Nancy A. Montoya Century 21 Champions, Inc. 505.393.7421

VALENCIA NEWS-Bulletin

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SERVING VALENCIA COUNTY SINCE 1910

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Man shot and killed by a Valencia County sheriff's deputy

By Julia M. Dendinger

News-Bulletin Assistant Editor

A man was shot and killed by a Valencia County sheriff's deputy Sunday evening after two prior visits by law enforcement in response to calls of his neighbor firing a rifle into the air and then trying to run him over.

Shortly after 3 p.m., Sunday, Sept. 29, Valencia County Sheriff's Office deputies respond-

ed to reports of gunshots in the 100 block of La Ladera, which is to the south of the town of Peralta. The home is less than a quarter mile south of Valencia Road.

When deputies arrived, neighbors said they saw Thomas Rodriguez, 46, outside his home, firing a rifle into the air. When deputies tried to talk to Rodriguez, he ignored commands and went inside his home with the rifle. They formed a perimeter

and began calling for Rodriguez to come.

VCSO Lt. Joseph Rowland, the public information officer for the department, said Rodriguez lives in a camper trailer on the property and his mother lives in a single-wide mobile home on the same piece of property. Deputies made contact with his mother and helped her file an Extreme Risk Firearms Protection Order — also known as New Mexico's Red Flag law — for removal of firearms from the property.

The act, which became law in New Mexico in May 2020, creates a court process to temporarily prevent a person in crisis from accessing firearms and harming themselves or others. Only a law enforcement officer or an attorney with the district attorney's office are allowed to file a petition with a district court to request such an order be issued. An affidavit from

someone who has personal knowledge or facts about why someone should not have access to firearms must be included when the peti-

According to a press release by VCSO on Monday, deputies left the scene to file the petition request with the court. Deputies returned to the home again at 7:42 p.m. on Sunday and found

See **Deputy**, Page 3

Investigation of Los Lunas superintendent ongoing; district refuses records request

By Julia M. Dendinger

News-Bulletin Assistant Editor

Los Lunas

Monday evening marked the third time the Los Lunas Schools Board of Education has met for an extended period of time behind closed doors to discuss the investigation of LLS Superintendent Ryan Kettler since he was placed on paid administrative in July.

In the two-plus months since his suspension, there have been no details released by the board about allegations of misconduct made against Kettler or the investigation launched into those allegations, including who is conducting the investigation.

The board held three-hour executive session on Aug. 20, during which laughter could be heard coming from behind the closed conference room door. When asked after the meeting who was conducting the investigation, LLS Board of Education President Michelle Osowski said they

■ See **Superintendent**, Page 14

Valencia County candidate forum held; election questions

By Julia M. Dendinger

News-Bulletin Assistant Editor

BELEN

Candidates running for seats on the Valencia County Commission and the Valencia County Clerk's position attended a forum hosted by a local advocacy organization last week.

Valencia The Community Action Team invited candidates running for the county commis-

sion District 2 seat, incum- Tafova. bent Republican Troy Richardson and challenger did not attend the forum. Draszkiewicz; Duana the District 4 position, incumbent Republican Joseph Bizzell and challenger Democrat Charles Eaton; Republican candidate Dante Berry, District 5; county clerk, incumbent Republican Mike Milam and challenger Democrat Rustin Porter; and county treasurer, incumbent Republican Ron Saiz and challenger Michelle

Saiz, Tafoya and Berry

The two-hour forum was held at the Belen Public Library on Friday, Sept. 27.

A second forum, with the same candidates invited to participate, is scheduled from 5-7 p.m., Friday, Oct. 4, at the Los Lunas Transportation Center, 101 Courthouse Road.

The candidates took

See **Forum**, Page 2

Los Lunas making progress on infrastructure projects

By Felina Martinez

News-Bulletin Staff Writer

Los Lunas

The Los Lunas Village Council recently approved and submitted its Infrastructure Capital Improvement Plan, which contains various projects to be considered for legislative capital outlay funding. The highest priority item on the list is

the Interstate 25 interchange and bridge construction project. The goal is to provide additional access to I-25 and help alleviate congestion from Los Lunas Main

"When completed, this project will

extend from I-25 to Highway 47, and will include a full interchange at Morris Road, a river bridge, and intersections at Sichler Road, Highway 314, Edeal Rd. and Highway 47," the village's website states. "Phase one of this project is fully funded, and will include a full width interchange, river bridge and intersections with one lane of travel in each direction between, along with a multi-use pedestrian and bicycle path. Phase 2 will add an additional lane of travel in each direction."

The total project cost is more than \$220 million and, to date, the village has acquired almost \$166 million in federal,

See Projects, Page 11

2024 RIO ABAJO BECKER STREET FESTIVAL



Felina Martinez | News-Bulletin photo

Fun was had by many at the annual Rio Abajo Becker Street Festival in Belen Saturday. Along with live music and performances, festival attendees were treated to a car show, poker bike run, vendors and lots of food. The crowds were entertained by performers with Cisne de Nuevo Mexico, above, and the Daniel Solis Band, below. More photos can be viewed at news-bulletin.com.





Call us at 864-4472 news-bulletin.com

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October is Pedestrian Safety Month





Superintendent: FOG legal counsel says LLS cannot withhold requested information

were not releasing the name at that time, saying it was a firm selected by the district's attorney.

The News-Bulletin filed a Inspection of Public Records Act request on Aug. 23, asking for the contract for services, scope of work services, invoices and payments to a company called DDSK Group LLC, the company rumored to be conducting the investigation into the allegations made against Kettler. The IPRA request also sought any correspondence between LLS employees and board members and DDSK.

The district responded through it's law firm Cuddy & McCarthy, indicating it had no records responsive to the newspaper's request in regards to contracts, scope of work, invoices or pay-

However, the law firm did turn over a file containing more than 100 pages of emails dating back to mid-August between DDSK representative Dana Sanders, a former Los Lunas Schools superintendent herself, and board members Justin Tallev and Osowski.

The majority of the emails were a back-and-forth between the three setting up Zoom meetings, although the subject lines of some emails reference "continuation of interview." The contents of the emails don't indicate who was being interviewed or for what.

The records produced by Cuddy were redacted by the firm to remove information not subject to IPRA, such as employee records that contain matters of opinion, content subject to attorney-client privilege and information pertaining to medical condition and/or treatment of an individual, specifically disclosure of records related to an individual's vaccination status.

According to DDSK's website, the company is "three retired superintendents nationally certified to conduct Title IX investigations and personnel/student misconduct independent investigations, student disciplinary hearings and other related services." The other members of the company are Daniel P. Benavidez and Sheryl McNellis-Martinez, who with Sanders make up the 'DDS' part of the company. The 'K' stands knowledge and experience, according to the site.

Benavidez, the former superintendent at Central Consolidated School District in the Four Corners area, McNellis-Martinez, the former superintendent of Wagon Mound Public Schools, and Sanders have all been embroiled in employment related litigation with their former school districts.

Sanders did not respond to News-Bulletin requests for comment before the deadline.

The News-Bulletin filed a second IPRA request on Sept. 10, requesting the same documents from LLS but without naming a specific company. The Cuddy law firm responded on Sept. 24, saying LLS did not have any records responsive to the request.

