

MINUTES

VILLAGE OF LOS RANCHOS de ALBUQUERQUE
6718 RIO GRANDE BOULEVARD N.W.
BOARD OF TRUSTEES REGULAR MEETING
FEBRUARY 9, 2011 - 7:00 p.m.

Present:

Larry P. Abraham, Mayor
Don Lopez, Trustee / Mayor Pro Tem
Mary Homan, Trustee
Pablo R. Rael, Trustee

Kelly S. Ward, Administrator
Annabelle Silvas, Clerk
Bill Chappell, Attorney
Nancy Haines, Treasurer
Fred Radosevich, Public Safety
Linda Seebach, P & Z Director

Absent: Trustee McDonough, Excused

1. **CALL TO ORDER**

A. **APPROVAL OF AGENDA**

MOTION: Trustee Lopez moved approval of the Agenda. **Trustee Rael** seconded the motion.

VOTE: The motion carried unanimously 3-0.

2. **PUBLIC COMMENT PERIOD**

There were no public comments.

3. **CONSENT AGENDA**

There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

A. **MINUTES – JANUARY 12, 2011–REGULAR MEETING**

B. **DEPARTMENT AND COMMITTEE REPORTS**

1. **ANIMAL CONTROL**

MOTION: Trustee Homan moved approval of the Consent Agenda. **Trustee Lopez** seconded the motion.

VOTE: The motion carried unanimously 3-0.

4. REPORTS

A. MAYOR'S REPORT

Mayor Abraham reported on the following:

- The mayors' caucus will be held tomorrow with all the mayors, pueblos and the Kirtland Air Force Base Commander at the Route 66 Diner on Central Avenue NW
- The Base Commander was at the Challenger Learning Center and gave a nice tribute to the Challenger about two Saturdays ago
- Los Ranchos had our own flyover of the Village and a nice tribute with Mike Mullane who knew four of the astronauts that died in the Challenger accident
- The Growers' Market will be held this weekend. We will have a mascot and will ask everyone to name it and there will be a prize
- The Chamber of Commerce will hold a meeting at 11:30am on February 25 at the Agri-Nature Center

B. ADMINISTRATOR'S REPORT

Administrator Ward reported on the following:

- The weather last week slowed down the fire station construction
- The Village was impacted on Tuesday due to the snow, and shut down the Village about 10:00 a.m. He is contemplating on having the Village be a warming center if anything further happened due to the weather. These types of emergency situations are being communicated
- He has submitted a funding request to the Regional Transportation Planning for the process of the 2006/2007. The Fourth Street project was ranked about 29 out of 67 project submissions. Based on the scenario they put out, the Village would not be in line for funding due to the amount of funding available and he will seek other funding to move the project forward
- Since our last meeting there have been a number of groups that have gotten together and talked about Lavender. There has been some appeal back into the Lavender Committee to reconsider their position and perhaps put something on. They had a meeting Monday night and discussed that possibility. Kay Shollenbarger said a written statement would be out later this week
- He did look into the costs of planting lavender and talked to Monty Scarsguard who runs Los Poblanos Organics. He estimated about \$15,000 - \$20,000 just off the top of his head to plant a field on about an acre, and not including the drip irrigation system which would be about another \$5,000. To plant a field in March we would have lavender sprigs by June or July, but would be a pretty thin plant according to Monty but would be something to look at

C. PLANNER'S REPORT

Planner Seebach reported on the following:

- The year end report for Keen Heinzelman was distributed
- She will be attending the EPA Rio Grande Watershed Permit meeting next Monday to go over the scope of the permit which is mandated by EPA

- The department has been working on mandatory sewer connections throughout the Village, making sure that everyone either has a waiver from connection or is connecting. They were provided with a list of those NOT IN I&J who have not responded to requests and are not listed with ABCWUA as receiving service. This does not mean they are not tied in, just that the Village has no conformation from any source that they are connected
- I&J residents who have not responded have a few more days
- She is still working on the Codification of the Ordinances, which is a long process and will take several more months

