

**SANDOVAL COUNTY BOARD OF COMMISSIONERS**  
**REGULAR MEETING MINUTES**  
**COMMISSION CHAMBERS**  
**JUNE 1, 2017 – 6 P.M.**

1. CALL TO ORDER

Chairman Chapman called meeting to order at 6:00 p.m. Present were Chairman Chapman, Vice Chairman Heil, Commissioner Block, Commissioner Dominguez and Commissioner Eichwald.

Chairman Chapman congratulated County Manager Dianne Maes on her first day as County Manager. Chairman Chapman recognized the new Director of Business Development Antoinette Vigil. Chairman Chapman also spoke about the NAIOP meeting earlier this morning.

2. PLEDGE OF ALLEGIANCE

Pledge of allegiance was led by Chairman Chapman.

3. INTRODUCTIONS & ANNOUNCEMENTS

Commissioner Block recognized Rio Rancho City Councilor Cheryl Everett. Commissioner Dominguez recognized four Bernalillo High School graduates: Johnny Chavez Mast, Carlos G. Duran, Shawn Maes, and Brandon Warren. Commissioner Dominguez presented them with Sandoval County/Comcast scholarships. Commissioner Eichwald recognized Magistrate Judge Bill Mast and his wife and former Mayor of Bernalillo Patricia Chavez. Chairman Chapman recognized Jeanie Springer and thanked her for her contribution to the County. He also recognized Sandoval Economic Alliance CEO and President Jami Grindatto.

4. COMMENTS FROM THE PUBLIC

Several residents spoke about the oil and gas ordinance. *See attached.* Karen Cox a Placitas resident voiced concern about a settlement agreement with La Farge/Vulcan.

5. APPROVAL OF AGENDA

Commissioner Dominguez motion to approve, second by Vice Chairman Heil. Clerk Garbagni called for vote. Motion passed. Vote was unanimous.

6. CONSENT AGENDA

- A. Approval of Minutes from the Board of Finance Meeting and Regular Meeting of May 18, 2017
- B. Approval of a Professional Service Agreement between Sandoval County and the City of Rio Rancho for Fire and EMS Coverage for Intel and Westside of Rio Rancho

Vice Chairman Heil motion to approve, second by Commissioner Block. Clerk Garbagni called for vote. Motion passed. Vote was unanimous.

## 7. OFFICE OF THE COUNTY MANAGER

(Dianne Maes, County Manager; Chairman Chapman)

- A. Request for a Motion to Adopt Resolution No. 6-1-17.7A Reallocating all the Funds that have Accrued and Shall be Earning in the Future from the Incentive Bond Payments to the County after Debt Service to a New Economic Development Projects Account

Manager Maes and Director Vigil briefed the Commission on the resolution.

Commissioners made comments and asked questions. Treasurer Montoya

asked for clarification on the resolution. *See attached.* Financial Advisor

Burpo clarified the item before the Commission is not an ordinance it is a resolution which gives the Commission the ability to make amendments.

Cheryl Everett speaking as a Rio Rancho resident spoke in favor of adopting

the resolution. Manager Maes read the proposed amendment to Sandoval

County Resolution 6-1-17.7A: After last BE IT FURTHER RESOLVED,

Change the period to a; and insert “and” Then insert: BE IT FURTHER

RESOLVED that prior to any distribution of funds from the Economic

Development Projects Account, the Board of County Commissioners must be

presented with a comprehensive plan for the use of any of the funds and must

approve such distribution in writing.

Commissioner Block motion to amend Resolution No. 6-1-17.7A, second by

Vice Chairman Heil. Clerk Garbagni called for vote. Motion passed. Vote

was unanimous. Vice Chairman Heil motion to approve as amended, second

by Commissioner Block. Clerk Garbagni called for vote. Commissioner

Eichwald stated for the record, “I want to indicate that I am going to vote yes

but I want to see a plan and criteria”. Motion passed. Vote was unanimous.

