

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

1. CALL TO ORDER

Chairman Heil called meeting to order at 6:00. Present were Chairman Heil, Vice Chairman Block, Commissioner Bruch, Commissioner Meek and Commissioner Eichwald.

2. PLEDGE OF ALLEGIANCE AND NEW MEXICO PLEDGE

The Pledge of Allegiance and the New Mexico Pledge was led by Chairman Heil.

3. CLOSED SESSION ANNOUNCEMENT

(David J. Heil, Chairman)

Chairman Heil stated "As previously noticed, immediately prior to today's meeting, on June 6, 2019 at 4:30 p.m., the Sandoval County Board of Commissioners convened as a Committee of the Whole in a closed session in the 3<sup>rd</sup> Floor Conference Room, County Administration Building to discuss matters subject to the attorney-client privilege pertaining to potential litigation regarding a County ordinance, a personnel matter involving a contract county employee, and bargaining strategy preliminary to collective bargaining negotiations; pursuant to the Open Meeting Act, NMSA 1978, §§10-15-1(H)(2), (5) and (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 Meek requested a moment of silence in honor of the death of Rio Rancho Firefighter Lt. Colin James Rice. Vice Chairman Block recognized Corrales Mayor Jo Anne Roake and her spouse Retired Lt. Colonel USMC Steve Roake also recognized State Champions Rio Rancho Lady Rams Softball Team, Retired Capitan Ron Vigil of the Rio Rancho Police Department, and emotionally spoke of the 75<sup>th</sup> anniversary of D-Day and spoke of his grandfather who served in the US Navy and displayed his grandfather's hat and offered statistics of the invasion of Normandy. Commissioner Bruch also recognized all military service men and women and thanked them for their dedication to our county in addition reminded everyone that this month is dedicated to the LGBTQ recognition and pride month.

5. APPROVAL OF AGENDA

Commissioner Meek motioned to postpone Agenda Item #9, seconded by Vice Chairman Block. Discussion to postpone ensued. Commissioner Eichwald questioned why the motion to postpone once again, and costing the county money. Chairman Heil read an opinion according to state law. Clerk Garbagni called for vote on the postponement of Agenda Item #9. Commissioner Meek voted yes. Motion to postpone failed. Vote was 1-4.

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

6. PRESENTATIONS & PROCLAMATIONS

Village of Corrales Police Chief Recognition

(Jay C. Block, Vice Chairman)

Vice Chairman Block presented and stated for the record that Corrales was recognized for the 2<sup>nd</sup> straight year as the safest community to live in the State of New Mexico and recognized Corrales Police Chief Victor Magiacapra.

7. COMMENTS FROM THE PUBLIC

A couple of constituents spoke of their concern in reference to Proposed Sandoval County Fire and Rescue Ordinance to be heard later Agenda Item #11A

8. CONSENT AGENDA

A. Approval of Minutes from the Board of Finance Meeting of May 23, 2019

Approval of Minutes from the Regular Board of County Commission Meeting of May, 23, 2019

B. Approval of MOU with 13<sup>th</sup> Judicial for FY20 Pre Trail Services to County-Involved Sandoval Residents / \$100,000 with Authorization for County Manager to Approve Any Subsequent Amendments

C. Approval of Resolution No. 6-6-19.8C Authorizing and Adopting Amendments to the Sandoval County Health Care Assistance Program (HCAP) Policy for the Management of the indigent Hospital and County Health Care Act and Repealing Resolution No. 6-15-17.10A.

D. Approval of the following Budget Resolutions:

(1) No. 6-6-19.8D(1)/Community Services Budget / Increase Budget to Reflect New Grant Funding Received from the New Mexico Health Council Awarded through Presbyterian Healthcare Services for Consultant Fee Needs Assessment / \$20,000

(2) No. 6-6-19.8D(2) / Various Budgets / Adjustments Reflect Actual Amounts Received and Expensed to Close Out Fiscal Year 2019

(3) No. 6-6-19.8D(3) / Senior Program Budget / Decrease Budget to Reflect a Reduction in State Funding for Home Delivered Services and Increase Budget to Reflect Additional Federal Funding Received from the State of New Mexico Non-Metro Area Agency on Aging for Senior Services / \$131,191

E. Approval of HCAP Payment Plan for FY20.

F. Approval of the FY20 NM ALTSD Volunteer Service Contract / \$159,541.00 and Authorization for the County Manager to Approve any Subsequent Amendments.

