stated that items #19-#23 will all be presented at once.

Ms. Benavidez stated that the following grant agreements are for road improvements projects:

C322178-\$250,000.00

C322179-\$250,000.00

C3223180-\$250,000.00

C3223181-\$200,000.00

C322182-\$250,000.00

Commissioner Bizzell asked why his district was only given \$200,000 and not \$250,000.

Ms. Benavidez stated that she can reach out to the legislature and inquire why.

Commissioner Richardson moved for approval of items #19-#23. Seconded by Commissioner Bizzell. Roll call vote. Commissioner Richardson voted yes. Commissioner Bizzell voted yes. Commissioner Hyder voted yes. Chairman Saiz voted yes. Motion carried 4-0. (See Exhibit L)

**20) Consideration of the State of New Mexico Department of Transportation 2022 Capital Appropriation Project Grant Agreement Number C3223179- District 2.  
Presenter: Public Works Director, Lina Benavidez, Sponsor: County Manager for Regular County Business**

See item #19 for approval. (See Exhibit M)

**21) Consideration of the State of New Mexico Department of Transportation 2022 Capital Appropriation Project Grant Agreement Number C3223180- District 3.  
Presenter: Public Works Director, Lina Benavidez, Sponsor: County Manager for Regular County Business**

See item #19 for approval. (See Exhibit N)

**22) Consideration of the State of New Mexico Department of Transportation 2022 Capital Appropriation Project Grant Agreement Number C3223181- District 4.  
Presenter: Public Works Director, Lina Benavidez, Sponsor: County Manager for Regular County Business**

See item #19 for approval. (See Exhibit O)

**23) Consideration of the State of New Mexico Department of Transportation 2022 Capital Appropriation Project Grant Agreement Number C3223182- District 5.**



**Presenter: Public Works Director, Lina Benavidez, Sponsor: County Manager for Regular County Business**

See item #19 for approval. (See Exhibit P)

**24) Consideration of Resolution 2022-\_\_\_\_: Disposition of Capital Assets. Presenter: Capital Assets Specialist, Kevin Knight, Sponsor: County Manager for Regular County Business**

Ms. Trujillo stated that the sheriff's office has two vehicles they no longer use and would like to take off their inventory and donate to the City of Belen; approval of the proposed resolution is required to do so.

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

County Clerk Milam announced Resolution 2022-120. (See Exhibit Q)

**25) Consideration to Approve the Department of Finance & Administration Appropriation #22-ZG5032-11. Presenter: Grants Director, Jeremias Silva, Sponsor: County Manager for Regular County Business**

Mr. Silva requested approval of a grant agreement in the amount of \$24,000.00 to be used for grant management or grant writing services. A grant writing vendor has been identified and will be used to seek grants for the county's homeless initiative and flood control plan.

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

**26) Consideration to Approve the Revised CSFRF Sub Grant Agreement 21-ZF3514 from DFA for the Valencia County Hospital Project. Presenter: County Attorney David Pato, Sponsor: County Manager for Regular County Business**

Mr. Pato stated that back in March the board executed a grant agreement with DFA for the legislative appropriation for the hospital. On November 9<sup>th</sup> the county was advised that the state will require the county to execute a corona virus state fiscal recovery fund (CSFRF) sub grant agreement. Mr. Pato stated that the county is working with the provider to negotiate the additional terms required under the sub grant agreement into the draft healthcare facilities contract, they are also working with the state to revise the sub grant agreement to reflect the additional terms and conditions that were agreed to back in March. He requested that the board authorize Mr. Monette to execute the revised sub grant agreement once it is provided by DFA.

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

**27) Consideration of Resolution 2022-\_\_\_\_ Amending the Hiring Incentive Program for Valencia County to Provide for Continued Detention Recruitment. Presenter: Grants Director, Jeremias Silva, Sponsor: County Manager for Regular County Business**

Mr. Silva requested approval of the resolution allowing the detention centers hiring incentive program to continue through December 31, 2023.

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

County Clerk Milam announced Resolution 2022-121. (See Exhibit T)

**28) Consideration of a Resolution 2022-\_\_\_\_: Authorizing Legislative Appropriation Funding for Hiring of New Deputies, Providing for Recruitment & Retention Stipends and Referral Fees. Presenter: Undersheriff, Jeff Noah, Sponsor: County Manager for Regular County Business**

Undersheriff Noah stated that the county received \$525,000.00 due to HB 68.



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On October 19<sup>th</sup> the grant agreement was approved by the commission. The proposed resolution allows for \$300,000 allocated for four new position, the rest of the money will be used for hiring bonus, referral stipends and a stipend for each officer at the end of the fiscal year.

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

County Clerk Milam 2022-122. (See Exhibit U)

**29) Consideration of Resolution 2022-\_\_\_: Establishing a Homelessness Task Force Blue Ribbon Advisory Committee to Address the Use of MRGCD Property by those Persons Experiencing Homelessness in Valencia County. Presenter: *County Commissioner, Joseph Bizzell*, Sponsor: *County Manager for Regular County Business***  
Item tabled.

**NEXT COMMISSION MEETING:**

**January 4, 2023 – Re-Organization Meeting @ 5:00 P.M. via Facebook Live**  
Valencia County Commission Chambers, 444 Luna Ave., Los Lunas, NM 87031

**January 18, 2023 – Public Hearing/Business Meeting @ 5:00 P.M. via Facebook Live**  
Valencia County Commission Chambers, 444 Luna Ave., Los Lunas, NM 87031

**February 1, 2023 – Business Meeting @ 5:00 P.M. via Facebook Live**  
Valencia County Commission Chambers, 444 Luna Ave., Los Lunas, NM 87031

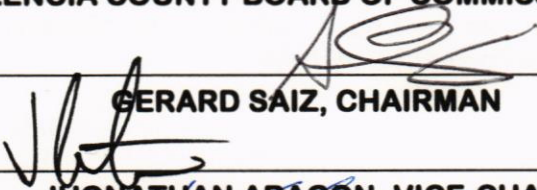
Chairman Saiz stated that the January 18<sup>th</sup> meeting is canceled.  
Commissioner Hyder stated that the last eight years have been interesting, he thanked everyone and the residents of District 3. Chairman Saiz wished everyone a Merry Christmas and a happy, safe and prosperous new year.

**30) Adjournment**

Chairman Saiz adjourned the meeting. **TIME: 6:00 P.M.**

**NOTE:** All proposals, documents, items, etc., pertaining to items on the agenda of the December 21, 2022 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**

  
GERARD SAIZ, CHAIRMAN

  
JHONATHAN ARAGON, VICE-CHAIR

  
DAVID A. HYDER, MEMBER

TROY RICHARDSON, MEMBER

  
JOSEPH BIZZELL, MEMBER

**ATTEST:**

  
MIKE MILAM, COUNTY CLERK

2/1/2023  
**DATE**

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