"Any company hired to conduct an investigation was done through this law firm and is protected by attorney-client privilege and not subject to the Inspection of Public Records Act," the letter signed by Cheyenne Trujillo concluded.

The newspaper asked the New Mexico Foundation on Open Government to weigh in on the law firm's stance that documents pertaining to the company hired to investigate Kettler, which will be paid using public funds, were protected by attorney-client privi-

In a letter to Brian Baca, Los Lunas Schools deputy superintendent and records custodian for the district, Amanda R. Lavin, the legal director for NMFOG, writes that while the response from Cuddy denies the existence of public records responsive to the VCNB's request, it also suggests the law firm did hire an outside entity to conduct an investigation into Kettler.

"... even if those records are in the possession of a private entity such as a law firm, they are related to a public function - investigation into allegations of an official with the Los Lunas Schools and public money paid to fund said investigation — and are therefore public records subject to inspection under IPRA ...," Lavin's letter

The letter continues, noting that Lavin doesn't believe the newspaper's request pertains to public records protected by attorney-client privilege, since that protects "communications" between a lawyer and client, so long as the communication is made for the purpose of facilitating the rendition of professional legal services to the client.

"A contract such as the one requested here, and any payments or invoices to the private firm investigating Superintendent Kettler, are not communications as contemplated by the doctrine," the letter reads.

At the Aug. 20 meeting, Osowski also told the News-Bulletin she couldn't get into the details of the allegations against Kettler, but did say it was "nothing about the safety of children or staff. There is nothing felonious, no sexual misconduct or moral turpitude. Absolutely none of those things."

She said the board was hopeful the investigation would be completed "within the next month or so and the board will receive reports."

At the Sept. 10 BOE meeting, after another extensive executive session, board member Justin Talley made a motion to give Osowski and board vice president Bruce Bennett the authority to meet with Kettler to discuss and address investigation findings.

The board held a special executive session on Monday, Sept. 30, to discuss the investigation of the superintendent, which lasted more than three hours and ended with

no board action being taken.

Kettler was hired as the superintendent in July 2023 on a unanimous vote of the board. He was put on paid administrative leave at a special July 16 meeting of the board on a 3-2 vote.

The board spent almost four hours in executive session that evening, discussing "conduct issues brought to the attention of the board" as well as details pertaining to the superintendent's contract and annual evaluation."

Once out of executive session, Bennett made a motion "to place superintendent Dr. Ryan Kettler on administrative leave with pay pending an investigation into allegations of misconduct."

Osowski seconded the motion and voted in favor of the motion. Bennett and David Vickers also voted in favor, and board members Justin Talley and Monica Otero voted in opposition, leaving the motion to pass on a 3-2 vote.

In July, Kettler said in a text message to the News-Bulletin he would provide a statement regarding the allegations of misconduct if he knew what the accusations were that the board is bringing against him.

"As it stands currently, I have no idea what the basis for their action was," said Kettler. "It is a mystery to me why they are refusing to be transparent."

DataBank

Also on the agenda

- · Discussion of development of board policy for
- school resource officers
- Discussion of suggested changes to BOE policy Section B. School Board

Peralta Town Council

When: 6 p.m., Tuesday, Oct. 8, in the council cham-

bers at Peralta Town Hall, 90-A Molina Road, Peralta

Agenda highlight: Consideration of signatory authority for congressional direct spending grant with

Also on the agenda

- Department reports
- Governing body reports Public comment
- Consideration of and extension of 2023 LGRF COOP

Belen Board of Education

When: 5 p.m., Tuesday, Oct. 8, in the administration building boardroom, 520 N. Main St., Belen

Agenda highlight: Consideration of adoption of guardrails for Student outcome focused Governance

Also on the agenda

Open forum

• Superintendent's report, including beginning of the year testing for Galileo and IMSSA, and progress and updates from the Outdoor Educator Leadership

Program

 Board reports, including first reading of policy B-1700 agenda

NON-GOV'T

LEGALS

Los Lunas Board of Education

When: 5:30-8:30 p.m., Wednesday, Oct. 9, 200

Agenda highlight: A quorum of the Los Lunas Schools Board of Education will participate in the NMSBA Region IV fall meeting

GOV'T LEGALS

A Parcel of Land located on the West side of the Frontage Road containing a City Water Well and new drainage pond Described as: LAND OF GEORGE GABAL-DON & FRANK C G Tract: B 6.91 AC MAP 100 D-4-14 1995 REV. UPC Code 1005028509396000000

The Belen City Council will allow for public input and take action at a public hearing which will be held on October 21, 2024, at 6:00 PM in the Council Chambers at City Hall, 100 South Main Street, Belen, New Mexico 87002.

A copy of the proposed ordi nance is available for inspec tion at Belen City Hall Monday through Friday, 8:00 A.M. 5:00 P.M. in the office of the City Clerk, 100 South Main Street, Belen, New Mexico 87002.

Dated this 27th day of Septem-

/s/ Dorothy Flores, City Clerk

Published in the Valencia County News-Bulletin October 3, 2024

> NOTICE OF PUBLIC **HEARING**

The Village of Los Lunas Council will hold a public hear ing at 6:00 p.m. on October 24 2024, in the Village Council Chambers located at 660 Main St NW, Los Lunas, New Mexico to consider the following item.

ORDINANCE 478

AN ORDINANCE AMENDING TITLE 10 VEHICLES AND TRAFFIC TO ADD CHAPTER 10.28 PEDESTRIANS RIGHTS AND DUTIES

The full agenda will be

available no later than 72 hours prior to the scheduled meeting the Village website loslunasnm.gov and also posted at the Village of Los Lunas Council Chambers. All persons have a right to attend this public hearing. statements of opposition or support to be included in the agenda packet, they must be received in written form by October 11, 2024 for the Village Council hearing. Submit written statements in person via mail or via email to the contact information listed below. Statements can also be made during the public hearings. Questions? Contact the Village of Los Lunas at (505)295-8208, 660 Main St. NW Los Lunas, NM 87031, or

Published in the Valencia County News-Bulletin October 3, 2024

> CLASSIFIEDS 505.823.4444 News-Bulletin

GOV'T LEGALS

VALENCIA COUNTY PLANNING & ZONING COMMISSION AGENDA

Tuesday October 22, 2024 3:00 pm Valencia County Fire Building 444 Luna Ave, Los Lunas, NM 87031

1) Call to Order

2) Pledge of Allegiance

3) Approval of Agenda 4) Approval of the September

2024 Planning & Zoning Commission Minutes

6) Swearing-In of Participants

5) Staff Reports

7) Action Item(s) Zone Change #2024-090(District IV, P&Z Commis sioner Sublett, BoCC Bizzell) Freddie L. Chavez requests a Zone Change from Rural Residential District 2 (RR-2) to Re-

source Industrial District (I-1) to operate a winery and vineyard. Legal Descriptions:
- Subd: LAND OF BETTE VELARDE Tract: A1 1.11 AC MAP 86 C-5-17 1995 REV; also known as 33 Bunton Rd, Belen, NM 87002; UPC

1-008-034-120-130-000000; Subd: LAND OF BETTE VELARDE Tract: A2 1.64 AC MAP 86 C-5-17 1995 REV: also known as 31 Bunton Rd, Belen, NM 87002; UPC

