

**SANDOVAL COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
COMMISSION CHAMBERS
SEPTEMBER 21, 2017 – 6 P.M.**

1. CALL TO ORDER

Chairman Chapman called meeting to order at 6:04 p.m. Present were Chairman Chapman, Vice Chairman Heil, Commissioner Block, Commissioner Holden-Rhodes and Commissioner Eichwald.

2. PLEDGE OF ALLEGIANCE

Pledge of allegiance was led by Chairman Chapman.

3. INTRODUCTIONS & ANNOUNCEMENTS

Chairman Chapman stated that the Board of Commissioners met in a closed session earlier in the day and requested a motion to come out of closed session. Chairman Chapman stated that the matters discussed in the closed meeting were limited only to those specified in the notice of the separate closed meeting. Vice Chairman Heil motion to come out of closed meeting, second by Commissioner Eichwald. Clerk Garbagni called for vote. Motion passed. Vote was unanimous.

Chairman Chapman stated that the maximum capacity in the Commission Chambers has been reached and for those unable to enter the Commission Chambers they are also broadcasting the meeting live in the training room on the second floor. Chairman Chapman announced the passing of Senator Pete Dominici and asked everyone to join him in a moment of silence in remembrance of him and in honor of his many years of public service. Chairman Chapman mentioned the press release posted on the County website regarding lower property tax rates. Vice Chairman Heil also spoke about the passing of Senator Pete Dominici and requested County Manager Maes prepare a resolution to come before the Commission during the October 5th meeting in support of renaming Paseo Del Volcan in his honor. Commissioner Block introduced his guest Rich Stover. Commissioner Eichwald introduced Mario Atencio.

4. COMMENTS FROM THE PUBLIC

Several residents spoke about the oil and gas ordinance and some provided attachments related to their comments.

5. PRESENTATIONS & PROCLAMATIONS

Sandoval County Presentation Branding Strategy by Griffin and Associates (Joanie Griffin, President and Dezaree Vega Garcia, Vice President)

Business Development Director Antoinette Vigil introduced her guest Joanie Griffin, President of Griffin and Associates and also Dezaree Vega Garcia, Vice President of Griffin and Associates. They presented a branding strategy to the Commissioners. *See attached.*

6. APPROVAL OF AGENDA

Chairman Chapman requested an amendment to agenda item 8B from a motion to a discussion and item 10C from a motion to a presentation. Vice Chairman Heil motion to approve as amended, second by Commissioner Block. Clerk Garbagni called for vote. Motion passed. Vote was unanimous.

7. CONSENT AGENDA

Approval of Minutes from the Regular Meeting of September 7, 2017 and Amended Minutes from the Board of Finance Meeting of August 24, 2017.

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

8. OFFICE OF THE COUNTY MANAGER

(Dianne Maes, County Manager)

A. Request for a Motion to Adopt Resolution No. 09-21-17.8A Approving the Sandoval County Order Setting Property Tax Rates for 2017 Property Tax Year.

Treasurer Montoya and Chief Assessment Officer Ed Olona spoke briefly about the tax rates.

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

B. Request for a Motion to Allow the Board of County Commission to Discuss and Approve the New Mexico Association of Counties Resolution No. 09-21-17.8.B in support of their 2018 legislative policies.

Chairman Chapman motion to postpone until the next meeting, second by Commissioner Holden-Rhodes. Clerk Garbagni called for vote. Motion passed. Vote was unanimous.

C. Request for a Motion to Ratify Nominees from the BOCC, Elected Officials and Staff to serve on the NMAC Multi-line and Workman's Comp Committees and Instruct the County Manager to Inform Pertinent Agency of the Ratified Members.

Commissioner Holden-Rhodes accepted nomination to serve as the Representative for Sandoval County on NMAC Multi-line Committee and Director Miller accepted nomination to serve as the Representative for Sandoval County on NMAC Workman's Comp Committee. Vice Chairman Heil motion to approve nominees, second by

Commissioner Eichwald. Clerk Garbagni called for vote. Motion passed. Vote was unanimous.

9. SANDOVAL COUNTY COMMISSION

(Don Chapman, Chairman)

Agenda Item Removed

10. COUNTY BUSINESS DEVELOPMENT

(Antoinette Vigil, Director)

A. Authorize and Approve Submission of an Application and Resolution No. 09-21-17.10.A for a Financial Assistance Request to the Local Government Planning Fund (LGPF) at New Mexico Finance Authority (NMFA)

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

B. Request for a Motion to Award Ad/Marketing Services RFP to Griffin and Associates and Authorize the County Manager to enter Into a Professional Services Agreement between Sandoval County and Griffin and Associates; approval all subsequent Amendments/\$50,000

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

C. Request for a Motion to Approve Adoption of ED Funds Process and Policy Documents to the Local Economic Development Act Plan Ordinance No.11-1-13.10.

