

**SANDOVAL COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
COMMISSION CHAMBERS
NOVEMBER 16 – 6 P.M.**

1. CALL TO ORDER

Chairman Chapman called meeting to order at 6:10 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

Commissioner Block introduced two gentlemen, Retired Master Sergeant Paul Zkiab, Captain Trey Moore and introduced Senator Candace Gould. Commissioner Eichwald introduced Senator Shendo and Representative Derrick Lente and recognized several governors of the All Pueblo Council. Lastly, introduced Navajo Nation Mr. Freeland. Commissioner Heil has no announcements. Chairman Chapman introduced the President and CEO of Sandoval County Economic Alliance Steve Jenkins and Salesman Bob Preble, and Former County Commissioner Orlando Lucero. Chairman Chapman stated that a bit of business that hadn't been taken care of, and needed to be voted on, is the fact that the commission was involved in some closed door meetings prior to the board of finance meeting and further stated that read into the record is the fact the matters discussed in the closed meetings were limited to those specified in the notice of a separate closed meeting. Commissioner Block motioned to approve, seconded by Vice Chairman Heil, Clerk Garbagni called for vote. Motion passed. Vote was unanimous.

4. COMMENTS FROM THE PUBLIC

Several constituents spoke about the oil and gas ordinance.

5. PRESENTATIONS & PROCLAMATIONS

A. Higher Education Service Opportunities

(Dr. J.F. Holden-Rhodes, Commissioner)

Commissioner Holden-Rhodes presented higher education opportunities through the United State Service Academies, and also showed a video.

B. History and Overview of the NM EDGE Program

(Mary DeLorenzo, Program Director)

Mary DeLorenzo gave presentation.

6. APPROVAL OF AGENDA

Chairman Chapman stated that he would like to move agenda item 11 above agenda item 9 to accommodate Sister Mary Angela Parkins and Director Anne Ryan. Commissioner Block motioned to approve as amended, seconded by Vice Chairman Heil. Clerk Garbagni called for vote. Motion passed as amended. Vote was unanimous.

7. CONSENT AGENDA

(Dianne Maes, County Manager)

A. Approval of Minutes from the Regular Meeting of November 2, 2017

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

B. Approval of the following Budget Resolutions:

(1) No. 11-16-17.7B(1) / Incentive Revenue Fund Account to Economic Development Incentive Account / Cash Transfer to Close Out the Intel Incentive Bond Revenue Account / \$1,905,070.72

County Manager Diane Maes requested that Madam Treasurer Laura Montoya go back and reverse the entry made in July so that we could follow the resolutions passed and adopted by the commission that would allow for a cleaner change in adherence to the actual budge submitted in July. Commissioner Block motioned to approve, seconded by Vice Chairman Heil. Clerk Garbagni called for vote. Motion passed. Vote was unanimous. County Manager Diane Maes further clarifies the motion and specifically indicated that Treasurer Laura Montoya to move the funds back. Chairman Chapman confirmed and stated "it's a direction to make a change".

(2) No. 11-16-17.7B(2) / Sandoval County Health Council Budget / Increase Budget to Reflect Funding Received from the State of New Mexico Department of Health / \$4,855

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

(3) No. 11-16-17.7B(3) / El Zocalo & Tourism Budget / Increase Budget to Reflect Deposit Collected for Damages for Special Events / \$16,000

C. Approval to Appoint New Members to the Sandoval County Health Council for the CY18-19 Term
Vice Chairman Heil stated that it would be nice to know who these people are. Chairman Chapman echoed Vice Chairman Heil. Director Anne Ryan advised that the names were downloaded and in the packet. Director Anne Ryan read the names of the new members. Vice Chairman Heil motioned to approve, seconded by Commissioner Eichwald. Clerk Garbagni called for vote. Motion passed. Vote was unanimous.

D. Approval to Accept Land Donations for Properties Identified as: UPC 1-005-072-120-448, 1-014-075-182-484, 1-002-075-480-317, 1-002-075-424-224, & 1-004-074-371-319 located in Rio Rancho Estates

E. Commissioner Block motioned to approve, seconded by Commissioner Eichwald. Clerk Garbagni called for vote. Motion passed. Vote was unanimous.

8. OFFICE OF THE COUNTY MANAGER

(Dianne Maes, County Manager)

Request for a Motion to Adopt Resolution No. 11-16-17.8 Declaring the Intent of the Board of County Commissioners Authorize the Issuance of the Sandoval County, New Mexico Energy Efficiency Lease-Purchase Agreement, with the Intent to Guarantee Utility Savings Contract and Escrow Agreement.
County Manager Diane Maes and Daniel Alsop with Modrall Sperling Law Firm who is our bond council, presented. Vice Chairman Heil motioned to approve, seconded by Commissioner Block. Clerk Garbagni called for vote. Motion passed. Vote was unanimous.

11. DIVISION OF COMMUNITY SERVICES

(Anne Ryan, Director)

Request for a Motion to Approve the Professional Service Agreement Between Sandoval County and St. Felix Pantry and Authorize the County Manager Approval of All Subsequent Amendments/\$160,000.00
Director Anne Ryan introduced Sister Mary Angela Parkins and Mr. John Schuman a board member. Commissioner Block commented and Thanked Sister Mary Angela for her leadership.. Chairman Chapman thanked Director Ryan as well. Vice Chairman Heil motioned to approve, seconded by Commissioner Block. Clerk Garbagni called for vote. Motion passed. Vote was unanimous.

