

**REGULAR MEETING MINUTES
COMMISSION CHAMBERS
MARCH 15, 2018 – 6 P.M.**

1. CALL TO ORDER
Chairman Heil called meeting to order at 6:00 p.m. Present were Chairman Heil, Vice Chairman Eichwald, Commissioner Block, Commissioner Holden-Rhodes and Commissioner Chapman.
2. PLEDGE OF ALLEGIANCE AND NEW MEXICO PLEDGE
Pledge of Allegiance and the New Mexico Pledge was led by Chairman Heil.
3. INTRODUCTIONS & ANNOUNCEMENTS
Commissioner Block referenced Business Journal.com listed the top places to live in New Mexico, Corrales and Rio Rancho were mentioned, also congratulated Mayor Gregory D. Hull of Rio Rancho, and Mayor Jo Anne Roake of Corrales. Commissioner Chapman also recognized Greg Hull and City Manager Keith Riesberg and mentioned that the NMDOT had approved the renaming of 7 miles of Paseo Del Volcan to the Pete Domenici Memorial Highway. Commissioner Block also introduced Randy Moore. Chairman Heil recognized Dewey Cave, also advised that he sent out a letter to the elected officials in regard to how we address each other in this forum and abide and provide proper decorum and civility when we are discussing matters in the county commission chambers. Chairman Heil also advised that he attended NMAC events in D.C. and will do a presentation on the next agenda meeting, also mentioned grant opportunities that are not being taken advantage of by the surrounding tribes in Sandoval County.
4. APPROVAL OF AGENDA
Commissioner Chapman motioned to approve, seconded by Commissioner Block. Clerk Garbagni called for vote. Motion passed. Vote was unanimous. Chairman Heil advised that matters discussed in the closed meetings were limited to those specified in the separate notice for closed meeting and did however note that the Commission did come to an agreement with Ms. Robin Hammer becoming our new county attorney.
5. PRESENTATIONS & PROCLAMATIONS
Proposed City of Rio Rancho and Sandoval County Project-Reconstruction of Meadows Blvd.
(Keith Riesberg, Rio Rancho City Manager)
Keith Riesberg and Greg Hull presented on the reconstruction of Meadows Blvd. in Rio Rancho, New Mexico and the MOU that identified City and County Obligations and requested entering into a partnership between the city and the county. Commissioner Block agreed, Vice Chairman Eichwald mentioned that several roads within Sandoval County are in need of improvement of infrastructure throughout Sandoval County. Commissioner Holden-Rhodes agreed with Vice Chairman Eichwald's remarks. Chairman Heil also advised that there is a banner in the atrium for well wishes to Parkland Florida victims of the mass shooting at the High School.
6. COMMENTS FROM THE PUBLIC
Several constituents spoke of their concerns.
7. CONSENT AGENDA
 - A. Approval of Minutes from the Regular County Commission Meeting of March 1, 2018.
 - B. Approval of the following Budget Resolution;
 - (1) No. 3-15-18.7B(1) / Health Council Budget / Increase Budget to Reflect Funds Received from the NM Department of Health for Healthy Lifestyle Initiatives / \$20,000
Commissioner Block motioned for approval, seconded by Vice Chairman Eichwald. Clerk Garbagni called for vote. Motion passed. Vote was unanimous.
8. SANDOVAL COUNTY COMMISSION
 - A. Request for a Motion to Approve Publication of Title and General Summary of the Proposed Ethics Ordinance.
Madam Treasurer Laura Montoya voiced her concerns of the proposed ordinance, other constituents commented of their concerns. Viki Harrison, Executive Director of New Mexico at Common Cause offered her expertise in this field. Attorney Heather Smallwood presented. Several Commissioners voiced their concerns with the language of the proposed ordinance. Commissioner Block motioned to rework the compliance officer to a contract employee, and would be considered a substantial change to the proposed ordinance and would have to go through the publication process again, seconded by Chairman Heil. Clerk Garbagni called for vote. Commissioner Holden-Rhodes voted no. Motion passed vote was 4-1. Commissioner Block motioned to go back to section 8H3 and change the language to 60 days from first day of early voting, both in the primary and general elections, seconded by Chairman Heil with discussion to the motion. Commissioner Block withdrew motion, seconded by Commissioner Chapman. Commissioner Chapman motioned to change language to 60 days prior to both the primary and general elections, seconded by Chairman Heil. Clerk Garbagni called for vote. Vice Chairman Eichwald and Commissioner Holden-Rhodes voted no. Motion passed. Vote was 3-2. Chairman Heil recessed at 8:55 p.m. Reconvened at 9:03 p.m.

