

**REGULAR MEETING
JUNE 14, 2005**

The Board of County Commissioners of San Miguel County held a Regular Meeting on Tuesday, June 14, 2005 at 1:30 p.m. at the Las Vegas City Schools Administration Building, Central Office Board Room, 901 Douglas Ave., Las Vegas, New Mexico. Immediately following the Regular Scheduled Meeting, a County Board of Finance Meeting followed. The minutes for the meeting are as follows:

CALL TO ORDER

Chairman LeRoy H. Garcia called the meeting to order at 1:30 p.m.

ROLL CALL

Chairman LeRoy H. Garcia, Vice-Chairman Hugh H. Ley, Commissioner David R. Salazar and Commissioner Kenneth C. Medina were all present. Commissioner Susano Ortiz was absent.

The record will show a quorum was present.

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

County Manager Les Montoya submitted the agenda as prepared.

Motion made by Commissioner Kenneth C. Medina to approve agenda as prepared. Second by Vice-Chairman Hugh H. Ley. Motion carried.

APPROVAL OF MINUTES – Regular Meeting May 10, 2005 and Special Meeting May 12, 2005.

County Attorney Jesus Lopez and County Manager Les Montoya had no recommended changes to the minutes of Regular Meeting of May 10, 2005 and Special Meeting May 12, 2005.

Motion made by Vice-Chairman Hugh H. Ley to approve minutes of May 10, 2005 and May 12, 2005 as presented. Second by Commissioner David Salazar. Motion carried.

INTRODUCTION OF NEW EMPLOYEES

County Manager Les Montoya introduced the following new employees:

Theresa Maldonado (Exempt Employee)	Office Manager/ Dispatcher	Sheriff's Office
Dorene Garcia (Casual Employee)	Appraisal Clerk	Assessor's Office

PRESENTATION BY THE TRANSPORTATION REGIONAL PLANNING ORGANIZATION WHICH WILL INCLUDE A BRIEF HISTORY OF THE ORGANIZATION, TECHNICAL ASSISTANCE, AVAILABLE GRANT FUNDS FOR TRANSPORTATION AND TRANSIT. NORTH CENTRAL NEW MEXICO ECONOMIC DEVELOPMENT DISTRICT'S ROLE IN COMMUNITIES.

Sandra Maes and Linda Martinez from North Central New Mexico Economic Development District gave a presentation regarding the Transportation Regional Planning Organization, which includes Technical Assistance, availability of Grant Funds for Transportation and Transit. Discussion ensued.

ART ARCHULETA, COUNTY RESIDENT WOULD LIKE TO APPROACH THE COUNTY COMMISSION AND RECOMMEND NAMING THE NEW PUBLIC HEALTH OFFICE IN THE NAME OF LEROY H. GARCIA.

Art Archuleta, County resident requested consideration to name the new Public Health Building after Commissioner LeRoy H. Garcia.

Residents from the Camp Luna area, the County Commissioners and County Attorney Jesus Lopez spoke in support of naming the Public Health Building after Commissioner LeRoy H. Garcia. Discussion ensued.

Motion made by Commissioner Kenneth C. Medina to approve the naming of the Public Health Building after Commissioner LeRoy H. Garcia. Second by Vice-Chairman Hugh H. Ley. Motion carried.

Chairman LeRoy H. Garcia abstained from voting.

Chairman LeRoy H. Garcia on behalf of the Board of County Commissioners presented Vice-Chairman Hugh H. Ley a plaque for his hard work and efforts regarding the Cowels road (U.S. Forest road).

Vice-Chairman Hugh H. Ley praised all the fire chiefs and fire departments for their commitment to secure funding to purchase fire apparatus that was displayed in the Plaza Park today.

NEW BUSINESS:

1. COUNTY TREASURER'S MONTHLY REPORT

County Treasurer Alfonso Ortiz went over the County Treasurer's Monthly Report for the month of May 2005. Discussion ensued

No action taken for information only.

