

SANDOVAL COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
LOCATION: ADMINISTRATIVE BUILDING COMMISSION CHAMBERS
1500 IDALIA ROAD, BUILDING D.
BERNALILLO, NM 87004
JUNE 3, 2021 – 6 P.M.

Under the provisions of Governor Lujan Grisham's Emergency Declaration and the operative Public Health Order, this meeting of the Sandoval County Commission will be open to the public at 75% of room capacity. Individuals who are not fully vaccinated at the time of the meeting are required to wear masks and social distance while in attendance. The meeting may be viewed online at www.sandovalcountynm.gov.

**Public Comment will be taken in person and online at
<http://sandovalcountynm.gov/commission/public-comment/>**

1. CALL TO ORDER

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

2. PLEDGE OF ALLEGIANCE AND NEW MEXICO PLEDGE

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 pursuant to the Open Meetings Act, NMSA 1978, Section 10-15-1(H)(2), "Limited Personnel Matters," the Sandoval County Board of Commissioner convened as a Committee of the Whole in Closed Session for the purpose of interviewing and selecting candidates for the position of Sandoval County Attorney on Tuesday, May 25, 2021. The Closed Session was conducted in the 3rd Floor County Commission Chambers or Conference Room, County Administration Building, 1500 Idalia Road, Bernalillo, NM, with some or all of the participants appearing through electronic means. No final action was taken.

4. INTRODUCTIONS & ANNOUNCEMENTS

Commissioner Block recognized the County Clerk the Deputy County Clerk and the Bureau of Elections staff. He mentioned he was there on election night and was able to see that process. He thanked Bernice and Nichole and the professionalism of the staff.

Commissioner Block talked about June being PTSD awareness month. He asked for people to reach out for services if folks need help.

Commissioner Block talked about Memorial Day Observances around the state and his day at the National Cemetery. He good humoredly mentioned to the County Manager to get going on the National Cemetery in Sandoval County.

Commissioner Bruch recognized the County Clerk and the Bureau of Elections team for posting election results quickly and said she stated she would like to see the same occur in the general election.

Commissioner Bruch talked about her newly adopted German Shephard puppy and brining him to the County.

Commissioner Bruch recognized June as Pride Month as it commemorates the Stone Wall Inn raid that occurred in June 28, 1969.

Commissioner Bruch mentioned Gun Violence Awareness and talked about the statistics.

Commissioner Eichwald mentioned the sad news about the passing of former County Commissioner RW Johnson and talked about his memorial service on July 3rd at the Fairgrounds in Cuba at 11am.

Commissioner Eichwald talked about the fire danger and a fire in the Cuba district the past weekend. He asked people to be careful in the forest.

Commissioner Eichwald asked people to be safe on ATV's because there was a serious ATV accident.

Commissioner Meek welcomed Rio Rancho City Councilor Jeremy Lenentine and his family.

5. APPROVAL OF AGENDA

Vice Chairman Meek, made a motion approve the agenda with the corrective language in item 8A on the first line the numbers immediately following adopt ordinance 6-3- and it should be 21 not 31, seconded by Commissioner Bruch. Commissioner Bruch, Commissioner Block, Commissioner Eichwald, Vice Chair Meek and Chair Heil voted yes. Motion passed unanimously.

6. PRESENTATIONS & PROCLAMATIONS

CarePortal NM Presentation

(Pastor Dan Burge, Rio Rancho Life Church)

Pastor Dan Burge presented CarePortal and how the program works.

Commissioners asked questions about the program and Pastor Burge answered the questions.

7. COMMENTS FROM THE PUBLIC

Due to the COVID-19 Emergency, Sandoval County Commissioners shall receive public comment regarding Agenda items in person or by email at [HTTP://WWW.SANDOVALCOUNTYNM.GOV/COMMISSION/PUBLIC-COMMENT/](http://WWW.SANDOVALCOUNTYNM.GOV/COMMISSION/PUBLIC-COMMENT/).

No Comments from the public.

8. OFFICE OF THE COUNTY MANAGER

(Wayne Johnson, County Manager)

- A. Request for a Motion to Adopt Ordinance 6-3-31.8A authorizing the use of County Local Economic Development Act funds between the County and Intel Corporation and sharing certain limited Gross Receipts Taxes.

