



**VALENCIA COUNTY
RESOLUTION 2018- 16e
A RESOLUTION ESTABLISHING THE
VALENCIA COUNTY OLDER AMERICANS PROGRAM ADVISORY COUNCIL**

RECITALS:

WHEREAS, the Board of County Commissioners met at a duly noticed and advertised meeting on February 21, 2018 at 5:00 PM in the Valencia County Administration Building located at 444 Luna Avenue, Los Lunas, New Mexico 87031; and,

WHEREAS, the Board of County Commissioners has general authority to provide for the appointment and removal of volunteer advisory boards; and,

WHEREAS, NMSA 1978, Sections 4-37-1 *et seq.* provides that counties may adopt those resolutions and ordinances, not inconsistent with statutory or constitutional limitations place on counties, to discharge those powers necessary and proper to provide for the safety, convenience of the county and its inhabitants; and,

WHEREAS, it is the joint and several duty and responsibility of the governments of the United States and State of New Mexico to assist our older people to secure equal opportunity to the full and free enjoyment of the services made available under the Older Americans Act of 1965 as amended, and it is the policy of the County to assist the Federal & State Governments in order to better serve the County's older inhabitants; and,

WHEREAS, the governments of the United States, State of New Mexico, County of Valencia, local jurisdictions and private funding resources are combined for the purpose of providing direct services to eligible consumers including but not limited to Title IIIB Transportation, and Title III (C) congregate meal and home delivered meal services through annual agreements with the State of New Mexico Aging and Long Term Services Department; and,

WHEREAS, the Board of County Commissioners is committed to collaborating with community stakeholders and volunteers to plan, organize, program and fund where possible, quality public services to community members in Valencia County; and,

WHEREAS, the Board of County Commissioners maintains an Older Americans Program whose primary mission is to provide services to eligible consumers age 60+ and people with disabilities in accordance with State of New Mexico Aging and Long Term Services Department Service plans and annual funding agreements; and,

WHEREAS, the legal and fiduciary governance of the Valencia County Older Americans Program is vested within the County of Valencia; and,

WHEREAS, the Valencia County Manager is responsible for ensuring high quality oversight, ethical and responsible decision-making, accountability and transparency in all matters pertaining to the Valencia County Older Americans Program; and,

WHEREAS, the Valencia County Older Americans Program Director is responsible for the day to day management of the program and for ensuring efficient operations and adherence to the provisions of the federal Older Americans Act, as administered by the New Mexico Aging and Long Term Services Department; and,

WHEREAS, the administrative headquarters for the Valencia County Older Americans Program is located at the Belen Senior Center, at 715 S. Main Street, Belen, New Mexico, 87002; and,

WHEREAS, Title III(C) congregate meals and other senior activities are provided at the following sites:

- Belen Senior Center, located at 715 S. Main Street, Belen, New Mexico, 87002
- Bosque Farms Community Center, located at 1190 N. Bosque Farms Loop, Bosque Farms, NM 87068
- Del Rio Senior Center, located at 351 Rio Communities Boulevard, Belen, NM 87002
- Fred Luna Senior Center, located at 197 Don Pasqual Road, Los Lunas, NM 87031
- Meadow Lake Senior Center, located at 100 Cuerdo Lane, Los Lunas, NM 87031

WHEREAS, the Board of County Commissioners places a high value on public input and ongoing communication with community constituents and Valencia County Older Americans Program participants; and,

WHEREAS, the Board of County Commissioners and the Older Americans Program Director rely on information provided by volunteer advisory groups on matters pertaining to the needs, concerns, and interest of older adults in Valencia County for strengthen program operations and for continuous improvement; and,

WHEREAS, the Board of County Commissioners has for many years appointed a Valencia County Older Americans Advisory Council to better serve the County's inhabitants, however the Council has not been formally established; and,

WHEREAS, the purpose of this resolution is to formally and officially establish the Valencia County Older Americans Advisory Council.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF VALENCIA that the Valencia County Older Americans Program Advisory Council is hereby established:

VALENCIA COUNTY OLDER AMERICANS ADVISORY COUNCIL

Section 1. Name:

The advisory group shall be called the Valencia County Older Americans Program Advisory Council.

Section 2. Vision:

The collective vision of Valencia County the State of New Mexico Aging & Long Term Services Department and of the Valencia County Older Americans Program Advisory Council is Lifelong Independence and Healthy Aging.