2. RESOLUTION NO. 06-14-2005 PERSONNEL, PROPOSING THE AMENDMENT OF THE COUNTY PERSONNEL ORDINANCE, TO REQUIRE A ONE-YEAR PROBATIONARY PERIOD FOR ALL COUNTY EMPLOYEES

County Manager Les Montoya presented Resolution No. 06-14-2005 Personnel, Proposing the amendment of the County Personnel Ordinance to require a one-year probationary period for all County employees for approval.

Motion made by Commissioner Kenneth C. Medina to approve Resolution No. 06-14- 2005 Personnel, Proposing the amendment of the County Personnel Ordinance to require a one-year probationary period for all County employees as presented. Second by Vice-Chairman Hugh H. Ley. Motion carried.

3. 2005-06 SAN MIGUEL COUNTY LODGERS' TAX RECOMMENDATION FROM THE LODGERS TAX ADVISORY BOARD TO APPROPRIATE LODGERS' TAX REVENUE

Glen Post from the Lodgers Tax Advisory Board informed the Commission that the Advisory Board advertised proposals and were reviewed by the board on May 12, 2005 and the recommendations were as follows: Las Vegas/San Miguel Chamber \$18,975.00, Music from Angel Fire \$2,500.00, County Fair Board \$1,335.00 (Advertising), County Fair Board, (Electrical Improvements) \$2,500.00, Old Town Commercial Club \$1,000.00 (Sabor de Las Vegas), Old Town Commercial Club \$1,000.00 (Fridays el Fresco), Citizen Committee for Historic Preservation \$1,000.00, Zamora Roping Productions, \$1,000.00.

Chairman LeRoy H. Garcia recommended that the amount for the County Fair Board (Electrical Improvements be changed from \$2,500.00 to \$5,000.00 and requested direction from Mr. Montoya and County Attorney Jesus Lopez to make sure if it would be acceptable to award \$2,500.00 for transportation funds. The funds would be used to transport the children from the Valley area to Las Vegas for summer activities. Discussion ensued.

Motion made by Commissioner Kenneth C. Medina to approve the Lodgers Tax Advisory Board recommendations as amended. Second by Vice-Chairman Hugh H. Ley. Motion carried.

4. RECOGNITION OF GILBERT ALMANZA SECTION 8 ADMINISTRATOR OBTAINING CERTIFICATION AS A SECTION 8 HOUSING MANAGER.

County Manager Les Montoya recognized Mr. Gilbert Almanza, Section 8 Administrator on his accomplishments, obtaining certification as a Section 8 Housing Manager.

No action taken for information only.

5. BIRDS OF A FEATHER SUBDIVISION IMPROVEMENTS-REDUCTION OF THE AMOUNT OF IRREVOCABLE COMMERCIAL LETTER OF CREDIT

Planning & Zoning Supervisor Alex Tafoya informed the Commission that the County currently holds an Irrevocable Commercial Letter of Credit for Century Bank for improvements to the Birds of a Feather Subdivision. Bonnie McGowan of Birds of a Father Subdivision is requesting that San Miguel County authorize Century Bank to reduce the amount of the Letter of Credit by \$24,859.80.

Mr. Tafoya requested approval from the Commission to reduce the amount of Letter of Credit by \$24,859.80 and have Chairman LeRoy H. Garcia sign the San Miguel County's Acceptance of Work.

Motion made by Vice-Chairman Hugh H. Ley to approve the San Miguel County's Acceptance of Work and Release in the amount of \$24,859.80 as recommended. Second by Commissioner David Salazar. Motion carried.

6. INFRASTRUCTURE CAPITAL IMPROVEMENTS PLAN (ICIP) 2006 2010

Planning & Zoning Supervisor Alex Tafoya informed the Commission that the County has sixty seven (67) projects totaling approximately 27 million dollars for the Infrastructure Capital Improvements Plan (ICIP) 2006 2010.

Mr. Tafoya requested the Commission to review the ICIP; approve projects as ranked and adopt Resolution No. 6-14-05-ICIP.

The Commission requested that some revisions be made to the ICIP.

Motion made by Vice-Chairman Hugh H. Ley to approve projects and adopt resolution. Second by Commissioner David Salazar. Motion carried.