D. LEGAL REPORT

Attorney Chappell reported on the following:

- The past month he has worked on several ordinances
- He is doing some work on the In-Home Care Giving Ordinance and will be meeting with the committee next week
- Worked on operating procedures for Planning and Zoning and worked with Linda Seebach on a number of issues
- Few issues with the Challenger Learning Center and the equipment
- For another month we have remained litigation free for the past month.
- He thanked the Board for approving his contract for the next couple of years

E. PUBLIC SAFETY REPORT

Public Safety Director Radosevich reported on the following:

- Jeff Phillips and he have been meeting on the emergency management side along with the Mayor and Mr. Ward on the potential fire threat this spring and summer to make sure the Village has a plan and working with our partners not only Albuquerque but also along with Bernalillo County and Sandoval County to make sure we have a plan for the Bosque
- The report which is the recap on what happened in 2010 within the Village. The Bernalillo County Fire Department responded to a little over 800 calls of service, 618 were EMS, 42 were fire, 34 were electrical or gas, 52 were false alarms, and 69 other calls that were probably cancelled before they got out the door
- The Bernalillo County Sheriff's Office had 3290 calls in the Village, 450 were false alarms and 384 were disturbances
- One type of call he is trying to work on with the Bernalillo County Sheriff's Office and the Bernalillo County Fire Department is the false alarms. Anytime you have a false alarm it requires two deputies to respond and the same with fire and is very time consuming

Lieutenant Weller, with the Bernalillo County Sheriff's Office, stated that traffic stops are a little low on the report and he will look into that. There will be some changes in which they will be going to squad system over an area command system and will see how that works.

5. FINANCIAL BUSINESS

A. CASH REPORT – JANUARY

Treasurer Haines presented the cash report. The Village had a decrease of \$6,328.55 from the prior month. The ending cash balance for January was \$4,332,992.60. However, the year-to-date excess of revenues over expenditures is \$569,212.98. There was a quarterly payment of \$110,000 to the Bernalillo County Fire Department for their services. Also, \$86,799 was paid for the construction of the fire station that is to be reimbursed by the state grant.

MOTION: Trustee Homan moved approval of the Cash Report. **Trustee Lopez** seconded the motion.

VOTE: The motion carried unanimously 3-0.

B. DISCUSSION AND APPROVAL TO ACCEPT THE 2009/2010 AUDITED FINANCIAL STATEMENTS PRESENTED BY PORCH & ASSOCIATES AND DISCUSSION OF GASB 54

Mr. Thad Porch said that the best type of audit someone can have is an unqualified opinion. He stated he found nothing that gave cause and is an unqualified opinion. Page 10 shows all liabilities and assets. The Village's total liabilities are \$4,783,000, including \$4.3 million in long-term bonds payable through 2028. If receivables are added in, then the Village looks very healthy.

Trustee Lopez asked the total liability on bonds.

Mr. Porch referred to page 27 where total general obligation bonds were listed. He said the total general obligation bonds at June 30, 2010, is \$3,535,000 with a \$40,000 payment in the current year, loans of \$901,000 with a current payment of \$37,000, and compensated absences at 15,000, which is down substantially because of the transfer of the fire station, totaling \$4,452,000.00

Mr. Porch referred to page 11. He said last year the Village made \$2,952,000 total net income. The Village's total governmental net income was \$797,000 which does not take into account any long-term receivables. He said the Village looks extremely healthy and out of all Villages he audits, the Village of Los Ranchos looks the best.

Mr. Porch referred to page 50. He said in a governmental audit, there is more than one opinion - the financial statement opinion and an opinion on internal controls to make sure the controls are properly designed. Then they look to see if the design is properly implemented. He said all of the Village's designs were proper and all of the transactions were right. He said this is rare in a government entity because of the quantity of transactions government agencies usually conduct.

Mr. Porch added that the high quality of Administrator Ward and the Village

accountant, Gil Saavedra. He also said that GASB 54 is coming up and is a major change in the Village's financial statements which will not just happen at the end of the year, but it means restating the beginning of year numbers. He said this is hitting every government this year. Gil Saavedra is ahead of the curb on the new accounting standards.