(Rob Burpo, County Financial Advisor, Daniel Alsup, County Bond Counsel and Dora Dominguez, County Economic Development Director)

Commissioner Block asked several questions of Mr. Burpo and he answered the questions accordingly. He thanked the team for working on this project with Intel.

Commissioner Block, made a motion to approve Ordinance 6-3-21.8A authorizing the use of County Local Economic Development Act funds between the County and Intel Corporation and sharing certain limited Gross Receipts Taxes, seconded by Commissioner Eichwald. Commissioner Bruch, Commissioner Block, Commissioner Eichwald, Vice Chair Meek and Chair Heil voted yes. Motion passed unanimously.

- B. Request for a Motion to Adopt Resolution No.6-3-21.8B Declaring the Intent to Issue Multifamily Housing Complex for Seniors 55 and older Revenue Bonds for a 152-Unit Multifamily Housing Complex to be Known as the Casa De Encantada Apartments.

(Rob Burpo, County Financial Advisor)

Commissioners asked questions and Mr. Burpo answered accordingly.

Commissioner Eichwald, made a motion to approve Resolution No.6-3-21.8B Declaring the Intent to Issue Multifamily Housing Complex for Seniors 55 and older Revenue Bonds for a 152-Unit Multifamily Housing Complex to be Known as the Casa De Encantada Apartments, seconded by Commissioner Bruch, Commissioner Block, Commissioner Eichwald, Vice Chair Meek and Chair Heil voted yes. Motion passed unanimously.

- C. Request a Motion to Adopt Resolution No. 6-3-21.8C Approving a Lease between the County and the Administrative Office of the Courts for the County Magistrate Court building located in Bernalillo, New Mexico.

(Rob Burpo, County Financial Advisor)

Vice Chairman Meek, made a motion to approve Resolution No. 6-3-21.8C Approving a Lease between the County and the Administrative Office of the Courts for the County Magistrate Court building located in Bernalillo, New Mexico, seconded by Commissioner Bruch, Commissioner Block, Commissioner Eichwald, Vice Chair Meek and Chair Heil voted yes. Motion passed unanimously.

- D. Request for a Motion to Adopt Resolution No. 6-3-21.8D Authorizing and Approving the submission of a completed application for a loan from the New Mexico Finance Authority declaring an intent to consider adoption of an ordinance approving a loan using federal payment in lieu of taxes and directing the County Clerk to publish a notice of intent to consider such ordinance.

(Rob Burpo, County Financial Advisor and Daniel Alsup, County Bond Counsel)

Commissioners asked questions of Mr. Burpo and he answered accordingly.

Vice Chairman Meek, made a motion to approve Resolution No. 6-3-21.8D Authorizing and Approving the submission of a completed application for a loan from the New Mexico Finance Authority declaring an intent to consider adoption of an ordinance approving a loan using federal payment in lieu of taxes and directing the County Clerk to publish a notice of intent to consider such ordinance, seconded by Commissioner Block. Commissioner Bruch, Commissioner Block, Commissioner Eichwald, Vice Chair Meek and Chair Heil voted yes. Motion passed unanimously.

9. CONSENT AGENDA

- A. Approval of the Board of Finance and Regular County Commission Meeting Minutes of May 20, 2021.
- B. Approval of DWI Funding Grant Agreement (Program No. 22-D-G-26) between Sandoval County and the State of New Mexico Department of Finance and Administration for FY 2022 / \$285,00.00 and Authorization for the County manager to approve all subsequent Amendments.
- C. Need renewal of Master Service Agreement with WEBQA, Inc, which provides the GovQA software, which Sandoval County utilizes to receive and process citizen's requests for records under the New Mexico Inspection for Public Records Act (IPRA).

Vice Chairman Meek, made a motion to approve the consent agenda, seconded by Commissioner Bruch. Commissioner Bruch, Commissioner Block, Commissioner Eichwald, Vice Chair Meek and Chair Heil voted yes. Motion passed unanimously.

10. OFFICE OF THE COUNTY CLERK

(Anne Brady-Romero, County Clerk)

Request for a Motion to Appoint five Citizens Board of Registration Members, and a request for a Motion to determine the role of the five Board Registration: Should the Board of Registration also Act as the Canvassing Board or shall the Board of County Commissioners remain as the Canvassing Board?