1-008-034-126-150-000000 Zoned Rural Residential District 1 (RR-1) Zone Change #2024-111 (District II P&7 Commissioner Freeman, BoCC Richardson) Jonna and Brandon Tate Fluhman requests a Zone Change from Agricultural Preservation District (AP) to Rural Residential District 2 (RR-2) to

construct a home. Legal Description: Subd: LAND OF DON DRIGGERS Tract: 1B1 3.20 AC MAP 83 C-5-1 1995 REV; also known as 5 Racca Rd Los Lunas, NM 87031; 1-012-036-010-030-000000:

Zoned Agricultural Preservation District (AP) C. Zone Change #2024-113 (District IV, P&Z Commissioner

Sublett, BoCC Bizzell) Kees Cieremans requests a Zone Change from Rural Residential District 2 (RR-2) to Rural Residential District 1 (RR-1) to split the property into two 1-acre lots. Legal Description: Tract: 12B S: 18 T: 6N R: 2E 2.00 AC MAP 86, MH ID #M195101; also known as #M195101; also income 1028 Peyton Rd, Los Lunas, 0 7 0 3 1; U P C NM 87031: 1-007-034-490-391-000000; Zoned Rural Residential Dis-

D. Zone Change #2024-114 (District II, P&Z Commissioner Freeman, BoCC Richardson) Gary and Wendy Kessler requests a Zone Change from Rural Residential District 2 (RR-2) to Rural Residential District 1 (RR-1) to split the property into two 1-acre lots. Legal Description: Tract: 38B1B S: 35 T: 7N R: 2E 2.00 ACRES MAP 76; also known as 9 Gall Rd, Los Lunas, NM 8 7 0 3 1 ; U P C 1-011-037-315-070-000000; Zoned Rural Residential District 2 (RR-2)

GOV'T LEGALS

8) Next Meeting of the County Planning & Zoning Commission is Tuesday, November 19, 2024 at 3:00p.m.

9) Adjournment

Members of the public may attend in person, and anyone can view and listen to the meeting via Facebook Live at the following link: https://www facebook.com/ VCAdminandGov/

If you are an individual with a disability who has special Mexico, (505) 866-2050 at least one week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes can be provided in accessible formats. Please contact the Valencia County Planning and Zoning Office at the Valencia County Courthouse if a summary or any type of accessible

Published in the Valencia County News-Bulletin October 3, 10, 2024

NON-GOV'T LEGALS

NOTICE is hereby given that on August 9, 2024, and amended on August 23, 2024 on August 26, Nancy Margaret Lewis Revocable Trust, 72716 Shoestring Rd., Cottage Grove, OF 97424, c/o WaterBank, 610 Gold Ave. SW, Suite 111, Al-610 buguerque, NM 87102, and Silver Leaf Farm and Land, LLC 358 Mountain Shadows Rd. Corrales. NM 87048 WaterBank, 610 Gold Ave. SW, Suite 111, Albuquerque, NM 87102, filed with the STATE ENGINEER Application No. SD-08019-C into RG-46768 for Permit to Change the Purpose of Use, Place of Use and Point of Diversion of Surface and Ground Water within the Middle Rio Grande Basin within the State of New Mexico

Valencia County and Sandova County are the Counties affected by the diversion and are the Counties in which the water has been and will be put to beneficial use. This notice is ordered to be published in the Valencia County News-Bulletin (Valencia County) and the Albuquerque Journal (Sandoval

Under this application, the coapplicants propose to permanently discontinue the diversion and use of a farm delivery requirement (FDR) of 7.1664 acre-feet per annum of surface water, inclusive of a consump tive irrigation requirement (CIR) of 5.01648 acre-feet per annum, under OSE File No SD-08019-C, from the El Cerro Acequia, with a point of diversion on the Rio Grande at the Isleta Diversion Dam (SP 1690-3), on land owned by the Pueblo of Isleta, at a point where X=346.037 meters and Y=3,863,880 meters intersect Zone 13N, UTM (NAD83) within the NE 1/4 NE 1/4 SW 1/4 of Section 24, Township 8 North, Range 2 East, NMPM, for the irrigation of 2.3888 acres of land. The move-fron land is described as Tract 7D1 (2.3888 acres), owned by the Nancy Margaret Lewis Revoca-

ble Trust, on MRGCD Map 78,

NON-GOV'T LEGALS

located within Section 1, Town ship 6 North, Range 2 East, NMPM. These move-from lands are generally located 0.15 miles northwest of the intersection of County Rose Lane and Bloom N Shine Rd. Los Lunas, Valencia County New Mexico

The co-applicants further propose to transfer said CIR of 5.01648 acre-feet per annum of ground water from well RG-46768 POD 1, at a point where X=351760 meters and Y=3899394 meters intersect, Zone 13N, UTM (NAD83), and intersect, Zone 13N, UTM (NAD83), for greenhouse operation and drip irrigation withir Lot 26 (0.50 acres), and Lot 27 (0.50 acres), of the Mountai Shadows Subdivision, both owned by Silver Leaf Farm and Land, LLC, and within 3.00 acres of land owned by Helene Silverblatt and Robert Buser, with authorization from Helene Silverblatt and Robert Buser, described as Tract A, Tierras de Martinez y Frodgue Subdivision, with all lands on MRGCD Map 18, within Section 33 of Township 12 North, Range 3 East, NMPM. The physical address of the move-to lands is

> To view the application and supporting documentation contact the State Engineer District Office to arrange a date and time for an appointment at (505) 383-4000 located at 5550 San Antonio Drive NE, Albuquerque, NM, 87109.

358 Mountain Shadows Rd.

Corrales, New Mexico.

Any person, firm or corporation or other entity asserting standing to file objections of protests shall do so in writing (objection must be legible, signed, and include the writer's complete name, phone number, email address, and mailing address). If the protest does not include the complete name. phone number, email address and mailing address, it may be deemed invalid and accepted for filing unless Protestant provides with the protest an affidavit stating that it does not have one of the aboveelements/requirements (phone number, mailing address. email address, etc.) The objection to the approva of the application must be based on: (1) Impairment; impairment, you must specifi-cally identify your water rights; and/or (2) Public Welfare/ Conservation of Water; if public welfare or conservation of water within the state of New Mexico, you shall be required to provide evidence showing how you will be substantiall and specifically affected. The written protest must be filed, in triplicate, with the State Engineer, 5550 San Antonio Drive NE, Albuquerque, NM 87109, on or before Friday. Novembe 15, 2024. Facsimiles (faxes) will be accepted as a valid protest if the hard copy hand-delivered or mailed and nostmarked within 24-hours of the facsimile. Mailing postmark will be used to validate the

24-hour period. Protests can

be faxed to the Office of the

383-4030. If no valid protest or

objection is filed, the State

Engineer will evaluate the ap-

plication in accordance with the

provisions of Chapter 72

NMSA 1978.