7. ECONOMIC DEVELOPMENT ORDINANCE

Planning & Zoning Supervisor Alex Tafoya reminded the Commission that on May 10, 2005 the Commission adopted Resolution No. 5-10-2005-PZ authorizing staff to publish the title and general summary of the proposed economic development ordinance and also submit the proposed ordinance for public comment and possible adoption.

Mr. Tafoya requested the Commission conduct a public hearing and accept public comment on the proposed Ordinance No. SMC-06-14-05-PZ, and adopt the ordinance.

Chairman LeRoy H. Garcia requested public comments from anyone in favor of the proposed ordinance.

The following person came forward in favor of the proposed ordinance:

Dr. Luis Ortiz

Chairman LeRoy H. Garcia requested public comments from anyone opposed of the proposed ordinance.

No one came forward.

Motion made by Vice-Chairman Hugh H. Ley to approve Ordinance No. SMC-06-14-05-PZ as presented. Second by Commissioner Kenneth C. Medina. Motion carried.

8. BID AWARD FOR INDUSTRIAL – INSTITUTIONAL TYPE KITCHEN EQUIPMENT

Planning & Zoning Supervisor Alex Tafoya reminded the Commission that the County serves as fiscal agent and grant administrator for various funding to the Las Vegas/San Miguel Senior Citizen’s Center that comes from the NM Aging and Long-Term Services Department.

Mr. Tafoya stated that the County issued an invitation to bid for Industrial Institutional Type Kitchen Equipment for the Senior Citizen Center located in Las Vegas. Mr. Tafoya stated that bids or four (4) items listed on the bid form were received on Thursday, May 26, 2005 from the following companies:

- **Standard Restaurant Equipment Company**
2405 Candelaria NE
Albuquerque, NM 87107

Item No. 1: Kitchen Hood with Ansul Fire Suppression System:

Amount: \$10,848.00

Item No. 2: Tilting Skillet with Cover, Countertop, Gas:

Amount: \$7,036.00

Item No. 3: One Single Pantry Deck Mounted Faucet:

Amount: \$68.00

Item No. 4: Electrical Work for Equipment and Installation:

Amount: \$5,300.00

Total Bid Price with Tax: \$24,463.76

National Restaurant Supply Company, Inc.

2513 Comanche Rd., NE

Albuquerque, NM 87107

Item No. 1: Kitchen Hood with Ansul Fire Suppression System:

Amount \$20,161.25

Item No. 2: Tilting Skillet with Cover, Countertop, Gas:

Amount: \$ 13,321.85

Item No. 3: One Single Pantry Deck Mounted Faucet:

Amount: \$111.34

Item No. 4: Electrical Work for Equipment and Installation:

Amount: \$ 0

Total Bid Price with Tax: \$33,594.44

Mr. Tafoya requested that the Commission review the bids and award the bid to the lowest bidder which is Standard Restaurant Equipment Company for the amount of \$24,463.76.

Motion made by Vice-Chairman Hugh H. Ley to award bid to Standard Restaurant Equipment Company, the lowest bidder for the amount of \$24,463.76 as recommended. Second by Commissioner David Salazar. Motion carried.

9. BIDS FOR ROWE FIRE DEPARTMENT MAIN STATION WHICH WAS RE-BID

Fire Marshal Dan Wright informed the Commission that bids were requested for construction of the Rowe Fire Station and three (3) bids were received and the lowest bidder was from 3-Bs construction for the amount of \$221,000.00.

John Kinsolving, Rowe Fire Chief addressed the Commission and requested consideration and approval to award bid to 3-Bs Construction. Discussion ensued.

Motion made by Vice-Chairman Hugh H. Ley to award bid to 3-Bs Construction for the amount of \$221,000.00, the lowest bidder. Second by Commissioner Kenneth C. Medina. Motion carried.