B. Request for a Motion to Adopt Resolution No. 3-15-18.8B Considering Support for Rio Metro's Positive Train Control Implementation Effort Brought Forward by Dewey V. Cave at the March 1, 2018 County Commission Meeting.
Dewey V. Cave presented. Commissioner Block motioned to add amendment to resolution, seconded by Chairman Heil. Clerk Garbagni called for vote. Commissioner Holden-Rhodes voted no. Motion as amended passed. Vote was 4-1.

C. Request for a Motion to Discuss and Approve the Citizens Working Group for Aquifer Source, Water Protection and Oil and Gas Ordinance.
Commissioner Holden-Rhodes motioned to move Agenda Item 8C before Agenda Item 8A, seconded by Vice Chairman Eichwald. Commissioner Chapman called for point of order and stated that the agenda had already been approved, Chairman Heil stated that he would hear the motion and proceed. Clerk Garbagni called for vote. Commissioner Chapman voted no. Motion passed. Vote was 4 to 1. Vice Chairman Eichwald motioned to divide 8C into 2 parts, seconded by Commissioner Holden-Rhodes. Clerk Garbagni called for vote. Commissioner Chapman abstained. Motion passed. Vote was 4-1. Attorney Smallwood gave her opinion on the division of Agenda Item 8C. Vice Chairman Eichwald motioned as to consider separately the Citizens Working Group to report to the commission or not, seconded by Commissioner Holden-Rhodes. Commissioner Block advised that he would not approve the working group to go directly to the County Commission rather than going through the Planning and Zoning Commission first. Several constituents spoke of their concerns. Chairman Heil clarified the motion and advised that if the commission voted no, the group would not go directly to the County Commission and must go first through the Planning and Zoning Commission. Commissioner Chapman motioned that whatever the working group produces, that it must first go through the Planning and Zoning Commission and not directly to the County Commission, seconded by Commissioner Block. Clerk Garbagni called for vote. Motion for the group to go through the Planning and Zoning Commission first passed. Commissioner Holden-Rhodes and Vice Chairman Eichwald voted yes. Vote was 2-3. Vice Chairman Eichwald motioned to approve the Citizens Working Group for Aquifer Source, Water Protection and Oil and Gas Ordinance, seconded by Commissioner Holden-Rhodes. Commissioner Chapman voiced his concerns with the process of the compiling of the members of the Working Group and motioned to include Makita Hill to the working group, seconded by Chairman Heil. Commissioner Block commented that the working group should pick their own members and will not support any additions or submissions to the working group. Clerk Garbagni called for vote, motion to include Makita Hill failed. Commissioner Holden-Rhodes, Vice Chairman Eichwald and Commissioner Block voted no. Vote was 2-3. Vice Chairman Eichwald withdrew his motion. Vice Chairman Eichwald motioned to approve the Citizens Working Group, seconded by Commissioner Holden Rhodes. Clerk Garbagni called for vote. Commissioner Chapman voted no with an explanation. Motion passed. Vote was 4-1 (see attached)

9. OFFICE OF THE COUNTY MANAGER

A. Request for a Motion to Award Bid for Financial and Municipal Advisory Services to First American Financial Advisors, Inc. and Authorize the County Manager to Enter Into a Professional Services Agreement and Approval of all Subsequent Amendments.
County Manager Dianne Maes presented. Commissioner Chapman motioned, seconded by Commissioner Block. Attorney Heather Smallwood gave her legal opinion of the legality of a 4 year limit. Madam Treasurer referred to Attorney General of New Mexico opinion and submitted it for the record. (See attached)
Other constituents commented. Rob Burpo commented as well. Commissioner Block commented and requested from Mr. Burpo that he present to the commission a scale of savings he has provided to the county. Commissioner Chapman motioned, seconded by Commissioner Block. Clerk Garbagni called for vote. Motion passed. Vote was unanimous.