Engineer, (505)

NON-GOV'T

LEGALS Published in the Valencia County News-Bulletin September 19, 26, and October 3,

2024. STATE OF NEW MEXICO COUNTY OF VALENCIA THIRTEENTH JUDICIAL DIS-TRICT COURT NO. D-1314-CV-2024-00411 IDAHO HOUSING AND FI-NANCE ASSOCIATION,

MAYRA ARMIJO AS PER-SONAL REPRESENTATIVE THE ESTATE OF ADRIAN ARMIJO, DECEASED, AND

NEW

MEXICO MORTGAGE NANCE AUTHORITY, STATE OF NEW MEXICO to the above-named Defendant Mavra Armiio as personal representative of The Estate of

Adrian Armijo, Deceased,

GREETINGS: You are hereby notified that the above-named Plaintiff has filed a civil action against you in the above-entitled Court and cause, the general object thereof being to foreclose a mortgage on property located as 8 Edeal Rd, Los Lunas, NM 87031. Valencia County. New Mexico, said property more particularly described as: TRACT A-1 AS SHOWN ON LAND DIVISION FLAT TRACT A. PLAT OF LAND OF VELMA MCCLUSKEY M.R.G.C.D. MAP 72 WITHIN THE SAN CLEMENTE GRANT WITHIN PROJECTED SECTION 27, T7N. R2E. N.M.P.M. VALEN CIA COUNTY, NEW MEXICO, FILED OCTOBER 3, 2000 IN CABINET K, PAGE 1096. Unless you file and serve a pleading or motion in response to the complaint in said cause

on or before 30 days after the last publication date, judgment by default will be entered against you. Respectfully Submitted. /s/ Jennifer L. Isom Jennifer L. Isom Local: 6000 Indian School Rd NE, Ste. 100 Albuquerque, New Mexico

87110 Mailing: 4530 S. Eastern Ave. Ste 10 Las Vegas, NV 89119 Phone: (877) 353-2146 ext. 1005 jisom@idealawgroupllc.com

Attorney for Plaintiff

Published in the Valencia County News-Bulletin September 19, 26, and October 3, 2024.

D-1314-PB-2024-00118 IN THE MATTER OF

KAREN MARIE BROCK,

THIRTEENTH JUDICIAL DIS-

STATE OF NEW MEXICO

NOTICE OF HEARING BY PUBLICATION

THE STATE OF NEW MEXICO TO: ALL UNKNOWN HEIRS OF KAREN MARIE BROCK, DE-CEASED, AND ALL UN-KNOWN PERSONS WHO HAVE OR CLAIM ANY INTER-EST IN THE ESTATE OF KA-REN MARIE BROCK, DE-CEASED, OR IN THE MATTER BEING LITIGATED IN THE HEREINAFTER MEN-

NON-GOV'T LEGALS

A hearing on the Petition to Determine Heirship and Application for Formal Appointment of Personal Representative in Intestacy will be held at the Valencia County Courthouse, 1835 Highway 314 SW, Los Lunas, New Mexico on October 8, 2024, at 10:30 a.m., before the Honorable Cindy M. Mercer.

Notice of the time and place of hearing on said Petition is hereby given to you by publicaconsecutive weeks. WITNESS our hands and seal of this Court. Dated: 9/24/2024

CLERK OF THE DISTRICT COURT By/s/ Rosalinda Swint Deputy

Submitted by HENNIGHAÚSEN. OLSEN 8 MCCREA, L.L.P. /s/Robert J McCrea Robert J. McCrea Attorney for Matthew L. Har

Roswell, NM 88202-1415 (575) 624-2463 - telephone (575) 624-2878 - facsimile Published in the Valencia

P.O. Box 1415

3, 2024. STATE OF NEW MEXICO IN THE PROBATE COURT

County News-Bulletin October

VALENCIA COUNTY No. 5750 IN THE MATTER OF THE ESTATE OF

JEFFREY A. JONES SR, DE-CEASED NOTICE TO CREDITORS NOTICE IS HEREBY GIVEN that the undersigned has been appointed personal representa tive of the estate of the de claims against the estate of the decedent are required to present their claims within four (4) months after the date of the first publication of any published notice to creditors or sixty (60) days after the date of mailing or other delivery of this notice, whichever is later, or the claims will be forever barred. Claims must be pre sented either to the under signed personal representative at the address listed below, or filed with the Probate Court of Valencia County, New Mexico

444 Luna Ave, Los Lunas, NM 87031 Dated: August 19, 2024. /s/ Zanna Jones Signature of personal repre sentative 32 Forgotten Promise Ln Peralta, NM 87042

located at the following ad-

County News-Bulletin Septem ber 26, and October 3, 10, 2024.

Superior Service

3547 Highway 47 Bosque Farms, NM 87068 (505) 869-3621 Notice of Public Auction On December 13, 2024, at 9:00a.m., the undersigned will clear title to lien: a 2005 Acura TL, VIN#19UUA66225A016102 Vehicle is unclaimed and/or ahandoned with towing and storage due in the amount of \$1,693,97. Superior Service re

Published in the Valencia Sept 26 & Oct 3 2024

auction. /s/ Randolph J. Sosa

3547 Highway 47 Bosque Farms, NM 87068 (505) 869-3621 Notice of Public Auction On December 13, 2024, at 9:30a.m., the undersigned will clear title to lien: a 2011 Ford Focus VIN#1FAHP3FN3BW105155 Vehicle is unclaimed and/or abandoned with towing and storage due in the amount of \$2,694.52. Superior Service reserves the right to bid at said

Published in the Valencia County News-Bulletin on Sept 26 & Oct 3, 2024

auction /s/ Bandolph J. Sosa

Superior Service 3547 Highway 47 Bosque Farms, NM 87068 (505) 869-3621 Notice of Public Auction On December 13, 2024, at 9:45a.m., the undersigned wil clear title to lien: a 2005 Suzuki LTZ400, VIN#JSAAK47A052107222 Vehicle is unclaimed and/or abandoned with towing and storage due in the amount of serves the right to bid at said auction. /s/ Randolph J. Sosa.

Published in the Valencia County News-Bulletin on Sept 26 & Oct 3, 2024

Owner

THIRTEENTH JUDICIAL DIS-TRICT COURT COUNTY OF VALENCIA

STATE OF NEW MEXICO No D-1314-PB-2024-00121

IN THE MATTER OF THE ESTATE OF BARBARA A. EM-BRES, Deceased.

NOTICE TO CREDITORS

NOTICE IS HEREBY GIVEN that the undersigned has been appointed Personal Representative of the Estate of BAR-BARA A. EMBRES. All persons having claims against this Estate are required to present their claims within four months after the date of the first pubclaims will be forever barred. Claims must be presented either to the undersigned Personal Representative at Post Office Box 949, Belen, New Mexico 87002, or filed with the Thirteenth Judicial District Court, Los Lunas, New Mexico

DATED this 18th day of September, 2024. TRACY L. GALLIGAN

Personal Representative

Estate of BARBARA A. EM-Prepared by: NORMAN McDONALD, P.A

Attorney for Estate of BAR-BARA A. EMBRES Post Office Box 949 (505) 864-3333 Published in the Valencia

County News-Bulletin September 26, October 3, 10, 2024

LOOKING TO RENT? News-Bulletin

NON-GOV'T LEGALS

THIRTEENTH JUDICIAL DIS-TRICT COURT COUNTY OF VALENCIA STATE OF NEW MEXICO

No.D-1314-PB-2024-00115

IN THE MATTER OF THE ESTATE OF DOROTHY DOLORES

MARTA, Deceased. NOTICE TO CREDITORS

NOTICE IS HEREBY GIVEN that the undersigned has been appointed Personal Representative of the Estate of DOROTHY DOLORES MARTA. All persons having claims against this Estate are required to present their claims within four months after the this Notice or the claims will be forever barred. Claims must be presented either to the undersigned Personal Representaive at Post Office Box 949, Belen, New Mexico 87002, or filed with the Thirteenth Judicial District Court, Los Lunas, New Mexico 87031. DATED this 24th day of

JUANITA ALTOBELLO Personal Representative Estate of Dorothy Dolores

September, 2024.