Bureau of Elections Manager Bernice Chavez and Nichole Lehmeier presented both resolutions.

Commissioner Block made a motion to adopt the resolution appointing Citizens as Sandoval County Board of Registration and Canvassing Board, seconded by Commissioner Eichwald.

**SANDOVAL COUNTY RESOLUTION
APPOINTING CITIZENS AS**

SANDOVAL COUNTY BOARD OF REGISTRATION AND CANVASSING BOARD

WHEREAS, the New Mexico Statutes Annotated 1978, 1-4-34 *et seq*, New Mexico Election Code, requires that the Board of County Commissioners to designate members to the Board of Registration;

WHEREAS, that the Board of County Commissioners at its first regular scheduled meeting in June of each odd-numbered year, appoint five voters who shall constitute for the County. Not more than two members of the Board of Registration shall be members of the same political party at the time of their appointment.

WHEREAS, the Board of County Commissioners decided that the Board of Registration shall act as the County Canvassing Board;

NOW THEREFORE BE IT RESOLVED, The Sandoval County Board of Commissioners appoint the following members to the Sandoval County Board of Registration to act in such capacity as outline by law and also to act as the County Canvassing Board:

Democrats:

1. Rick Chavez
2. Jan Marfyak

Republicans

1. Thomas H. Plate
2. Charles Christmann

Libertarian

1. Rodney Reinhardt

Commissioner Bruch voted no, Commissioner Block voted yes, Commissioner Eichwald voted yes, Vice Chair Meek voted no, and Chair Heil voted no. The vote was 3-2 and the motion to adopt the resolution appointing citizens Sandoval County Board of Registration and Canvassing Board failed.

Commissioner Bruch made a motion to adopt the resolution designating the County Board of Commissioners as Canvassing Board and Citizens as Board of Registration, seconded by Vice Chair Meek.

**SANDOVAL COUNTY RESOLUTION DESIGNATING COUNTY BOARD OF COMMISSIONERS
AS CANVASSING BOARD and
CITIZENS AS BOARD OF REGISTRATION**

WHEREAS, the New Mexico Statutes Annotated 1978, 1-4-34 *et seq*, New Mexico Election Code, requires that the Board of County Commissioners to designate members to the Board of Registration;

WHEREAS, that the Board of County Commissioners at its first regular scheduled meeting in June of each odd-numbered year, appoint five voters who shall constitute for the County. Not more than two members of the Board of Registration shall be members of the same political party at the time of their appointment.

WHEREAS, the Board of County Commissioners decided that the Board of Registration shall not act as the County Canvassing Board;

NOW THEREFORE BE IT RESOLVED, The Sandoval County Board of Commissioners appoint the following members to the Sandoval County Board of Registration to act in such capacity as outline by law, but shall not act as the County Canvassing Board:

Democrats:

3. Rick Chavez
4. Jan Marfyak

Republicans

3. Thomas H. Plate
4. Charles Christmann

Libertarian

1. Rodney Reinhardt

Commissioner Bruch, Commissioner Block, Commissioner Eichwald, Vice Chair Meek, and Chair Heil voted yes.

11. FIRE DEPARTMENT

(Eric Masterson, Fire Chief)

- A. Request for a Motion to Approve Resolution No. 6-3-21.11A Banning the sale and use of Fireworks in unincorporated Sandoval County.

Commissioner Eichwald made a motion to approve Resolution No. 6-3-21.11A Banning the sale and use of Fireworks in unincorporated Sandoval County, seconded by Commissioner Bruch. Commissioner Bruch, Commissioner Block, Commissioner Eichwald, Vice Chair Meek and Chair Heil voted yes. Motion passed unanimously.

- B. Request for a Motion to Approve Resolution No. 6-3-21.11B between Fire/Rescue and Vehicle Maintenance that defines the maintenance services provided, including the services of an EVT, and the payment structure for services rendered.

Commissioner Block, made a motion to approve Resolution No. 6-3-21.11B between Fire/Rescue and Vehicle Maintenance that defines the maintenance services provided, including the services of an EVT, and the payment structure for services rendered, seconded by Commissioner Eichwald.