G. Approval of FY20 Memorandum of Agreement with New Mexico State University Cooperative Extension Service for the operation of the Jemez Valley Canning Center / \$40,846.00 and Authorization for the County Manager to approve any subsequent amendments.

H. Approval of FY20 Memorandum of Agreement with New Mexico State University Cooperative Extension Services / \$87,113.00 and Authorization for the County Manager to approve any subsequent amendments.

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

#### 9. OFFICE OF THE COUNTY TREASURER

(Laura M. Montoya, Treasurer)

Request for a Motion to Approve Professional Services Agreement between Sandoval County on behalf of the County Treasurer and Government Portfolio Advisors (GPA), \$92,000 for a four-year contract and authorize the County Treasurer approval of any subsequent amendments.

Madam Treasurer Laura M. Montoya presented. Commissioner Meek spoke of his concern that the county manager has all contracts come through her office and required signatory acknowledgement from her office and should be included in the contract as a matter of protocol. Vice Chairman Block questioned County Manager Dianne Maes and spoke of the duration of all contracts that have gone through her office. County Manager Dianne Maes could only speak of her time in the office and assured the commission that everything goes through her office at this time. County Attorney Robin Hammer gave her opinion, and stated that Chairman Heil read the opinion, the state law is clear, the county commission has the authority to bind the county that supersedes the county commission at its own direction or decision could delegate their authority to anyone. Vice Chairman Block further questioned the County Treasurers authority as far as amendments to the contract are concerned. Madam Treasurer Laura M. Montoya explained in great detail of the contract and further stated that delaying the installation of this contract that was previously approved by the commission is troubling, in addition Madam Treasurer Laura A. Montoya agreed to include the County Managers Signature to be added to last page as a signatory gesture only. Commissioner Eichwald questioned why we keep going round and round with this and it would seem like we are implying that Madam Treasurer is trying to hide something, which is not the case, in addition Commissioner Eichwald stated that if it were a matter of transparency, this contract would be recorded in the County Clerk's Office and should be legal. Madam Treasurer Laura A. Montoya advised of several discs that will be given to several entities as soon as the contract is signed. Commissioner Bruch called the question. Chairman Heil advised to include the County Manager on the signature line at the end of the contract.

Commissioner Meek motioned to include the County Managers name to the first page of the contract, seconded by Vice Chairman Block. Madam Treasurer Laura A. Montoya clarified that this agreement provides for the trading authorization that is on page one and you would be doing something that is illegal. Clerk Garbagni called for vote. Commissioner Bruch, Commissioner Eichwald, Vice Chairman Block and Chairman Heil voted no. Motion to include County Manager Name to page one failed. Vote was 1-4.

Commissioner Eichwald motioned to include County Manager signature on the end of the contract, seconded by Commissioner Bruch. Clerk Garbagni called for vote. Commissioner Meek and Vice Chairman Block voted no. Motion to include County Manager Signature to the last page passed. Vote was 3-2

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

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

#### 10. DETENTION CENTER

(Gilbert Armendariz, Director)

A. Request for a Motion to Award Bid to CML Security contingent upon County Manager negotiation, signatory approval and authorize the County Manager approval of all subsequent amendments.

Gilbert Armendariz, Director presented. Commissioner Bruch motioned, seconded by Vice Chairman Block. Clerk Garbagni called for vote. Motion passed. Vote was unanimous.

B. Request for a Motion to Award Contract to B & D Industries Inc. contingent upon County Manager negotiations, signatory approval and authorize the Count Manager approval of all Subsequent amendments.

Gilbert Armendariz, Director presented. Commissioner Eichwald motioned, seconded by Commissioner Bruch. Clerk Garbagni called for vote. Motion passed. Vote was unanimous.