Trustee Lopez asked about the independent auditors report being dated on October 21, 2010. He asked if the audit was submitted on time.

Mr. Porch confirmed that it was on time.

Trustee Lopez asked if the Village would hear back from Hector Baldares and what he does with the audits.

Mr. Porch said it is a tiered system in which they send in the draft of an audit. If there are any comments, they send them back, and they must be cleared by the December 1st due date. Once that is complete, bound copies of the audit are sent to them and it takes a number of weeks for them to review it. Earlier in the year, they were turning things around in about 1-week. Towards the end of the year, it was taking months and month. They have the Village's audit and it has been accepted.

Administrator Ward asked about the GASB 54 rule and what it means in terms of the Village having to segregate or label funds in a certain way.

Mr. Porch said need a policy does not need to be in place, but exactly how it works must be understood and everything properly documented for current restrictions.

MOTION: Trustee Lopez moved approval to accept the 2009/2010 audited financial statements as presented by Porch and Associates. **Trustee Rael** seconded the motion.

VOTE: The motion carried unanimously 3-0.

6. PUBLIC HEARINGS AND APPLICATIONS

A. AN APPEAL BY SYLVAIN SEGAL, ATTORNEY FOR JASON HOWARD, OF PLANNING AND ZONING COMMISSION'S UNANIMOUS DECISION ON DECEMBER 14, 2010, AGENDA ITEM 5B, THAT THE SKETCH PLAT ADMINISTRATIVE APPROVAL OF NOVEMBER 17, 2007 FOR TRACTS 47A, 40B1, 40B2 AND 40A1 M.R.G.C.D. MAP NO. 25 BE DECLARED A NULLITY AND THE PLAT OF THE SUBDIVISION KNOWN AS BAYLEE'S PLACE, FILED IN THE OFFICE OF THE CLERK OF BERNALILLO COUNTY ON FEBRUARY 15, 2008 AS DOCUMENT NO. 2008017711 BE VACATED. THE SUBJECT SUBDIVISION IS LOCATED AT 8422 RIO GRANDE BLVD AND IS KNOWN AS BAYLEE'S PLACE, COMPRISED OF LOTS A, B, C AND D IN THE A-1 ZONE OF THE NORTH RIO GRANDE CHARACTER AREA

AND RIO GRANDE CORRIDOR. THE PROPERTY CONTAINS .9505 ACRES MORE OR LESS.

Attorney Chappell swore in those in the audience who would be speaking on this item.

Planner Seebach read her planners report.

Attorney Sylvain Segal, representing Jason Howard, stated that the Village needs to standby its decisions and asked that this appeal be granted.

Attorney Chappell stated that when the Village was brought into this process, Ms. Seebach determined that the plat was not proper or valid and concluded that they agreed with Ms. Seebach. For example, the City of Albuquerque is a home-rule city and under their ordinance, they have an inherent power to do anything that is not especially prohibited by state statute. The Village is not a home-rule city, which means the Village has the authority to do expressly what they are delegated to do by the state. If the Village had not been delegated that authority, then the Village would not have the authority to do it. In this particular case, the former planner inherently created or changed a zone from A-1 to 4-dwelling units per acre. The zoning ordinance says a party is entitled to a building permit on each plated lot. Under state statute, the Board of Trustees is vested with the authority to make zoning decisions. That authority is vested neither at the Planning and Zoning Commission level nor at a director's level. In fact, the Planning and Zoning Commission can approve a plat only if it is in compliance with the Zoning ordinance. There is a problem with the procedure, but the action of the body – the former planning director - which made the decision, did not have the authority under the state statutes to do it. There are certain situations where a municipality can be stopped to not support what has been done, however, he does not believe that applies where a municipality can gain jurisdiction, authority, or power to do something by a mistake that they did not otherwise have the authority to do. He concurs with Ms. Seebach and he does not think there are any estoppels to be made because Mr. Howard did not follow through as he should have done. The weight of the law comes down on the side that says it is not proper the Village needs to correct its mistakes. He said there was a Supreme Court case, determined two-weeks ago, where an attorney general filed suit against the state land office and it stood where if the state land office did not have the authority delegated in the enabling act, whatever they did was void. Here, the Village's statute is enabling act and it was outside of that statute. He said this is not, in any way, a decision or an evaluation of the merits of the project and this is only a decision of whether the proper procedures were followed and if the appeal is denied, the applicant should be able to come back and go through the proper procedures for such a project with no prejudice from this proceeding.