NORMAN McDONALD, P.A. Attorney for Estate of Dorothy Dolores Marta Post Office Box 949 Belen, New Mexico 87002 (505) 864-3333

Published in the Valencia County News-Bulletin October 3 10 17 2024

COUNTY OF VALENCIA STATE OF NEW MEXICO No. D-1314-PB-2024-00112

THIRTEENTH JUDICIAL DIS-

TRICT COURT

IN THE MATTER OF THE CHARLES S. ASPINWALL.

NOTICE OF HEARING ON PETITION FOR FORMAL PROBATE OF WILL PLEASE TAKE NOTICE that a

hearing on the Petition for For mal Probate of Will and Appointment of Personal Representative will take place before Hon. Cindy M. Mercer by video conference on Monday, October 28, 2024, at 9:00 A.M. Information on how to participate in the video hearing is available on the Notice filed by the Court on September 20,

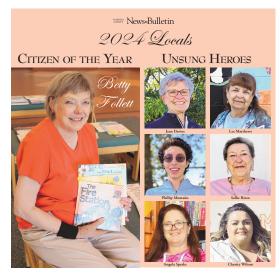
BUSINESS LAW Stephen C.M. Long 6801 Jefferson St. NE, Suite Albuquerque, NM. 87109

2024, or from the undersigned.

Phone 505-848-8581

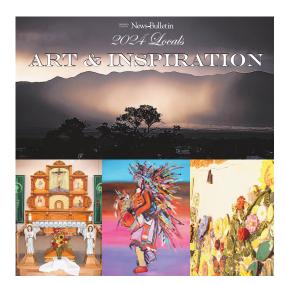
Published in the Valencia County News-Bulletin October 3, 10, 17, 2024.

CLASSIFIEDS



2024 Locals

Citizen of the Year Unsung Heroes **Art & Inspiration**





General election is

next week By Julia M. Dendinger

News-Bulletin Assistant Editor

amendments.

With less than a week to go until Election Day, there is a lot of press about the presidential race but that shouldn't distract voters from important county and state races on the ballot, as well as a number of general obligation bonds and state constitutional

On the ballot this year are the following local and state races for Valencia County voters.

Valencia County Commission

In Valencia County Commission District 2, incumbent Republican Trov Richardson is running against Democrat Duana Draszkiewicz.

In VCC District 4, incumbent Joseph Bizzell is running against Democrat Charles Eaton, and in VCC District 5, Republican Dante

See **Election**, Page 5

Voters to decide on flood district

By Julia M. Dendinger

News-Bulletin Assistant Editor

One question on the ballot for the Nov. 5 general election is "yes" or "no" to forming the Valencia County Arroyo Flood District.

Since flooding has traditionally come from the arroyos that run down off the east and west sides of the county, rather than from the Rio Grande in the valley, the proposed flood control district will only address flood abatement of the arroyos.

The formation of an arroyo flood district would create an agency that could take on the operation and maintenance of flood control infrastructure of a proposed flood mitigation project in the Belen watershed, which has federal funding attached.

In April, the Natural Resources Conservation Service updated the community on a project entering

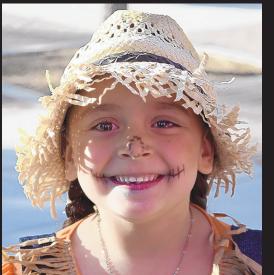
See **Flood**, Page 5



SCARECROW FESTIVAL & HALLOWEEN BASH



Mike Powers | News-Bulletin photos A fun and spooky time was had by all at the annual Scarecrow Festival on Becker Avenue in Belen on Saturday night, as well as the Halloween Bash at the Los Lunas Transportation Center.







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Former LL super hired to investigate new super

By Julia M. Dendinger News-Bulletin Assistant Editor

Los Lunas

Through multiple public records requests, the Valencia County News-Bulletin has been able to verify the company investigating allegations of misconduct brought against the Los Lunas Schools superintendent.

Superintendent Ryan Kettler has been on paid administrative leave since July 16, while an investigation into allegations against him proceeds.

When contacted by the newspa-

See **Super**, Page 5

New wind towers move from facility

By Clara Garcia

News-Bulletin Editor

RIO COMMUNITIES

The first shipment of sections of large wind towers being manufactured at the Arcosa wind-tower production facility in the Rio Grande Industrial Park, south of the city of Rio Communities, were trucked Tuesday morning through Valencia County.

At about 10 a.m. Tuesday, trucks hauling the 190-foot towers made their way from the facility, through Rio Communities, south to U.S. 60 in Socorro County and then west to Interstate 25.

Because of the large load, the New Mexico Department of Transportation is conducting full intersection closures at N.M. 304 and N.M. 47, N.M. 47 and US 60, and US 60 and the I-25 northbound on-ramp (including N.M. 116).

There will be a maximum of

See **Towers**, Page 2





Nancy A. Montoya Century 21 Champions, Inc. 505.393.7421

Super: LL Schools Board of Education president still refuses to disclose reason

per this week, Kettler said he has retained an attorney and would not comment at this time regarding the ongoing investigation.

In late August, the *VCNB* filed an Inspection of Public Records Act request with Los Lunas Schools asking for the contract for services, scope of work services, invoices and payments to DDSK Group LLC, the company rumored to be conducting the investigation into the allegations made against Kettler. The district responded through it's law firm Cuddy & McCarthy, indicating it had no records responsive to the request.

The News-Bulletin filed a second IPRA request on Sept. 10, requesting the same documents from LLS but without naming a specific company. The Cuddy law firm responded on Sept. 24, saying LLS did not have any records responsive to the request and indicated since the hiring was done by the law firm it was protected by attorney-client privilege and not subject to IPRA.

The News-Bulletin then filed another records request for the contract between LLS and Cuddy, as well as records of payments and invoices between

August billing statements from Cuddy show a partial payment of \$21,685 to DDSK for "investigation (of) employee misconduct." In addition, documents show Cuddy has billed the district for nearly \$15,000 in legal fees since the beginning of June.

The school district already has contracts with four other law firms for legal services.

When asked why an additional contract with Cuddy was needed, Los Lunas Board of Education President Michelle Osowski said professional services contracts are highly common, given the different levels of expertise among firms.

"They (Cuddy) have what I was looking for," said Osowski.

She continued, saying while the firms currently on contract have their own specialties — collective bargaining, special educa-

tion, bonds and policy analysis Cuddy has "30-plus years in employment law."

