

SANDOVAL COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
COMMISSION CHAMBERS
FEBRUARY 4, 2016 – 6 P.M.

1. CALL TO ORDER

Vice Chair Scherzinger called meeting to order at 6:05 p.m. Present were Vice Chair Scherzinger, Commissioner Dominguez, Commissioner Chapman and Commissioner Walters. Chairman Madalena was absent.

2. PLEDGE OF ALLEGIANCE

Pledge of allegiance was led by Gino Rinaldi.

3. INTRODUCTIONS & ANNOUNCEMENTS

Commissioner Walters introduced Dave Heil. Commissioner Chapman introduced Jay Block. Vice Chair Scherzinger introduced Alexis Jimenez.

4. PRESENTATIONS & PROCLAMATIONS

- The FRIEND Program: Heading Toward Zero Waste
(Elena Kayak, Energy/Environmental Specialist, RRPS Facilities Department)
Energy/Environmental Specialist Elena Kayak presented the FRIEND Program to the Commission. She explained Sandoval County's role in food recovery and landfill diversion.

- Sandoval Economic Alliance Quarterly Report
(Jami Grindatto, President & CEO)
Sandoval Economic Alliance President & CEO Jami Grindatto presented the quarterly report. He gave a review of the progress Sandoval County made in 2015 and the plans for economic development in 2016. Commissioners made comments and thanked him for his presentation.

5. APPROVAL OF AGENDA

Commissioner Chapman motion to move item 6D, 6E and 6F to the Regular Agenda, second by Commissioner Walters. Motion passed. Vote was unanimous
Commissioner Walters motion to approve as amended, second by Commissioner Chapman. Motion passed. Vote was unanimous.

6. CONSENT AGENDA

- A. Approval of Minutes from the Regular Meeting of January 14, 2016
- B. Approval of the following Budget Resolution:
(1) No. 2-4-16.6B(1) / DWI Grant Budget / Increase Budget to Reflect Additional Funds
Received from the Reversion Grant Application / \$38, 173
- C. Approval to Appoint Dustin Gudejl and Richard Lovato to the Protest Board and Larry Garcia, Alternate, for a One (1) Year Term

Commissioner Chapman motion to approve, second by Commissioner Dominguez.
Motion passed. Vote was unanimous.

D. Approval to Surplus One (1) 2009 Ford Expedition (VIN#1FMFU16569EB03393), One (1) 2008 Ford Expedition (VIN#1FMFU16568LA21187), One (1) 2007 Ford Expedition (VIN#1FMFU16577LA61373) and Approve Title Transfer to Pueblo of Zia

Commissioner Chapman motion to approve, second by Commissioner Dominguez.
Motion passed. Vote was unanimous.

E. Approval to Surplus Two (2) 2009 Ford Expeditions (VIN#1FMFU16599EB03386 and #1FMFU16579EB03385), One (1) 2007 Ford Expedition (VIN #1FMFU16527LA61376) and Approve Title Transfer to Pueblo de Cochiti

Commissioner Dominguez motion to approve, second by Commissioner Chapman.
Motion passed. Vote was unanimous.

F. Approval to Accept Land Donations for Properties Identified as: UPC 1-005-067-214-170, UPC 1-005067-214-177, UPC 1-005-067-005-208, UPC1-005-067-005-216, UPC 1-005-067-005-224, UPC 1-005-067-005-232, UPC 1-007-072-230-038, UPC 1-005-075-434-279, UPC 1-005-075-439-275, UPC 1-005-075-446-269, UPC 1-005-075-451-263, UPC 1-007-070-414-137, UPC 1-007-070-400-137, and UPC 1-007-070-384-137 Located in Rio Rancho Estates Area

Commissioner Chapman motion to approve, second by Commissioner Dominguez.
Motion passed. Vote was unanimous.

7. COUNTY BUSINESS DEVELOPMENT

(Diane Maes, Director)

Request for a Motion Authorizing Sandoval County to Become a Signatory for the Rio Grande Water Fund in Support of Its Efforts in Sandoval County and Other Counties in New Mexico.

Commissioner Dominguez motion to approve, second by Commissioner Walters. Motion passed.
Vote was unanimous.

8. DIVISION OF COMMUNITY SERVICES

(Peggy Cote, Director)

Request for a Motion to Publish and Post an Ordinance Repealing Ordinance No. 09-11-19.7A and Authorize the Establishment of the Rules and Regulations Governing the Sandoval County Indigent Hospital and Health Care Program by Resolution of the Board of County Commissioners

Commissioner Walters motion to approve, second by Commissioner Dominguez. Motion passed.
Vote was unanimous.