Robert Maw, stated that he is one of the neighbors that filed the tort claim notice. He said Mr. Segal explained greatly last time about massive damages if this property did not go through. He said he did some research which showed the purchase price for a 1-acre lot was well below the purchase price for comparable 1-acre un-subdivided lot within the Village, not counting a Rio Grande Boulevard

address. He said he did not understand where the damages could arise when you buy something below the 2005 market for comparables and he requests the Village look at the prospect. He said contrary to the testimony hearing, Mr. Howard informed that the real estate purchase contract well pre-dates the action of the Village and said he did not understand how he could rely upon the action by the Village to make the purchase. He said that was cleared up in his statement to him because he said he had done it before in Corrales. In Corrales, he said they consider tracts be lots, which is not the case in Los Ranchos.

John Robb, 7200 Rio Grande Boulevard, stated that he is the spokesman for Los Ranchos Neighborhood Association. He said the issue is not one of the merits now in regards to the substance, but of legality. He said the opinion of the Village attorney is that the planner had no authority to do this. If there was no power, it seems to him it is void.

Debra Seligman, 8400 Rio Grande Boulevard, she stated that she wanted to commend the Village for recognizing an error was made, she said she does agree with the official notification of the Village and each point that was made. She said she also listened to Mr. Chappell and believes his argument regarding the authorization is very cogent. She said she is delighted that Mr. Robb was in attendance. She said one of the issues is when the neighbors first found out; she came to the Village with Mr. and Ms. Kellam. The first time many of the neighbors found out, Ms. Kellam found out they were trying to sell four lots. She came to the Village on April 24, 2008, which was several months after the decision of the planner administrator of which she had no knowledge. She said the Kellam's are next door neighbors of the parcel. When she spoke with Mr. Nighbert, he pointed out and was very specific that this was a land division and there was nothing that he could do and he followed all the rules. She said the first time she found out these were MRGCD lots was at the meeting a few days ago. Perhaps, it was also a mistake on the part of the Village and the understanding of the administrator of what went on. She said she also heard from Mr. Howard that he had researched the property prior to purchasing it, and he noticed there were four-lots on it. He said he had done development in Corrales and Corrales, apparently, recognizes MRGCD lots as platted lots that are capable of being subdivided. He said had he known there was a difference in the ordinance; he would not have purchased the property. She said, as a neighbor, she wants the Village to honor the rural character of the Village. If the Village were not to nullify the previously approved plat, she said it would destroy the character and would punish the entire Village and the neighbors. She said it is their position that Mr. Howard failed to follow the rules and the trustees do uphold the decision of the planning commission, and that the plat is nullified if he does come back, the rules be followed, they get notified, and they have the opportunity to present their position to the Village.

Greg Hoffman, standing in place of attorney Sid Lopez, said it was crystal clear that approval of dividing the area of land to subdivide into four separate pieces was void from the beginning. He said he is in absolute agreement with Mr. Chappell and Mr. Robb as well.