The contract with Cuddy cannot exceed \$60,000 during the term of the contract, which is June 6, 2024, to June 6, 2025. It was signed by former acting superintendent Jessica Montano on July 23, the same day the board appointed Susan Chavez interim superintendent.

When Osowski was asked at the Aug. 20 board meeting who was conducting the investigation into Kettler, she told the News-*Bulletin* the name of the company would not be released at that time, only saying it was a firm selected by the district's attorney.

According to DDSK's website, the company is "three retired superintendents nationally certified to conduct Title IX investigations and personnel/ student misconduct independent investigations, student disciplinary hearings and other related services."

One of the superintendents is Dana Sanders, a former Los Lunas Schools superintendent. The other members of the company are Daniel P. Benavidez and Sheryl McNellis-Martinez, who with Sanders make up the 'DDS' part of the company. The 'K' stands knowledge and experience, according to the site.

Four months after being placed on paid administrative leave in 2020 and more than a month after being discharged from her position by the Los Lunas Board of Education, Sanders announced her retirement.

On June 16, 2020, the former board voted to discharge Sanders, who had worked for the district for 32 years and was the first female superintendent, from her position, but she was still on the district's payroll until they accepted her retirement.

In September 2021, Sanders settled a lawsuit with Los Lunas Schools for \$600,000 in lost wages and other damages. She filed the lawsuit against the Los Lunas Board of Education, with former board members Bryan Smith, Eloy Giron and Steven Otero mentioned in the suit directly in their capacities as board president, board vice president and board secretary, respectively.

The initial complaint alleged Smith, Giron and Otero engaged in improper employment practices and retaliation against Sanders for her refusal to use her position to fulfill certain member's "personal desires and/or vendettas" against district employees.

Benavidez, the former superintendent at Central Consolidated School District in the Four Corners area, McNellis-Martinez, the former superintendent of Wagon Mound Public Schools, and Sanders have all been embroiled in employment related litigation with their former school districts.

Sanders did not respond to News-Bulletin requests for comment before the deadline.

During an interview on Monday, after the News-Bulletin received the billing statements with the payment to DDSK, Osowski said she was fully informed that Sanders was part of the firm and was aware of her history with the district.

"The board authorized Cuddy to make a choice of the most qualified firm," the board president said. "There were three reasons they were chosen. All members are former superintendents, Yes, all three left their positions as superintendents — their boards asked them to leave and we know about the questionable circumstances of Ms. Sanders.

Two, this firm is certified in Title IX investigations and has a solid background in terms of HR. Finally, they have three people and when we were looking at having an external investigator who might only have one person, we felt having more people was

When asked if the investigation into the allegations against Kettler pertained to Title IX, Osowski said she couldn't say. Title IX is a federal law that prohibits sex discrimination in educational programs and activities that receive federal financial assistance.

Billing statements from Cuddy shows one of the firms partners, Laura Castille, has provided all of the legal services to the district, the majority of which have been communications with the board president.

One meeting between Castille and Osowsky on July 12 for "various ongoing issues" lasted 7.3 hours at a cost of \$1,569.50.

When asked if that was an overly long time to meet with an attorney, Osowski replied, "not when you're looking at going into an investigation."

The board president refused to specify if any of the issues discussed that day have been resolved and whether district constituents should be concerned.

On Aug. 20, Osowski had expressed hope the investigation would wrap up some time in September, but on Monday, she said she could not share a time line for when it would be final-

Other legal fees billed to the district include three trips by Castille from Las Cruces, where she lives and works from the southern branch of the firm. The attorney traveled to Los Lunas and billed for 25.5 hours for a total of \$5,482.50.

Castille's history also includes education and litigation. From 2018 to 2022, she was the Title IX coordinator for New Mexico State University. In early 2023, she filed a complaint against the university alleging officials had changed a job posting to fit the qualifications of a preferred candidate. As the person responsible for ensuring job postings complied with state law, Castille saw the change and reported it. She was put on leave and later resigned.

Castille's lawsuit alleges she was retaliated against for speaking up about the change. The suit was settled in January for a one-time payment of \$60,000 to

The professional services con-

tract with Cuddy was brought to the board for consideration at its June 18 meeting, but was denied on a 3-2 vote.

At the July 23 board meeting, the contract with Cuddy was on the agenda as part of the consent items, which is a list of action items voted on as a group without discussion unless a board members requests an item be pulled off the list and put on the regular

Acting LLS Superintendent Jessica Montano asked the board to remove the contract from the agenda, saying "it was within the acting superintendent's authority to approve contracts under \$60,000," according to the minutes. She went on to say, "... to avoid any further procurement code violations," she had approved the contract.

The contract was signed by Montano on July 23. Castille signed the contract the next day.

At the Sept. 10 BOE meeting, after another extensive executive session, board member Justin Talley made a motion to give Osowski and board vice president Bruce Bennett the authority to meet with Kettler to discuss and address investigation findings. Osowski said they have been talking to Kettler, but could not give details about what.

At the Aug. 20 meeting, Osowski also told the News-Bulletin she couldn't get into the details of the allegations against Kettler, but did say it was "nothing about the safety of children or staff. There is nothing felonious, no sexual misconduct or moral turpitude. Absolutely none of those things."

In the interview with Osowski Monday, she said, "The board has every intention, pending our legal counsel's approval of course, of disclosing as much as we're legally allowed to. We have no intention of hiding or clouding or obscuring any of the findings. This is important. It impacts the public and we know that."

Flood: District court judge to appoint board if voters approves new flood district from PAGE 1

the design phase to con-

struct flood control infrastructure for an area of about 250,000 acres south of the city of Belen. The cost of the NRCS

flood control project is estimated at more than \$25 million, with the conservation service willing to take on the construction of the project. There needs to be an agency willing to take on ownership of the completed project and maintain the infrastructure, both of which a arroyo flood control district could do.

The question on the ballot is just on the formation of a district.

If the voters approve the district, a five-member board of directors would be appointed by a district court judge. When the Valencia County commissioners approved the petition to form the district initially, the selection of the board was supposed to be on the ballot as well.

However, after the secretary of state intervened in the formation process of a similar flood control district in Sierra County, the Seventh Judicial District Court granted an order essentially separating the

two actions — leaving the question of whether to form the district on the November 2024 ballot and pushing the election of a board to the November 2025 local election, if the district was indeed formed.

The county commission erred on the side of caution and amended its district court petition to request just the formation of the district be put on the ballot and the election of a board be put on the ballot in the next local election in November 2025.

The judge granted the amended order on Friday, Aug. 9, and it says the court will temporarily appoint a flood control district board of directors, if it's approved, 30 days after the district's organization.

A deadline for qualified candidates to submit their names for consideration will be specified at a later

The board members would be at-large, meaning they would not be assigned to or selected from specific districts within Valencia County.

If formed, the district would include and have jurisdiction and taxing authority in the entirety of Valencia County, both incorporated and unincorporated areas.

One authority a flood control board has is the ability to impose property taxes. The board of directors can impose a half mill levy — a property tax of 50 cents per \$1,000 of taxable value — without a public vote, and any future flood district mill levy increases would have to go to the voters for approval. The appointed board would have the authority to impose the half mill.

If the district is approved by voters and a board is appointed by the court, members would take office in January 2025 and serve until the November 2025 local election.