Chairman Chapman reminded the Commissioners that this agenda item was changed from a motion to a presentation only. Director Vigil briefed the Commissioners on the ED Funds Process and Policy Documents. Commissioners made comments and thanked Director Vigil for her presentation.

11. DIVISION OF PLANNING & ZONING

(Michael Springfield, Director)

A. Motion to Dismiss Mr. Bobby Greene from the Planning and Zoning Commission.

Vice Chairman Heil motion to dismiss Mr. Bobby Greene from the Planning and Zoning Commission, second by Commissioner Block. Clerk Garbagni called for vote. Motion passed. Vote was unanimous.

B. Approval to Appoint Geoffrey Stamp to the Planning and Zoning Commission (District 4) and to complete the existing term which expires April 30, 2018.

Vice Chairman Heil motion to appoint Geoffrey Stamp to the Planning and Zoning Commission (District 4), second by Commissioner Eichwald. Clerk Garbagni called for vote. Motion passed. Vote was unanimous.

C. Review and Discuss the Proposed Oil and Gas Ordinance as brought forth by Planning and Zoning Commissioner Dan Stoddard and Request for a Motion to Approve Publication of Title and General Summary of the Planning and Zoning Oil and Gas Ordinance DRAFT September 2017 Final Version

Vice Chairman Heil motion to approve, second by Commissioner Block.

Several residents spoke about the oil and gas ordinance and some provided attachments related to their comments. Chairman Chapman recessed at 8:47 p.m. Chairman Chapman called meeting back to order at 8:52 p.m. Chairman Chapman read a statement. *See attached.* Each Commissioner voiced their opinions about the proposed oil and gas ordinance. Vice Chairman Heil motion to amend the ordinance as follows: Section 3.1 take out letter A. Article 4 use numbers; 4.1, 4.2, 4.3, 4.4. Article 5 use numbers 5.1 through 5.12. Section 5.12 to read: The applicant shall certify that it will comply with the requirements of OCD and NMED concerning the protection of waters and will provide estimates of how much water will be used, the type of water to be used, fresh, effluent or produced and where the water is planned to be sourced. Operator will take all reasonable measures necessary to avoid pollution of surface water and ground water and use non potable water whenever possible. Director Springfield stated for the record that the staff recommendation is for approval of publishing general summary and title. Commissioners asked questions and made comments. Eric Masterson Deputy Chief for the Sandoval County Fire Department spoke about the training they received related to oil and gas emergencies. Commissioner Block motion to approve publication of title and general summary of the Planning and Zoning Oil and Gas Ordinance DRAFT September 2017 Final Version as amended, second by Commissioner Holden-Rhodes. Clerk Garbagni called for vote. Commissioner Block, Commissioner Holden-Rhodes, Vice Chairman Heil and Chairman Chapman voted Yes. Commissioner Eichwald voted No. Motion passed 4 – 1.

12. CLOSED SESSION

Limited Personal Matters to Discuss the County Attorney Position, in Accordance with the Open Meeting Act, NMSA 1978, Section 10-15-1(H)(2).

Commissioner Block motion to go into closed session at 9:58 p.m. to discuss limited personal matters to discuss the County Attorney position, in accordance with the Open Meeting Act, NMSA 1978, Section 10-15-1(H)(2), second by Vice Chairman Heil. Clerk Garbagni called for vote. Motion passed. Vote was unanimous.

Chairman Chapman stated the matters discussed in the closed meeting were limited only to those specified in the motion for the closed meeting. Commissioner Eichwald motion to

come back from closed session at 10:27 p.m., second by Vice Chairman Heil. Clerk Garbagni called for vote. Motion passed. Vote was unanimous.

13. COMMENTS FROM THE COMMISSIONERS

Vice Chairman Heil spoke about "Right to Work" and asked to place it on the agenda for the October 5th meeting a motion to allow the County Commission to discuss a proposed "Right to Work" ordinance and a motion to post the agenda on the web page and legal notice and to schedule a closed session to discuss legal issues related to "Right to Work" ordinance. Commissioner Eichwald thanked everyone that took part in today's meeting. Chairman Chapman asked if there is a consensus among the Commission to discuss a "Right to Work" ordinance during the next Commission meeting. All Commissioners were in agreement and it was decided to place it on the agenda for the next meeting. Chairman Chapman briefly discussed the oil and gas ordinance and commended the County Manager, his fellow Commissioners and everyone involved in drafting the proposed oil and gas ordinance.

14. ADJOURN

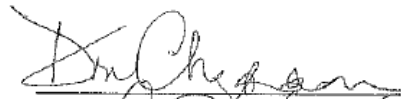
Chairman Chapman adjourned the meeting at 10:37 p.m.


DONE IN BERNALILLO, NEW MEXICO, COUNTY OF SANDOVAL, THIS ⁵~~4~~ DAY OF ^{October}~~September~~, 2017


COUNTY CLERK

APPROVED AS TO FORM:


COUNTY ATTORNEY


CHAIRMAN


VICE CHAIR


MEMBER


MEMBER


MEMBER