

**SANDOVAL COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING AGENDA
LOCATION: ADMINISTRATIVE BUILDING COMMISSION CHAMBERS
1500 IDALIA ROAD, BUILDING D.
BERNALILLO, NM 87004
APRIL 11, 2019 – 6:00 P.M.**

1. CALL TO ORDER
Chairman Heil called meeting to order at 6:01 p.m. Present were Chairman Heil, Vice Chairman Block, Commissioner Bruch, Commissioner Meek and Commissioner Eichwald.
2. PLEDGE OF ALLEGIANCE AND NEW MEXICO PLEDGE
Chairman Heil led the Pledge of Allegiance and The New Mexico Pledge.
3. CLOSED SESSION ANNOUNCEMENT
(David J. Heil, Chairman)
Chairman Heil read into the record, "As previously noticed, prior to this meeting today, April 11, 2019 at 5:00 p.m., the Sandoval County Board of County Commissioners convened as a Committee of the Whole in a closed session in the 3rd Floor Conference Room, County Administration Building to discuss matters subject to the attorney-client privilege pertaining to threatened or pending litigation regarding potential torts and/or torts, and labor unions in which the County Board of Commissioner is or may become a participant pursuant to Open Meetings Act, NMSA 1978, §§10-15-1(H)(7). The matters discussed in the closed session were limited to those specified in the Notice of Closed Session and no action was taken."
4. INTRODUCTIONS & ANNOUNCEMENTS
Commissioner Block welcomed the Rio Rancho Cheerleaders and introduced Ethics Board Members David Craig, Dr. Arnold Farley and Retired Chief Master Sargent of the United States Air Force Jerome Sydnor. Commissioner Bruch thanked David Craig for his service as her alternate to the Ethics Board. Chairman Heil advised that he placed several cards for the Schuman Foundation for youth and encouraged those to research the Schuman Foundation and find out what services are available to those who are about to graduate.
5. APPROVAL OF AGENDA
Vice Chairman Block motioned, seconded by Commissioner Eichwald. Clerk Garbagni called for vote. Motion Passed. Vote was unanimous.
6. PRESENTATIONS & PROCLAMATIONS
 - A. Recognition of Rio Rancho High School Cheerleading team winning first place at the State Spirit Championship March 29-30
(Michael Meek, Commissioner)
Commissioner Meek introduced Wendy Lopez and congratulated the team for placing first at the state level. Wendy Lopez introduced the members of the cheer team.
 - B. 2019 National Association of Counties (NACO) Legislative and Government Investment Officer's Association (GIOA) Conference Overview
(Laura M. Montoya, County Treasurer)
Madam Treasurer Laura M. Montoya presented and spoke of her adventures at the NACO Legislative Conference. Madam Treasurer also showed a power point presentation. (See Attached)
7. COMMENTS FROM THE PUBLIC
Madam Treasurer Laura M. Montoya advised of the 2nd half of the tax season which is April 10, 2019-May 10, 2019 with extended hours at the Treasurer's Office. Constituent Valerie Quintana requested a written response from the commission on the contract for waste removal and questioned why an out of state contractor was awarded the bid.
8. CONSENT AGENDA
 - A. Approval of Minutes from the Regular County Commission Meeting of March 21, 2019
 - B. Approval of the following Budget Resolutions:
 - (1) No. 4-11-19.8B(1) / Health Council Budget – Increase Budget to Reflect New Grant Funding Received from Presbyterian Healthcare Services for the Scale-up project / \$2,000
 - (2) No. 4-11-19.8B(2) / Cash Transfer to Move Funds into Correct Account / \$60,816.51
 - (3) No. 4-11-19.8B(3) / Economic Development Grant Budget / Increase Budget to Reflect New Grant Funding Received from NM Economic Development Department for the LEDA Project / \$900,000
 - (4) No. 4-11-19.8(4) / Torreon Community Library Budget / Increase Budget to Reflect New Grant Funding Received from New Mexico State Library for Collections and Equipment / \$4,571.43
 - C. Amend County Board of Commissioners July 12, 2018 Meeting Minutes, changing Amount of Contract with PMS for Ambulance Service (Item 5.D) to reflect the correct amount of contract (\$109,725.00)
 - D. Approval to Reappoint Keith Brown District 2 to the P&Z Commission for two (2) year term
 - E. Approval of the 2019 General Obligation Library Bond Memorandum of Agreements with 15 Libraries in Sandoval County Totaling \$3,350,000
 - F. Approval of the Professional Services Agreement between Sandoval County and Star Paving to Pulverize rock and to use as base and Pave new 3" HMA SP III to include sub-grade prep on Cubita Road in the amount of \$306,446.53 under the Sandoval County Paving Price Agreement #20180012203.

G. Approval of the Professional Services Agreement between Sandoval County and Star Paving for the application of new asphalt/concrete on La Madera road in the amount of \$433,398.34 under the County Paving Price Agreement #20180012203.

H. Approval of additional Ethics Board Alternates of Arnold Farley, PhD for County Commission District 2; and David Craig for County Commission District 1.

Vice Chairman Block motioned, seconded by Commissioner Eichwald. Clerk Garbagni called for vote. Motion passed. Vote was unanimous.