The appointed members could choose to file to run to retain their seats, and an elected board would have to draw lots to determine a proper election rotation, meaning some would serve for two years while others would serve for four.

As a political subdivision of the state, the new district would be subject to the state's Open Meetings Act and Inspection of Public Records Act.

Election

from PAGE 1

E. Berry is running unopposed. **Valencia County Clerk**

Republican incumbent Mike Milam is running against Democrat Rustin Porter for the Valencia County Clerk's seat.

Valencia County Treasurer

Republican Ron Saiz, the incumbent candidate for the Valencia County treasurer seat, is challenged by Michelle Tafova, a Democrat, for Valencia County Treasurer.

N.M. Senate

District 30 Republican Sen. Joshua Sanchez is running for the District 29 seat against Democrat Tina Garcia. Sanchez is now in District 29 due to redistricting.

In N.M. Senate District 30, Democrat Angel Charley is unchallenged in the general election, as is Sen. Elizabeth Stefanics, the incumbent Democrat running for the District 39 seat.

N.M. House of Representatives

Republican Reps. Tanya Mirabal Moya and Brian Baca are both running unopposed for second terms in Districts 7 and 8, respectively.

In District 49 Republican incumbent Rep. Gail Armstrong is also running unopposed, as is Democrat Michelle Abeyta in District 69.

13th Judicial District Attorney

Democrat incumbent Barbara Romo will step into her second term as district attorney for the 13th Judicial District, running unopposed in both the primary and general elections.

The 13th Judicial District includes Valencia, Cibola and Sandoval counties.

On Tuesday, as election results come in to the Valencia County Clerk's Office, the preliminary numbers will be posted on the New Mexico Secretary of State's website as they have in the past; however, the numbers this year will be extra preliminary since a 2023 legislative change now gives those voting by absentee ballot time to "cure" mistakes, such as not signing the envelope or omitting the last four digits of their Social Security number as required.

As the clerk's office receives and verifies absentee ballots, if a mistake is found, the voter will be informed by mail and allowed to submit the correct information. Voters have until 5 p.m. the Friday after the election to return the correction in order for their ballot to be counted.

After the deadline for cures closes at 5 p.m., Friday, Nov. 8, the absentee board will reconvene and finish tabulating the ballots.

Same-day registration is being offered at the county's four early voting sites and at the 15 Voting Convenience Centers on Election Day, which allows any eligible voter to register or update their registration and vote on the same

There will be 15 Voting Convenience Centers open from 7 a.m. to 7 p.m., Tuesday, Nov. 5, to allow Valencia County voters to cast their ballots in person.

Early voting continues through Saturday, Nov. 2, and absentee ballots need to be returned by 7 p.m. on Election Day.

If voters haven't returned their absentee ballots yet, to guarantee it's returned by 7 p.m., Tuesday, Nov. 5, it is recommended to drop ballots off in person before Election Day at one of the following locations — the Valencia County Clerk's Office, 444 Luna Ave., Los Lunas, any of the early voting locations or any of the voting centers on Election Day. There are also three, secure

absentee ballot drop boxes in the county — at the Belen Community Center, the Bosque Farms Public Library and the Valencia County Administration Building. Early voting locations are open

from 10 a.m. to 6 p.m. through Saturday, Nov. 2:

•Belen Community Center, 305 Eagle Lane, Belen

• Bosque Farms Public Library, 1455 W. Bosque Loop, Bosque Farms

•Pueblo of Isleta Veterans Center, 4001 N.M. 314, Isleta

•Valencia County Administration Building, 444 Luna Ave., Los Lunas



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NMFOG files lawsuit against Los Lunas Schools

Transparency advocacy group alleges district officials refuse to release public records

By Julia M. Dendinger

News-Bulletin Assistant Editor

The state's open government watchdog group has filed a lawsuit against a local board of education, alleging the school disrecords pertaining to the investigation of a the district violated the act when it failed to former superintendent.

The New Mexico Foundation for Open former LLS superintendent Ryan Kettler reads.

the Los Lunas Schools Board of Education one records request. and the LLS records custodian, Brian Baca, Public Records Act.

Government filed a civil complaint against and completely failed to respond to at least

"Despite multiple requests for public for two violations of the state's Inspection of records related to the investigation and reasons for Kettler's termination from his posi-The suit, filed on Wednesday, May 7, in tion as superintendent, (LLS) has released trict wrongfully denied access to public the Second Judicial District Court, alleges no details about the allegations of misconduct, the results of the investigation, or produce records about its investigation into reasons for Kettler's termination," the suit

Kettler was hired as LLS superintendent in July 2023, was put on paid administrative leave pending an investigation into allegations of misconduct in July 2024, and fired in November 2024.

In late September 2024, NMFOG filed a records request for the contract, scope of work and invoices with DDSK, the company hired to investigate Kettler, in the possession

See **Lawsuit**. Page 12

New PAD law to help Belen in developments

By Clara Garcia News-Bulletin Editor

BELEN

for diversity in econom- a limit at a minimum of ic and residential plan- 30 acres. ning in the Hub City, the Belen City Council because it has a sperecently approved an cial feature," Tomita ordinance allowing for said. "Anything that is multiple zoning in a sin- allowed in the compregle development.

The council approved in the PAD." Planned Area District Ordinance, can become very comwhich fosters flexibility plex and detailed, the in the design, construc- developer must submit tion and processing of an entire master plan of residential, commercial all the three different and industrial projects components - comthat exceed the limita- mercial, residential and tions of conventional open space. zoning.

Steven Tomita, the

By Kenn Rodriguez

encounter with food allergies.

introducing him to solid foods.

News-Bulletin Staff Writer

Family honored

for advocacy for

Alejandra DeVargas will not soon forget her first

"I gave him just a tiny bit of an egg and about 10

minutes after that, he started getting hives all over

started swelling up to where his eyes were closed,

and so we took him to the emergency room right

After the panicked trip to the hospital, she and

allergist, who saw them six months later. Vincent's

family began down the road of treating their son's

Since then, Alejandra has become an advocate

his older brother, Eric, were recently honored with

a pair of proclamations, the most recent coming at

for food allergies. She and her sons, Vincent and

her husband were referred to a pediatric food

food allergy was confirmed and the DeVargas

his body," she recalled. "Eventually, his eyelids

When her second son, Vincent, was eight

months old, DeVargas said she decided to start

food allergies

city's development services director, said this has "been a long time coming," pointing out In an effort to allow that the ordinance sets

> "It's worth while, hensive plan is allowed

Tomita said PADs

POISED PERFORMANCE



The Valencia High School Wind Ensemble placed first in Class 4A at the NMAA Concert Band competition on Friday, April 11. The ensemble, conducted by VHS assistant director of bands Nate Van Dam, scored a 97.333 out of 100 in the competition, nearly five points better than the second-place group from Deming High School.

VHS Wind Ensemble places first at NMAA Concert Band competition

By Kenn Rodriguez News-Bulletin Staff Writer

he Valencia High School Wind Ensemble achieved ultimate excellence for the fourth time at the New Mexico Activities Association's Concert Band competition in Rio Rancho recently.