Attorney Segal said that he does not think it is relevant in terms of the approval or disapproval of the appeal. Some conversation has been made this evening about the timing of the purchase of the land. He said he was advised by Mr. Howard, that when he was told by the planning director that everything was okay before the decision was made, he then obligated himself to pay for this property. He said there is a mixture of the timing involved with the purchase and maybe while the purchase agreement was not finalized before, he was advised that the planning director gave the approval. He said he disagrees with the speakers who suggested what the Village did was illegal, and therefore, it follows that this approval is wasting everyone's time. He said the Village has the authority to zone and to give variances to zone. The Village has used its planning director as a means of facilitating certain kinds of developments. If a mistake was made by the planning director, it was within the authority of the Village to do that. The Village gave the planner the authority to make certain administrative decisions and the Mayor signed the decision and it was filed with the Bernalillo County Clerk's Office in 2007. He said he is not going into the merits of the kind of construction which was contemplated by Mr. Howard, he is suggesting the Village made a decision and to maintain the stability of the Village, the decision must be honored. He said he believes Mr. Howard had a right to rely on the decision of the Village.

Attorney Chappell said the trustees have already heard everything they need to hear in order to make a decision.

Trustee Lopez said that this matter was handled totally by the planning director at that time. It did not come to the Planning and Zoning commission or the Board of Trustees for any action. He asked Attorney Chappell if only the Board of Trustees has the authority to grant zoning changes, wasn't the Planning and Zoning Director's action invalid?

Attorney Chappell said that perhaps the former Planning Director acted in good faith, their conclusion was that he acted outside of any authority that he had and a mistake, does not clove him with the authority to make those decisions or to make a zone change on the property on his own. There are certain times when governmental agencies are bound, but he does not believe this is one of those times.

Trustee Lopez asked Attorney Chappell that if an agent of an organization, such as the Village, makes a mistake; it does not bind the Governing Body.

Attorney Chappell said he does not know that he would go that far, but he thinks this is a specific situation where statutory provisions relating to the powers of a municipality which are different than other organizations. In this limited case, where an agent, by error, misinterprets his authority, he does not believe that he can suddenly gain that authority by simply making a mistake and someone saying they believed him.

Trustee Rael said he believes the Village should stand by what they say or agreed to, but at the same time, he does not believe the Village should violate any of their

own statutes because they cannot go against what is on the law books. He believes they can move forward with the appeal.

Trustee Homan said once a mistake has been made, the Village needs to seek a remedy. She said Mr. Howard filed his sketch plat on Oct 24, 2007. She asked Planner Seebach if he was in prior to that date. She said she was comparing that to the actual file date on his real estate contract that was stamped by the Bernalillo County Clerk 15 months prior to that.

Planner Seebach said the sketch plat was dated October 24, 2007.

MOTION: Trustee Rael moved to deny the appeal and to ratify the Planning and Zoning Commission's unanimous decision on December 14, 2010, Agenda Item 5B, that the Sketch Plat administrative approval of November 17, 2007 for Tracts 47A, 40B1, 40B2 and 40A1 M.R.G.C.D. Map No. 25 be declared a nullity and the plat of the subdivision known as Baylee's Place, filed in the office of the Clerk of Bernalillo County on February 15, 2008 as Document No. 2008017711 be vacated.

With the findings:

1. The property lies within the jurisdictional boundaries of the Village of Los Ranchos de Albuquerque and is subject to all Ordinances adopted and in effect at the time of application.
2. The property is zoned A-1 under Ordinance 183, Section 6(E) (1). The minimum lot area shall be one (1) acre (43,560 square feet). The .2376 acre lots are not buildable lots under the A1 zone.
3. No zone change and zone map amendment was applied for to permit construction of single-family residences on .2376 acre lots as requested by the applicant.
4. Zone Changes require approval by the Planning and Zoning Commission and the Board of Trustees as per Ordinance 222, in public hearing which requires notification to adjoining property owners within 300 feet of the property. There was no application for a zone change and no notification was sent to adjoining property owners.
5. Conservation District Tracts are not previously "platted lots" as they do not meet the provisions of Ordinance 182, Section 2(B), paragraph 3.
6. The subdivision did not meet the criterion for Minor Subdivision and therefore the plat was not properly approved but was contrary to the provisions of Ordinance 182 Section 5(BB) and 5(S).
7. Major subdivisions require approval by the Planning and Zoning Commission and the Board of Trustees as per Ordinance 182, Section 8 in public hearing which requires notification to adjoining property owners within 300 feet

of the property. The plat was erroneously administratively approved and no notification was sent to adjoining property owners.