Section 3. Mission:

The collective mission of Valencia County and the State of New Mexico Aging and Long Term Services Department is to provide accessible, integrated services to older adults, adults with disabilities, and caregivers to assist them in maintaining their independence, dignity, autonomy, health, safety, and economic well-being, thereby empowering them to live on their own terms in their own communities as productively as possible.

Section 4. Advisory Council Establishment & Purpose:

The Valencia County Older Americans Program Advisory Council is established by the Board of County Commissioners of Valencia County and its purpose is to serve as a liaison between Valencia County officials and the participants of the Valencia County Older Americans Program for securing consumer input.

Section 5. Roles and Responsibilities:

The Valencia County Older Americans Program Advisory Council shall utilize the leadership and skills of its members to advise the Board of County Commissioners and the Older Americans Program Director as follows:

- A. Assist in identifying the needs, and problems of individuals age 60+ and people with disabilities and assist in developing the goals and objectives.
- B. Assist in prioritizing needs and identifying financial, human, and physical resources to meet consumer needs.
- C. Provide input into the development of a comprehensive four-year plan.
- D. Assist in conducting public hearings and training presentations.
- E. Engage in community outreach and represent the interest of Older Americans Program participants to local officials and leaders.
- F. Advocate for federal, state, local and private funding to support programs and services for older Americans in Valencia County.
- G. Participate fully by meeting regularly.
- H. Perform those tasks assigned by the Board of County Commissioners, County Manager or the Older Americans Program Director.

- I. Abide by the terms of the Government Conduct Act NMSA 1978 Section 10-16-1 *et. seq.* and conduct meetings in accordance with the highest ethical and moral responsiveness.
- J. Maintain communications with the Board of County Commissioners furnish approved minutes of Committee meetings, and provide any reports as needed or requested.
- K. The Council is an advisory Board and does not have policy making authority or personnel oversight.

Section 6. Council Composition:

Valencia County Older Americans Program Advisory Council shall consist of community volunteers who are interested in furthering the objectives of the Older Americans Act of 1965 as amended and in furthering the collective vision and mission of County of Valencia and the State of New Mexico Aging & Long-Term Services Department.

Section 7. Council Member Selection Criteria:

The following is the criteria to be use for nominating, voting and/or appointing members and alternates to the Valencia County Older Americans Program Advisory Council:

- A. Interest/familiarization in Valencia County Older Americans Program mission and purpose.
- B. Demonstrated leadership skills.
- C. Ability to participate constructively in the give-and-take discussion of policy and program matter.
- D. Represent fairly the needs of individuals 60+ and people with disabilities and not favor special interests inside or outside the Advisory Council.
- E. Willingness to devote time to the Advisory Council
- F. Commitment to representing the needs of the individuals age 60+ and people with disabilities.
- G. Ability to function as a group member.

Section 8. Membership:

The Valencia County Older Americans Program Advisory Council membership consists of 11-15 voting members selected as follows:

- A. One delegate and one alternate from each meal site, who is an active participant in the Valencia County Older American Program. The delegate and alternate from each meal site shall be nominated by registered program participants must be elected by a majority of those eligible to vote as set forth in Section 9 below.
- B. One governmental delegate appointed by their respective government (Los Lunas, Bosque Farms, Belen, Peralta, Rio Communities) and 1 County Commissioner.
- C. One Representative from a health and supportive service provider organization.
- D. At least one-half (50%) of the membership must be older individuals.
- E. The Older Americans Program Director, County Manager, Finance Director and Grants Manager shall serve as *ex-officio* members but have no power to vote.

Section 9. Meal Site Delegate Election Procedure:

- A. The Valencia County Older American Program Director will announce and post an open call for meal site nominations at each meal site each year on or before October 1 for the election of a meal site delegate and alternate.
- B. Meal Site Managers will ensure that nomination and application/questionnaire forms are available at each meal site.
- C. Eligible Valencia County Older Americans Program participants from each meal site may make Advisory Council nominations by filling out a nomination form and delivering the form to the Meal Site Manager on or before October 31.
 - a. A nominator must provide the following information:
 - i. Their first and last name, meal site, email address and phone number
 - ii. First and last name of nominee(s)
 - iii. Nominee's meal site
 - iv. Nominee's email address
 - v. Nominee's phone number
- D. Each nominee must submit a signed Advisory Council application/questionnaire to the Meal Site Manager on or before October 31.
- E. The Valencia County Older American Program Director will verify that all meal site nominations were submitted on time and that nominees are active participants of the nominating meal site.
- F. Any nominee who does not provide the required information by the deadline will not be considered; the nominator and nominee shall be notified separately by the Valencia County Older Americans Program Director.
- G. Older Americans Program Director will set the date(s) of election between November 1 and November 30 of each year or at other dates and times as required.
- H. Nominees who meet the eligibility criteria for a voting member of the Valencia County Older Americans Program Advisory Council shall be notified by the Valencia County Older American Program Director and given detailed instructions on the elections process, dates and time of elections and guidelines for each meal site election.
- I. Valencia County Older Americans Program staff will post election notices setting forth the days and times of the elections at each meal site at least 7 calendar days prior to the election.
- J. Valencia County Older Americans Program staff will post candidate slates and application questionnaire at each site 7 calendar days prior to meal site elections.
- K. The Valencia County Older American Program Director will coordinate elections at each meals site and all candidates shall be given the equal opportunity to present themselves to meal site consumers in a brief speech prior to opening elections.
- L. In order to vote in the meal site elections, an individual must be an active consumer at the meal site where elections are held.
- M. All votes must be cast on the day of the meal site election.
- N. The Valencia County Older Americans Program Director and the Valencia County Older Americans Advisory Council Chairman and meal site government delegate will tally the votes to determine the winner and alternate for each meal site.
- O. If multiple candidates receive the same number of votes, those candidates' names will be place in a random drawing for the Chairman to select a winner.
- P. In the event that one of the meal site elected position on the Advisory Council is vacated before the end of the term, the alternate will fill the vacated position.

Q. The County Manager will make the final decision to remedy any election irregularities and disputes over candidate and voter eligibility.

Section 10. Approval of Council Membership:

- A. Council membership shall not commence until appointment is made by the Board of County Commissioners.
- B. The Board of County Commissioners shall, in its sole discretion, appoint the Valencia County Older Americans Advisory Council membership at the annual Valencia County Re-Organizational Meeting or as otherwise required.
- C. The Board of County Commissioners may request an annual waiver from the State of New Mexico of the Advisory Council requirement if the intended purpose of an Advisory Council is not being fulfilled and if the County government can demonstrate that a proven mechanism of securing consumer input into the program.

Section 11. Term of Membership:

The term of appointment shall be one year. Members who do not attend three consecutive meetings shall be deemed to have resigned their position on the Council.

Section 12. Executive Leadership:

- A. A Chairperson, Vice Chairperson, and Secretary shall be elected by vote of the Valencia County Program Advisory Council membership annually.
- B. Executive leaders shall be elected for a term of one year and may serve for no more than three (3) consecutive terms.

Section 12. Meetings:

- A. The Council shall meet at least monthly and at additional times or places as required.
- B. Meetings may be called by the Board of County Commissioners, the Older Americans Program Director or the Council Chairman as necessary.
- C. The Meetings of the Council shall not be subject to the requirements of the Open Meetings Act because it is an advisory committee only; it does not create policy; and its recommendations are not binding or final. *See*, NM Attorney General OMA Guide Version 2015 at pages 8-9. However, the following open meeting rules shall be followed to allow for transparency and public participation:
 - i. All meetings of the Council shall be open to the public, the Council may not exclude any persons from the meetings or hold closed session.
 - ii. Notice of Council meetings shall be posted on the Valencia County web site at least 72 hours prior to the meeting, the notice will consist of a copy of the draft agenda.
 - iii. A quorum shall be required to hold a meeting, a quorum shall be a majority of the membership of the Council.

Section 13. Bylaws and Rules:


The Valencia County Older Americans Program Advisory Council may adopt by-laws to aid in the accomplishment of its mission and may adopt rules and/or procedures for the conduct of its business that do not conflict with this Resolution. By-laws adopted by the Council must be approved by the Board of County Commissioners.

Section 14. Repeal of Previous Resolutions, Orders and Actions:

Any and all Resolutions, Orders and/or Actions establishing a Valencia County Older Americans Program Advisory Council are hereby repealed and replaced with the adoption of this Resolution.

PASSED, AND APPROVED AND ADOPTED THIS 21st DAY OF FEBRUARY 2018.

BOARD OF COUNTY COMMISSIONERS



Jhonathan Aragon, Chair, District V




David A. Hyder, Vice-Chair, District III



Helen Y. Cole, District I




David Carlberg, District II



Charles D. Eaton, District IV





Peggy Carabajal, County Clerk