9. SANDOVAL COUNTY COMMISSION

Approval of Letter from Commission to Assessor requesting her to remove her cousin from the Appointed Position of Deputy Assessor

(Jay C. Block, Commissioner)

Vice Chairman Block read letter into the record. Several constituents voiced their concerns. Madam Assessor Linda Gallegos and Chief Deputy Assessor Richard Shanks also voiced their response. Commissioner Meek ensured that he was not considering Mr. Shanks abilities but did mention that the Assessor did not follow rules that are in place at the county level. Commissioner Eichwald questioned Attorney Robin Hammer and asked what her legal opinion was and if it was discussed before the hire. Attorney Robin Hammer stated that the hire was legal under state law and that an official has a right to hire their cousin as a Deputy or as an Unclassified Employee. Commissioner Eichwald commented that the Commission has no authority over an elected official and did state that other elected officials were never at work, more specifically past Assessor, Sheriff and Probate Judge. Commissioner Eichwald advised that he would not sign the letter. Commissioner Bruch read a letter into the record, Commissioner Bruch further referenced two articles from The New Mexico Statutes, Article 38, section 4-38-18 and Article 38, Section 4-38-19 A and further suggested that the Commission focus on reviewing the budget for the next fiscal year. (See Attached). Vice Chairman Block spoke of his credentials and spoke of the fact that he has called out both democrats and republicans whenever he as an elected official felt like that was the right thing to do. Vice Chairman Block further thanked the county manager and the county attorney for their dedication to their positions. Chairman Heil spoke of the difference between City and County Government and recommended that what elected officials have got to do is find a way to work together, and felt that this situation is not a waste of time but rather thinks that we are bringing light to a situation. Chairman Heil further stated that in his own opinion the best judgement wasn't used. Chairman Heil agreed with Commissioner Eichwald and stated that the letter won't have an impact. County Manager Dianne Maes stated for the record that she "wanted to make it clear that my not signing the memo for hire has everything to do with the fact that I am here to uphold the rules and the policies that the commission has adopted. So it has everything to do with making sure that I am following the personnel rules and regulations on behalf of everyone here."

Vice Chairman Block motioned, seconded by Chairman Heil. Clerk Garbagni called for vote. Commissioner Bruch and Commissioner Eichwald voted no. Motion passed. Vote was 3-2.

10. OFFICE OF THE COUNTY TREASURER

Request for a Motion to Award Bid for Professional Portfolio Manager Services to Government Portfolio Advisors (GPA) \$92,000 for a four-year contract, and authorize the Treasurer to negotiate a contract.

Agenda Item 10 heard after Agenda Item 11A and 11B. Madam Treasurer Laura M. Montoya presented. Vice Chairman Block motioned, seconded by Commissioner Meek. Clerk Garbagni called for vote. Motion passed. Vote was unanimous.

11. OFFICE OF THE COUNTY MANAGER

A. Consideration of amendment to the adopted Commission Meeting Calendar.
(Dianne Maes, County Manager)

Agenda Item 11A and 11B heard before Agenda Item 10. County Manager Dianne Maes presented and recommended that the June 20, 2019 County Commission Meeting of June 20, 2019 be moved to June 27, 2019 because of the consideration that the June 20, 2019 meeting interferes with the NMAC conference on that day. Vice Chairman Block motioned, seconded by Commissioner Burch. Clerk Garbagni called for vote. Motion passed. Vote was unanimous.

B. Discussion of upcoming election to the New Mexico Counties Board. In the spring of 2019, 24 counties will need to hold elections to select their 2019-2021 representative for the NMC Board of Directors to include Sandoval County.
(Dianne Maes, County Manager)

County Manager Dianne Maes presented. Clerk Garbagni advised that she will have ballots ready for election of the Board of Directors on May 3, 2019 at which time the commission will be able to vote.

12. COUNTY BUSINESS DEVELOPMENT

Request for a Motion to Approve the New Mexico Mid-Central Rural Corridor SET Region (NM MCRC). The SET Plan focuses on agriculture, (farms, ranches, forestry, food processing). Biotech, healthcare services and tourism.

(Dora M. Dominguez, Director)

Dora M. Dominguez, Director of Economic Development presented.

Commissioner Bruch motioned, seconded by Commissioner Meek. Clerk Garbagni called for vote. Motion passed. Vote was unanimous.

13. DETENTION CENTER

Request for Approval to address a Reduction in Federal Detainees due to Construction at Detention Center and Provide Approval to County Manager, Finance Director, Detention Director and County Attorney for Final Contract Amendments
(Gilbert Armendariz, Director)

Gilbert Armendariz, Director and Chris Urbanic, Assistant Director presented.

Vice Chairman Block motioned, seconded by Commissioner Eichwald. Clerk Garbagni called for vote. Motion passed. Vote was unanimous.

14. COMMENTS FROM THE COMMISSIONERS

Commissioner Meek expressed his gratitude to County Manager Dianne Maes for a job well done, and also stated that the officials need to work together. Commissioner Bruch also expressed her frustration and apologized to the constituents of the county and didn't feel as though this is why she was elected. Commissioner Bruch advised that the commission is not to question an elected officials' authority and to continue to look at what the law says, read it for what it says, do not read into it. Commissioner Eichwald stated that he supports the effort of Commissioner Block in retrospect of his efforts in reference to ethics, climate assessment and standing up to a former commissioner who was appointed to a director position. Further Commissioner Eichwald stated regardless of how he felt about that letter, he does not support nepotism and wanted to make it clear, for the record that he "doesn't feel that in any form or manner this letter is going to do anything for anybody other than it will be ink on paper." Vice Chairman Block motioned, seconded by Commissioner Bruch.


15. ADJOURN

Chairman Heil adjourned at 7:43 p.m.

DONE IN BERNALILLO, NEW MEXICO, COUNTY OF SANDOVAL, THIS 25 DAY OF April, 2019



COUNTY CLERK

APPROVED AS TO FORM:


COUNTY ATTORNEY



CHAIRMAN



VICE CHAIR



MEMBER



MEMBER



MEMBER