8. No application for final plat was submitted as required by Ordinance 182, Section 7(B)(3), however payment of the required final plat fee for minor subdivision was made on December 17, 2007.

9. No planning report was written recommending the Mayor's approval.

10. No written decision was issued by the Mayor as required by Ordinance 182, Section 7(B)(3).

11. The Mayor signed the mylar on December 27, 2007 and the Clerk attested on December 30, 2007. The plat was filed with the Bernalillo County Clerk on February 15, 2008 Document No. 2008017711. Ordinance 182, Section 5(S) states "recordation in the office of the County Clerk within thirty (30) days of approval by the Village creates a legal subdivision" and therefore the plat was not timely filed.

12. The Planning and Zoning Commission had the authority to vacate the plat. §3-19-1 Creation of Planning Commission, subsection (B) delegates to the Planning Commission (1) the power, authority, jurisdiction and duty to enforce and carry out the provisions of law relating to planning, platting and zoning.

13. §3-19-6 Subdivision regulations subsection (E) states: If the requirement or restriction does not violate the zoning ordinances, the Governing Body or Planning Commission of the municipality may agree with a person seeking approval of a subdivision upon the use, height, area or bulk requirement or restriction governing buildings and premises within the subdivision. Neither the Director of the Planning and Zoning Department nor the Planning and Zoning Commission had the authority to approve a plan in violation of existing zoning. The use of the property as four (4) residential lots per acre violates the zoning ordinance for A-1 Zoning.

14. This action is without prejudice to the applicant's right to apply for a zone change, and approval of a plat for the property under the appropriate procedures as set out in the Village ordinances.

Trustee Homan seconded the motion.

VOTE: The motion carried unanimously 3-0.

7. **OLD BUSINESS**

A. DISCUSSION AND APPROVAL OF RESOLUTION NO. 2011-2-1-ADOPTING THE VILLAGE OF LOS RANCHOS 2020 MASTER PLAN

Mayor Abraham thanked Village staff for their work on the 2020 Master Plan.

Trustee Lopez said he was able to easily scroll through the text-only version of the 2020 Master Plan on the Village website.

Planner Seebach said that Trustee McDonough brought up an issue at the last meeting that the Village not include low impact green infrastructure as a “new” technology based on what EPA is doing with it. She re-wrote conservation section 4 on page 83 of water quality where it talks about low impact development. She added that Trustee McDonough sent in a list of comments he made for discussion from the Board to see what everybody had to say.

Trustee Lopez said he reviewed the comments and said they all looked reasonable.

Planner Seebach said she only had one comment which was where it said the Village had to employ the flood plain manager. She said it is mandated federally through FEMA that the Village maintain a certified flood plain manager.

Administrator Ward said he thinks Trustee McDonough’s issue is if the 2020 Master Plan is a place to point to a position within the Village. He said he is not sure whether it is or is not, but the importance is paramount.

Trustee Lopez said that one option is to take the word “maintain” out of the wording.

Trustee Rael said could we say “ensure that a flood plain manager is available...”

Administrator Ward said that wording such as “ensure that a flood plain manager is available...” would suffice. Regarding the Village flowers, Annabelle Silvas said it was by adoption of a previous Master Plan.

Attorney Chappell said that the issue of the certified flood plain manager, legally, is if the 2020 Master Plan has that requirement in it, and there is damage done in some type of flood situation, the Village exposes themselves to vulnerability. He said, from a legal standpoint, the Village should deal with the federal mandate and comply with that, rather than make a commitment to the public reading this that the Village will have this person and therefore would be responsible for not having this person.

Trustee Lopez asked Attorney Chappell if he would suggest the words, “Flood Plain Management as administered by FEMA” be a better way of listing it.