9. DIVISION OF PLANNING & ZONING

(Michael Springfield, Director)

Request for a Motion to Adopt Ordinance No. 11-16-17.9 Amending Ordinance 10-11-18.7A Comprehensive Zoning Ordinance of Sandoval County, for the Surface Land Regulation of Oil and Gas Activities; Establishing Design and Operational Standards for Oil and Gas Facilities; and Further Providing for Variances, Relief, Appeals, The Enforcement of this Ordinance and Other Related Matters.
Commissioner Holden-Rhodes motioned to approve, seconded by Vice Chairman Heil. Chairman Chapman allowed for public comment and several constituents spoke concerning the ordinance. Commissioner Heil passed out amendments to the ordinance (see attached). Commissioner Heil also asked for the commission to consider some amendments and proposed two amendments to the ordinance. Article 3.1, Article 9.1, Article 9.3 (see attached), Commissioner Eichwald read a Resolution issued by All Pueblo Council of Governors Resolution No. APCF 2017-16 into record and submitted into record a letter from Coalition of Six Middle Rio Grande Basin Pueblos (see attached). Commissioner Block spoke in regards to the proposed amendment 9.1, and questioned if it is possible to have this as an S.O.P. rather than an amendment as it is easier to change an S.O.P. Commissioner Holden-Rhodes motioned to table the ordinance. Chairman Chapman commented on what the County Commission is trying to do. Commissioner Block voiced his concerns about the proposed amendments. Vice Chairman Heil motioned to approve the amendment to Article 3.1, seconded by Commissioner Eichwald. Clerk Garbagni called for vote. Chairman Chapman, Vice Chairman Heil, Commissioner Eichwald, Commissioner Holden-Rhodes voted yes, Commissioner Block voted no, Vote was 4 to 1, Motion as amended passed. Vice Chairman Heil motioned to amend 9.1 and 9.3 to include the certification by the county attorney, seconded by Commissioner Eichwald. Clerk Garbagni called for vote. Chairman Chapman, Vice Chairman Heil, Commissioner Eichwald, and Commissioner Holden-Rhodes voted yes, Commissioner Block voted no. Vote was 4 to 1. Motion as amended passed. Commissioner Holden-Rhodes motioned to table the ordinance to hold it in abeyance until such time as we receive the report or review from the New Mexico Tech. Commissioner Eichwald seconded motion. Clerk Garbagni called for vote. Chairman Chapman, Vice Chairman Heil, Commissioner Block voted no. Commissioner Eichwald, Commissioner Holden-Rhodes voted yes. Vote was 2 to 3. Motion failed. Vice Chairman Heil motioned to amend the Stoddard Ordinance with the two amendments put forth. Seconded by Commissioner Eichwald. Clerk Garbagni called for vote. Chairman Chapman, Vice Chairman Heil, Commissioner Block, and Commissioner Eichwald voted yes. Commissioner Holden-Rhodes voted no. Vote was 4 to 1. Motion passed.

10. COUNTY BUSINESS DEVELOPMENT

(Antoinette Vigil, Director)

A. Request for a Motion to Adopt and Approve the LEDA ED Fund Process, Policy Document and the ED Fund Application Document.

Director Vigil advised for the record "there were a few minor changes in the formatting" and advised the commission of changes made. (See Attached).

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

B. Request for Motion to Publish and Post an Ordinance Approving Geobrug, North America, LLC. Application for an Economic Development Project and Project Participation Agreement

Director Vigil and Pierce Runnels presented. Commissioner Block motioned to approve, seconded by Commissioner Holden-Rhodes. Clerk Garbagni called for vote. Motion passed. Vote was unanimous.

12. CLOSED SESSION

Discuss Pending Litigation (Casaus v. Sandoval County, et al., 17-CV-00358) in Accordance with Open Meetings Act, NMSA 1978, Section 10-15-1(H)(7), which provides an exception to the requirements of the Open Meetings Act for attorney-client privileged communication pertaining to threatened or pending litigation. Commissioner Block motioned to go into closed session at 12:44 a.m. seconded by Commissioner Holden-Rhodes. Clerk Garbagni called for vote. Motion passed. Vote was unanimous. Commissioner Block motioned to come back from closed session at 12:56 a.m. Seconded by Commissioner Holden-Rhodes. 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.

13. COMMENTS FROM THE COMMISSIONERS


Commissioner Heil submitted a paper for the commission to read (See Attached) that should be on the next agenda. Chairman Chapman advised that a consensus of the commission concerning including the amended Stoddard Ordinance be put on the next county commission meeting of December 14, 2017 to publish and post and requires a motion. Commissioner Block motioned seconded by Commissioner Eichwald. Clerk Garbagni called for a vote. Motion passed. Vote was unanimous.

14. ADJOURN

Chairman Chapman adjourned the meeting at 1:01 a.m.

DONE IN BERNALILLO, NEW MEXICO, COUNTY OF SANDOVAL, THIS 14 DAY OF Dec, 2017

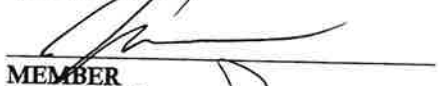

COUNTY CLERK

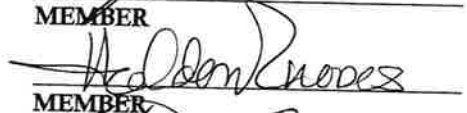

CHAIRMAN


VICE CHAIR

APPROVED AS TO FORM:


COUNTY ATTORNEY


MEMBER


MEMBER


MEMBER