#### 11. FIRE DEPARTMENT

(Eric Masterson, Interim Fire Chief)

A. Request for a Motion to Approve the Proposed Sandoval County Fire and Rescue Ordinance as discussed on May 9, 2019 Eric Masterson, Interim Fire Chief presented. (See Attached).

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

B. Request for a Motion to Discuss, and Provide Direction on the contracts in the County that deal with Fire, EMS, and Dispatch services.

Eric Masterson, Interim Fire Chief presented. (See Attached) County Manager Dianne Maes gave her opinion. The matter was discussed by the commission and it was decided that there should be a working session concerning contracts in the county that deal with Fire, EMS, and Dispatch Services.

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

12. DIVISION OF COMMUNITY SERVICES

(Anne S. Ryan, Director)

Request for a Motion to Appoint Proposed nominees to the Sandoval County Health Council (please see attached) and Activities Update from Current Council Chair, Rick Adesso.

Anne S. Ryan, Director, Rick Adesso, Chair of the Sandoval County Health Council, and Richard Draper, Council Member presented.

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

13. DIVISION OF PUBLIC WORKS

(Mark Hatzenbuhler, Director)

A. Request for Motion to Approve Agreement between Sandoval County and the State of New Mexico Department of Finance & Administration in the amount of \$350,000 to plan, design, construct and expand the Placitas Community Library in Placitas and Authorize the County Manager to negotiate and sign contract and also approval of all Subsequent Amendments.

Mark Hatzenbuhler, Director, presented.

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

B. Request for a motion to approve the Agreement between Sandoval County and the State of New Mexico Department of Finance and Administration. The contract amount is \$320,000 to plan, design, repair roof, stucco, mold and water damage at Haven House. Authorize the County Manager to negotiate and sign contract and also approval of all Subsequent Amendments.

Mark Hatzenbuhler, Director, presented.

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

14. OFFICE OF THE COUNTY CLERK

(Bernice Chavez, Manager)

Request for a Motion to Appoint Five (5) Members to the Board of Registration.

Madam Clerk Garbagni presented. (See Attached)

Vice Chairman Block motioned to adopt list as presented, seconded by Commissioner Meek. Clerk Garbagni called for vote. Vote was unanimous.

15. COMMENTS FROM THE COMMISSIONERS

Commissioner Meek spoke of his concern and did not want to appear to be negative with Madam Treasurer Laura A. Montoya and felt that there is some dysfunction within our organization, County Manager should be in the loop with all and weather you are an elected official or a director, communication is key and would like to see that cleaned up. Commissioner Bruch recognized two individuals from the Fire Department and reminded us that this week was CPR and Ad awareness week. Vice Chairman Block echoed Commissioner Meek's sentiment and said that we need to stay consistent on how we're doing business at the county when it comes to contracts or whatever it is. Commissioner Bruch also commented on this subject, and said that she agreed that we need to be consistent, clear and understand what the rules are and be mindful of elected officials and to understand what everyone's job entails. Chairman Heil also advised that we do need consistency and also need to consider differences, recognize there are functions in this county that are different than others, whether it be the Assessors, or the Treasurers or the Clerk.

16. ADJOURN

Vice Chairman Block motioned, seconded by Commissioner Eichwald. Chairman Heil adjourned at 8:11 p.m.

DONE IN BERNALILLO, NEW MEXICO, COUNTY OF SANDOVAL, THIS 27 DAY OF June, 2019

*Eileen Garbagni*  
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COUNTY CLERK

*David Heil*  
\_\_\_\_\_  
CHAIRMAN

*[Signature]*  
\_\_\_\_\_  
VICE CHAIR

APPROVED AS TO FORM:

*[Signature]*  
\_\_\_\_\_  
COUNTY ATTORNEY

*[Signature]*  
\_\_\_\_\_  
MEMBER

*[Signature]*  
\_\_\_\_\_  
MEMBER

*[Signature]*  
\_\_\_\_\_  
MEMBER