9. DETENTION CENTER

(Al Casamento, Director)

Request for a Motion to Approve Annual Updates to the Sandoval County Detention Center Policy and Procedures

Commissioner Walters motion to approve, second by Commissioner Dominguez. Motion passed.
Vote was unanimous.

10. DIVISION OF PLANNING & ZONING

(Michael Springfield, Director)

APPEAL (APP-16-001) of the November 12, 2015 Sandoval County Planning and Zoning Commission Decision (CU-12-003) to Deny a Request for a Conditional Use Permit to Allow Operation of a Restaurant and Grocery later than 9:00 pm for Subject Site Located at Lot 7, Centro de Algodones Subdivision, in the Algodones Community, Adjacent to the Northeast Portion of the Intersection of Interstate 25 and NM 313, Approximately 2.3764 Acres, RC (Rural Commercial) and OZ-CORR (Corridor Overlay) Zoning, APPELANT is William Baldwin County Attorney Patrick Trujillo explained the process to the Commission and those testifying. County Clerk Eileen Garbagni administered the oath to citizens testifying on agenda item 10. Director Michael Springfield briefed the Commission on the decision of the November 12, 2015 Sandoval County Planning and Zoning Commission. Several concerned residents spoke on the issue of allowing the Restaurant and Grocery at Lot 7, Centro de Algodones subdivision to operate later than 9:00 pm. Both the applicant and the opposition were allowed to testify and cross examine. Also Sandoval County Undersheriff Karl Wiese spoke. Vice Chair Scherzinger closed discussion.

Commissioner Dominguez motion to overturn the decision of the Planning and Zoning Commission. Finding that the modified request is consistent with the requirements of Section 17, Conditional Use Permit, subsection (D) 1-6, more specifically the modified request is consistent with the health, safety and welfare of the community and compatible with the character of the surrounding area. With the following conditions: 1. The package liquor/convenience center component of the business shall close no later than 10:00 pm each night. 2. The remainder of the business shall close no later than 12:00 am each morning. Second by Commissioner Walters. Motion passed. Vote was unanimous.

11. COMMENTS FROM THE PUBLIC

David Janning a resident of Rio Rancho spoke about oil and gas exploration in Sandoval County. Steven Vaughn a Placitas resident asked that the Commission consider his statement when going into closed session to discuss Lafarge.

12. COMMENTS FROM THE COMMISSIONERS

Commissioner Dominguez thanked the public that stayed until the end of the meeting. Commissioner Walters thanked the four candidates that stayed for the duration of the meeting; he spoke about Legislature and stated the Association of Counties is keeping the County Manger informed of various issues that affect the County. Vice Chair Scherzinger thanked Attorney Trujillo and Manager Rios for their assistance with the appeal process tonight.

13. CLOSED SESSION – Discuss Pending Litigation (Sandoval County Board of County Commissioners v. Lafarge et al. D-1329-CV-2014-00589) in Accordance with the Open Meetings Act, NMSA 1978, Section 10-15-1(H)(5) and (7)

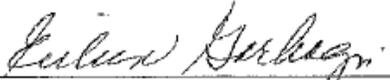
Commissioner Walter motion to enter into closed session pursuant to NMSA 1978 Section 10-15-1(H)(5) and (7) to discuss pending litigation matters referred to in the agenda at 9:46 pm., second by Commissioner Dominguez. Motion passed. Vote was unanimous.

Vice Chair Scherzinger called the meeting back into regular session at 10:10 pm. Attorney Trujillo stated for the record, "In closed session the only matters that were discussed were those matters referred to in the agenda and no final decisions on that matter were made in closed session."

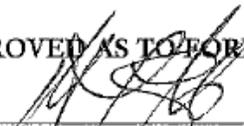
14. ADJOURN

Commissioner Chapman motion to adjourn at 10:11 p.m., second by Commissioner Walters. Motion passed. Vote was unanimous.

DONE IN BERNALILLO, NEW MEXICO, COUNTY OF SANDOVAL, THIS 18 DAY OF February, 2016



COUNTY CLERK

APPROVED AS TO FORM:


COUNTY ATTORNEY



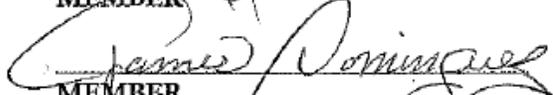
CHAIRMAN



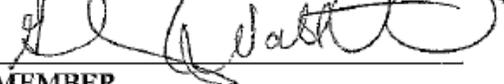
VICE CHAIR



MEMBER



MEMBER



MEMBER