Attorney Chappell said he suggests that one of the 2020 Master Plan goals be to have a flood plain manager, but suggests the Village does not have a requirement in the 2020 Master Plan for a person that is a certified flood plain manager, which might make the Village responsible if something did happen.

Trustee Lopez suggested the Village take out the words “maintain flood plain manager” and insert “assure”.

Trustee Homan said that some of the changes Trustee McDonough provided were very helpful and allowed them to pinpoint some of the concerns and eye a couple of corrections.

MOTION: Trustee Lopez moved approval of Resolution No. 2011-2-1 with the corrections and amendments. **Trustee Rael** seconded the motion.

ROLL CALL VOTE: Trustee Homan-aye; Trustee Lopez-aye; Trustee Rael-aye.

VOTE: The motion carried unanimously 3-0.

8. NEW BUSINESS

There was no new business.

9. TRUSTEES INFORMAL DISCUSSION

Trustee Rael stated that in reading the report from our Zoning Enforcer he does not understand why he has all these other responsibilities and ignoring the job that he was hired to do. We have problems with code enforcement and he thinks he should be spending more time doing it.

Mayor Abraham stated that he does not know that we are neglecting anything on code enforcement.

Trustee Rael stated that, in his report, he is saying he is.

Administrator Ward stated that last year we had quite a number of projects that we had him on other than Code Enforcement. His abilities are two fold and is a good hand to have, and this is how we use him.

Trustee Rael stated that he does not have a problem with him being used that way, but he knows he has brought up two issues and he does not know where they are at and there were problems and nothing was happening.

Administrator Ward stated that we are moving along with the clean up on the property on Nara Visa. Sometimes it does take a little longer because you have to work with the resident.

Trustee Rael stated that he attended a meeting of the North Valley Association regarding a clinic that UNMH wants to put up on 4th Street and Mildred across street from St. Therese Church. There was a rumor that it was going to be a methadone clinic. The people at UNMH cleared that up and said it was not intended to be methadone clinic that it was going to be a family practice including a pediatric clinic. However, a lot of people did not want it at that location because

there are two schools, church, couple of trucking companies and heavy traffic and they want the clinic, but at another location. He just wanted to let the board know that there is a clinic planned by UNMH somewhere in that area.

Trustee Rael stated that the Water Board issued I-pad's to the Board and they get the minutes agendas and everything on them. He would like to suggest the Village get these. It saves a lot of trees and a lot of hassle with the books because you just pick it up electronically. Along with this they were issued a Wi-Fi and the cost is about 500.00 dollars. He thinks it will pay for itself within a period of time.

Trustee Rael stated that the Water Board voted to support Community Farming in providing loans and grants up to \$250.00 to farmers so they can hook up and get the irrigation they need.

Trustee Lopez stated that he met with Jerry Lovato the new Executive Engineer of AMAFCA and he said the issue on the Garduño Road project was dead.

Administrator Ward stated that they are going to put it back on the board agenda. It is still a moving target, because we continue to get conflicting information.

Trustee Homan stated that she has received e-mails on stray dogs and unleashed dogs on the walking paths. She asked if the Village had any additional signs to post regarding leashing our animals and ask that insert a note on this topic be placed on in the Village Vision.

Trustee Homan asked Administrator Ward if he heard anything regarding Sadie's carpet cleaning late hour noise issues.

Administrator Ward stated that he had not heard but will continue to talk to Sadie's and see if we can get out there at the same time.

Attorney Chappell stated that the COA has several dog parks and perhaps the Village might want to do something like this on the open space property.

John McDowell stated that he is driving the vehicle around and he does stop and tell people about leashes, but he has other duties so it is difficult to spend time doing that.

Trustee Homan reminded the Board that the New Mexico Municipal Leagues Municipal Day is coming up on the 22nd and the Legislative Day is on the 23rd.

10. ADJOURNMENT

The meeting was adjourned at 8:50 p.m.

APPROVED by the Board of Trustees of the Village of Los Ranchos de Albuquerque
this ____ day of _____, 2011.

ATTEST:

Annabelle Silvas, Village Clerk