B. Request for a Motion to Adopt Resolution No. 3-15-18.9B in Replacement of Resolution No. 12-4-97.10 to Reflect Current Sandoval County Copy Charges.
County Manager Dianne Maes and Public Information Officer Melissa Perez presented. Melissa Perez advised that section 4B was added in error and should be stricken. Vice Chairman Eichwald motioned for postponement, seconded by Commissioner Block. Clerk Garbagni called for vote. Motion to postpone passed. Vote was unanimous.

10. DETENTION CENTER

Request for a Motion to Adopt Ordinance No. 3-15-18.10A(1) and Ordinance No. 3-15-18.10A(2) each Imposing one 1/16th of one percent (.0625%) increment of the County Correctional Facility Gross Receipts Tax.
Rob Burpo presented. Commissioner Chapman motioned to approve 3-15-18.10A(1), seconded by Commissioner Block. Clerk Garbagni called for vote. Vote was unanimous. Commissioner Chapman motioned to approve 3-15-18.10A(2), seconded by Vice Chairman Eichwald. Clerk Garbagni called for vote. Motion passed. Vote was unanimous.

11. DIVISION OF PUBLIC WORKS

- A. Request for Motion to Adopt Resolution No. 3-15-18.11A Authorizing Approval of the 2018/2019 County Road Improvement Projects with the New Mexico Department of Transportation, Local Government Road Fund Cooperative Program.
Mark Hatzenbuhler and Fred Marquez presented. Commissioner Block motioned, seconded by Vice Chairman Eichwald. Clerk Garbagni called for vote. Motion passed. Vote was unanimous.
- B. Request for a Motion to Award Bid for Landfill Engineering Services to Parkhill, Smith & Cooper/Gordon Environmental and Authorize the County Manager to Negotiate and Enter Into a Agreement and Approval of all Subsequent Amendments/\$350,000.00
Mark Hatzenbuhler and Fred Marquez presented. Commissioner Block motioned, seconded by Commissioner Holden-Rhodes. Clerk Garbagni called for vote. Motion passed. Vote was unanimous.
- C. Request for a Motion to Consider Placitas Development LLC' Request to Accept Roads within the Petroglyph Trails Subdivision and to add to the 2019 County Road Inventory for County Road Maintenance.
Mark Hatzenbuhler and Fred Marquez presented. Vice Chairman Eichwald motioned, seconded by Commissioner Holden-Rhodes. Clerk Garbagni called for vote. Commissioner Block and Commissioner Chapman voted no. Motion passed. Vote was 3-2
- D. Request for a Motion to Consider Terra Subdivision Request to Accept Roads within Terra Subdivision and to Add to the 2019 County Road Inventory for County Road Maintenance.
Mark Hatzenbuhler and Fred Marquez presented. Commissioner Chapman motioned, seconded by Vice Chairman Eichwald. Clerk Garbagni called for vote. Commissioner Chapman voted no. Motion passed. Vote was 4-1

12. COMMENTS FROM THE COMMISSIONERS

Commissioner Block commented on the Detention Center, and on the lawsuit of John Henry and asked Attorney Heather Smallwood if there would be any delay in the right to work litigation. Commissioner Chapman congratulated Counselor Robin Hammer and welcomed her aboard.

13. ADJOURN

Chairman Heil adjourned at 11:02 p.m.

DONE IN BERNALILLO, NEW MEXICO, COUNTY OF SANDOVAL, THIS 5 DAY OF April, 2018

Kelcee Garbagni
COUNTY CLERK

APPROVED AS TO FORM:

Heather Smallwood
COUNTY ATTORNEY

Mark Hatzenbuhler
CHAIRMAN

Kimberly Eichwald
VICE CHAIR

Commissioner Block
MEMBER

Commissioner Holden-Rhodes
MEMBER

Commissioner Chapman
MEMBER