- B. Request for a Motion to Adopt Resolution No. 6-1-17.7B Reallocating all the Funds in the Current Hospital Earnings Account to a New Economic Development Incentive Account and Committing the Monies in this Account for the Use by the County for Assistance in Funding Various Support for New and Expanding Economic Development Endeavors within the County

Commissioner Block read the amendment to Resolution No. 6-1-17.7B: BE IT FURTHER RESOLVED that prior to any distribution of funds from the Economic Development Incentive Account, the Board of County Commissioners must be presented with a comprehensive plan for the use of any of the funds and must approve such distribution in writing. Commissioner Eichwald motion to amend Resolution No. 6-1-17.7B, second by Commissioner Dominguez. Clerk Garbagni called for vote. Motion passed. Vote was unanimous. Commissioner Block motion to approve as amended, second by Vice Chairman Heil. Clerk Garbagni called for vote. Commissioner Eichwald stated for the record, "I want to make sure there is a plan and criteria for this money to be used and my vote is yes". Commissioner Dominguez stated for the record, "I am glad we were here to get all this cleared out because there was a lot of confusion and now it made me understand it a little bit better, knowing how the money is going to be used and utilized and for that I will vote yes". Commissioner Block stated for the record, "I agree with Commissioner Eichwald and Commissioner Dominguez and therefore I will give you my aye". Motion passed. Vote was unanimous.

#### 8. DIVISION OF PLANNING & ZONING

(Michael Springfield, Director)

Request for a Motion to Approve VAC-17-002 Request by Cartesian Surveys, Agent for Keith Sutton, for Vacation of Several 5 foot Public Utility Easements Located within Lots 50 & 51, Block 9, Unit 7, Rio Rancho Estates, Sandoval County, New Mexico (as shown on the plat thereof recorded in the Office of the Sandoval County Clerk)

Commissioner Dominguez motion to approve, second by Commissioner Block. Clerk Garbagni called for vote. Motion passed. Vote was unanimous.

#### 9. COMMENTS FROM THE COMMISSIONERS

Chairman Chapman asked the Commissioners to reconsider dates for Commission meetings in July. Chairman Chapman stated for the record, "In July we will meet on the 13<sup>th</sup> and the 27<sup>th</sup> and in August we will meet on the 10<sup>th</sup> and the 24<sup>th</sup>. September we are back on schedule." Vice Chairman Heil and Chairman Chapman made a few comments on the NAIOP meeting this morning. Chairman Chapman thanked all of the elected officials and directors that attended the meeting and he thanked Jeanie Springer for bringing together development in Sandoval County.

10. CLOSED SESSION – Discuss Pending Litigation (Sandoval County Board of County Commissioners v. La Farge, et al. D-1329-CV-2013-01674) in Accordance with Open Meetings Act, NMSA 1978, Section 10-15-1(H)(7), which provides an exception to the requirements of the Open Meetings Act for attorney-client privileged communication pertaining to threatened or pending litigation

Chairman Chapman motion to go into closed session for the purpose of discussing pending litigation between Sandoval County Board of County Commissioners and La Farge, et al. in accordance with the Open Meetings Act, Section 10-15-1(H)(7) at 8:45 p.m., second by Vice Chairman Heil. Clerk Garbagni called for vote. Motion passed. Vote was unanimous.

Commissioner Eichwald motion to come back from closed session at 9:00 p.m., second by Commissioner Block. Clerk Garbagni called for vote. Motion passed. Vote was unanimous.

In accordance with Section 10-15-1(J) NMSA, the only matters discussed in the closed meeting were limited to those specified in the notice of the separate closed meeting, and no final action was taken.

11. Request for Discussion and a Motion to Approve Settlement Agreement in Sandoval County Board of County Commissioners v. La Farge, et al., D-1329-CV-2013-01674 John Salazar with the Rodey Law Firm spoke about the proposed settlement agreement. *See attached.* Richard Leverick with Leverick & Musselman Law Firm spoke about the proposed settlement agreement.

Commissioner Block motion to approve, second by Vice Chairman Heil. Clerk Garbagni called for vote. Motion failed. Vote was unanimous.

12. ADJOURN


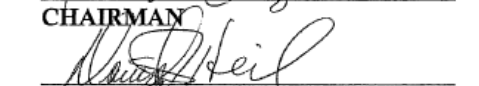

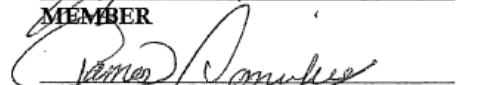
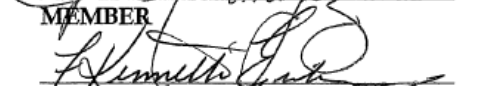
Chairman Chapman adjourned meeting at 9:20 a.m.

DONE IN BERNALILLO, NEW MEXICO, COUNTY OF SANDOVAL, THIS 15 DAY OF June, 2017

  
COUNTY CLERK

APPROVED AS TO FORM:

  
COUNTY ATTORNEY

  
CHAIRMAN  
  
VICE CHAIR  
  
MEMBER  
  
MEMBER  
  
MEMBER