Commissioner Block asked what the annual cost of calendar year 2019. Chief Masterson said the cost for labor alone is \$130 - \$150 an hour. Commissioner Block asked for a county cost analysis of what having a hired employee perform this maintenance versus paying vendors to perform the services. Commissioner Block requested in the future for cost analysis before items are presented to the Commission and public.

Commissioner Bruch agreed and asked for a cost analysis and asked that tax dollars be spent in the County.

Vice Chair Meek agreed with Commissioner Block and Commissioner Bruch and asked for a cost analysis and asked a couple questions. Chief Masterson and Director Hatzenbuhler answered accordingly.

Commissioner Block stated he was under the assumption that local vendors receive preference in the procurement process.

Commissioner Eichwald said the Commission was getting off the agenda item.

Vice Chairman made a motion to table the item until mid-year. The motion to table failed due to a lack of a second to the motion.

Commissioner Bruch no, Commissioner Block, and Commissioner Eichwald voted yes, Vice Chair Meek voted no, Chair Heil voted yes. Motion passed on a 3-2 vote.

12. DIVISION OF PLANNING & ZONING

(Kym Dicome, Director)

- A. Request for a Motion to Adopt Resolution No. 6-3-21.12A Approving the Amendments to the Disclosure Statement for Vistas Sandias Subdivision.

Commissioner Bruch made a motion to Adopt Resolution No. 6-3-21.12A Approving the Amendments to the Disclosure Statement for Vistas Sandias Subdivision, seconded by Vice Chair Meek. Commissioner Bruch, Commissioner Block, Commissioner Eichwald, Vice Chair Meek and Chair Heil voted yes. Motion passed unanimously.

- B. Request for a Motion to Approve Vacation of a Well Easement and Waterline Easement by Alpha Professional Surveying LLC, Agent for Brenner Development (VAC-21-006) on Lots 1 & 8 Vistas Sandias, located in the northern portion of Placitas.

Commissioner Bruch made a motion to approve Vacation of a Well Easement and Waterline Easement by Alpha Professional Surveying LLC, Agent for Brenner Development (VAC-21-006) on Lots 1 & 8 Vistas Sandias, located in the northern portion of Placitas, seconded by Commissioner Block. Commissioner Bruch, Commissioner Block, Commissioner Eichwald, Vice Chair Meek and Chair Heil voted yes. Motion passed unanimously.

- C. Request for a Motion to Approve Publication of the Revised Sandoval County Subdivision Regulations. Commissioner Eichwald made a motion to approve Publication of the Revised Sandoval County Subdivision Regulations, seconded by Commissioner Bruch. Commissioner Bruch, Commissioner Block, Commissioner Eichwald, Vice Chair Meek and Chair Heil voted yes. Motion passed unanimously.

D. Request for a Motion to Adopt a Resolution to Appoint Ms. Kate Bagby to the Planning and Zoning Commission (District 5) to complete the current term ending January 31, 2022
Commissioner Eichwald made a motion to approve the adoption of Resolution to Appoint Ms. Kate Bagby to the Planning and Zoning Commission (District 5) to complete the current term ending January 31, 2022, seconded by Commissioner Block. Commissioner Bruch, Commissioner Block, Commissioner Eichwald, Vice Chair Meek and Chair Heil voted yes. Motion passed unanimously.

13. SIGNING OF DOCUMENTS BY COUNTY COMMISSION MEMBERS

None required.

14. COMMENTS FROM THE COMMISSIONERS

Commissioner Meek conveyed the importance of the Firework ban.

Commissioner Block stated that there are 3 Republicans and 2 Dems and addressed the disagreements on the votes and said they were non-partisan. He stated there are lots of non-partisan issues in County Government.

Commissioner Block gave kudos to County Treasurer Taylor for assisting in helping a lady in the community a wheel chair accessible ramp to get in her home.

15. ADJOURN

Commissioner Block, moved to adjourn seconded by Commissioner Bruch. Meeting adjourned at 8:02pm.

DONE IN BERNALILLO, NEW MEXICO, COUNTY OF SANDOVAL, THIS 17th DAY OF June, 2021


COUNTY CLERK


CHAIRMAN

APPROVED AS TO FORM:


COUNTY ATTORNEY

VICE CHAIR

MEMBER


MEMBER


MEMBER