The group ended up with a score of 97.333 to claim the top prize at the gathering on Friday, April 11, at Sue V. Cleveland High School.

"We finished five points ahead of the next band, which is huge in band land," said VHS Wind Ensemble director Nate Van Dam. "My main goal — I was just hoping to break 90 and get a superior rating.

"I told them in the warm-up room, 'We've proved everything we need to just by the fact that we are here today.' I was just trying to get them to relax a little bit before going to their performance. And then they laid down their best performance of the year."

Van Dam said once the 24 students got settled and he stepped to the podium, the group was poised for a memo66-I was just trying to get them to relax a little bit before going to their performance, and then they laid down their best performance of the year.

Nate Van Dam

VHS Wind Ensemble director

rable performance.

"I felt it lock in. I felt it lock in on stage," he recalled. "You know, we tend to battle some adrenaline, some nerves, and it can tend to let our performances get a little sloppy sometimes, but they've been getting better at handling that."

Van Dam said he still had doubts afterward, though.

"Honestly, in the awards ceremony, they had just announced Deming in second place, and I leaned over to Ms. Stanbary, and 'I go, yeah, I don't think we got it.' It was a little surreal when they announced us in first, hon-

The victory was the fourth top prize in the Concert Band competition for VHS, but the first with Van Dam as director.

VHS captured first place for the first time in 2015 in Class 5A and earned the 4A crown in 2019 and 2022. The group was also runner up in 2013, 2014 and 2016 and placed third in 2017 and 2018, according to NMAA records.

This year's top finish comes in Van Dam's first year as assistant director of bands, working with VHS director of bands Michelle Stanbary, who is also his fiancé.

The couple are both originally from the Chicagoland area in Illinois and moved to New Mexico four years ago.

'Yeah, we're known as one of the power couples in band land here in

See **Band**, Page 5



allergies.

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See **Allergy**, Page 6

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Lawsuit: New Mexico Foundation of Open Government claims LLS failed to respond

contractors subject to IPRA."

Cuddy & McCarthy, one of the request citing attorney-client privilege.

The suit argues attorney-client privilege exempts only public to withhold the requested records, in October 2024. since DDSK isn't a client of the law

Schools.

contract law firms representing the Appeals' decision found when a requested by NMFOG "are not in what records were being withheld district, denied NMFOG's records private, third party acts on behalf existence" but if they did exist, due to the privilege exemption of a public agency, it is the equiv- would be protected by attorney-clialent of that agency and subject to ent privilege.

records that are communications circumvent the public's right of other than the law firm's invoice and inconsistent statements indi-"made for purposes of facilitating access to records by contracting or providing legal services to a out a public function," NMFOG client," making it illegal for Cuddy argued in a letter sent to the district

firm, but rather a contractor who neys acknowledged the firm was contractual relationship that would also violated IPRA by not only

ing with the district and subject request," the suit reads. A 2012 New Mexico Court of to IPRA. It asserted the records

"Although (Cuddy) insists there "Los Lunas Schools may not are no responsive documents ... dence that the firm contracted with that there would not be a single In it's response, Cuddy attor- record in existence relating to this

The district also didn't explain to IPRA and didn't explain the inspection, as required by the act.

"(Los Lunas Schools') evasive to (LLS), there is irrefutable evi- cate there are responsive records they withheld pursuant to the attor-DDSK ... and it is inconceivable ney-client privilege," NMFOG's suit argues.

NMFOG alleges the district

of Los Lunas Schools "or any of its provided services to Los Lunas a "third-party entity" contract- be responsive to (NMFOG's) failing to produce records for a Feb. 19 records request but for 'utterly failing to respond" to that

> NMFOG notes in the suit the redactions to invoices produced for district still hasn't responded to its February request as of the date of

> > IPRA requires public agencies to acknowledge the receipt of a records request within three days and provide records no later than 15 days after the request is made.

Belen: Planned Area District ordinance to promote creative development, open space

"The development can for a school site." even include tiny houses," Tomita said. "The developer nance, the PAD seeks to would need to come with the achieve several objectives, open space effectively design, architectural style. They'll also need to have

According to the ordiincluding:

sufficient water and sewer, ty, and general welfare of the the city's strong sense of and if it's big enough, they residents of the city; encourmight have to set aside land age creative approaches in

land development and com- Tomita said they're becom- Tomita said he is not able and Valencia County for the binations of land uses

• Preserve and utilize

• Promote the city of community

• Establish a unique, distinctive character for the development; and

accompanied by a formal development agreement

Tomita said a PAD application will not be accepted or approved by the planning and zoning commission until a neighborhood meeting is held.

"We have three PADs ready to come before the place," Espinoza said. "We planning and zoning commission," Tomita told the council.

Belen Mayor Robert Noblin asked how common Frank Ortega about specifics

ing more common, especial- to disclose it publicly at this ly now that Tiny Homes have time. become popular.

Tomita also said some of • Promote the health, safe- Belen in order to enhance these developments, because what I feel is beneficial with of the size and amount of the Planned Area Districts, be cost prohibitive for some developers.

• Ensure the PAD is engineer or planner to develop a PAD," he said. "The with dedicated roads. You smaller the project, the less complex."

> Councilor Rudy Espinoza plan, the city will experience

"We're in a very critical are pro-growth, but we need council: to manage it. I'm grateful to be on the ground floor."

When asked by Councilor Cordova CPAs, LLC Planned Area Districts are of the three potential PADs ernmental agreement with

"This is about controlled growth," Noblin said. "This effort needed to begin, could because we have some say about what's going to go in.' "We're allowed, as a city,

"That's why they need an to negotiate," Tomita said. "You need more open space, can negotiate parts, such as sidewalks."

While no one spoke said once a PAD is put during the public heartogether in an organized ing portion of the meeting, the council unanimously approved the ordinance, which is now law.

In other recent action, the

- Approved the city's 2024 audit, conducted by
- Approved an intergov-

joint operation and management of Sen. Willie Chavez

- Approved applying for local government road funds to construct improvement to LaLa Street; and planning and design of storm water crossing at Don Luis Trujillo Boulevard, near the De La Reina subdivision
- Appointed Rob Raucci to the Belen Public Library Board of Trustees, along with reappointing June Romero and Holly Chavez
- Approved third-quarter budget adjust-
- Approved a memorandum of understanding with the Belen Historic Downtown Partnership and the Belen Art League concerning the Belen Scarecrow in cities the size of Belen. coming to the Hub City, the city of Rio Communities Festival held in October

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For more information: Taira S. Chavira 505-966-1712

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People: Tone at the top includes respect, camaraderie

There's something called "tone at the top." It's pretty much what it sounds like — those in leadership set the tone and expectations for everyone in the organization.

In the last year, I've sat and watched the Belen Board of Education take purposeful steps to set that tone - a tone of respect, cordiality and camaraderie

Do they always agree with each other? Absolutely not, but they are willing to have civil discussions and hear each other out.

As the adults, they are doing the work to set the tone, to model the behavior they and others expect to see in students. The students are putting in the work as well, working in tandem to set the tone they want to see

among their peers.

Does this mean there aren't challenges that need to be addressed throughout BCS? Of course not.

Our whole system, from the top down, is a work in progress, but it is heartening to see the willingness to make changes being embraced, "for the children."



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