10. TRANSFER OF PROPERTY FROM PECOS VOLUNTEER FIRE DEPARTMENT INC. TO SAN MIGUEL COUNTY FOR THE PURPOSE OF CONSTRUCTING A SUB STATION FOR THE CABO LUCERO FIRE DEPARTMENT

Property was donated by Cornelia Dee Compton to the Pecos Canyon Volunteer Fire Department Inc., a 501-C3 Corporation for use as a substation. The title to the property must rest with San Miguel County; therefore, Pecos Canyon volunteer Fire Department Inc. is in turn donating this property to the County.

Motion made by Vice-Chairman Hugh H. Ley to approve and accept the property on behalf of Cabo Lucero Fire Department. Second by Commissioner David Salazar. Motion carried.

11. MONTHLY REPORT FOR THE PUBLIC WORKS DIVISION FOR THE MONTH OF MAY 2005

Public Works Division Supervisor Harold Garcia went over the monthly report for the month of May 2005 and answered questions from the Commission. Discussion ensued.

No action taken for information only.

12. REQUEST FOR BIDS-PURCHASE OF ONE OR MORE NEW AND/OR USED 30 & 40 YARD OPEN-TOP BATHTUB ROLL-OFF CONTAINERS

Public Works Division Supervisor Harold Garcia informed the Commission that the Public Works Division recently advertised for bids for the purchase of 30 and 40 cubic yard open-top roll-off containers.

Mr. Garcia stated that two (2) bids were received and opened on Friday, June 3, 2005.

The followings bids were submitted:

Waste Systems from Roswell, New Mexico submitted a bid for the 30-yard open-top containers of \$3,897.00 for the standard duty and \$4,497.00 for the heavy-duty containers. 40 yard open-top containers of \$4,329.00 for the standard duty, and \$4,497.00 for the heavy-duty containers.

Wastequip May Manufacturing from Arvada, Colorado submitted a bid for 30-yard open-top containers of \$3,486.00, plus freight (freight would be \$175.00 per load to Las Vegas). The bid for 40-yard open-top containers is \$3,814.00 plus freight (freight would be \$175.00 per load to Las Vegas).

Mr. Garcia requested authorization from the Commission to award bid to Wastequip May Manufacturing being the low bidder, contingent on availability of funds.

Chairman LeRoy H. Garcia recommended that Mr. Harold Garcia check if Wastequip May Manufacturing has done business with any other County.

Motion made by Commissioner Kenneth C. Medina to award bid to Wastequip May Manufacturing the lowest bidder based upon contingent on availability of funds. Second by Commissioner David Salazar. Motion carried.

13. REQUEST FOR PROPOSALS FOR HEAVY EQUIPMENT AND LIGHT-DUTY DIESEL POWERED MECHANIC SERVICES

Public Works Division Supervisor Harold Garcia informed the Commission that Public Work Division advertised for Diesel Mechanic Services for Heavy Equipment and Light-duty Equipment last month.

Mr. Garcia informed the Commission that the County received one (1) proposal from Greer's Repair and Welding, the current provider of Diesel Mechanic Services for the County.

Mr. Garcia requested authorization to proceed in executing an agreement with Greer's Repair & Welding for a 12 month-period, with an option to enter into an agreement for an additional twelve (12)-months for up to four (4) years.

Motion made by Commissioner Kenneth C. Medina to approve agreement with Greer's Repair & Welding for a twelve (12) month-period, with an option to enter into an agreement for an additional twelve (12)-months for up to four (4) years. Second by Commissioner David Salazar. Motion carried.

14. RESOLUTION NO. 06-04-05-CM SUPPORTING THE MORA-SAN MIGUEL-GUADALUPE REGIONAL WATER PLAN

County Manager Les Montoya reminded the Commission that the draft for the Regional Water Plan was presented to the Commission on May 10, 2005.

Mr. Montoya submitted Resolution No. 06-04-05-CM supporting the Mora-San Miguel-Guadalupe Regional Water Plan for review and approval.

Motion made by Vice-Chairman Hugh H. Ley to approve Resolution No. 06-04-05-CM supporting the Mora-San Miguel-Guadalupe Regional Water Plan as requested. Second by Commissioner Kenneth C. Medina. Motion carried.

15. RECOMMENDATION TO AWARD BID TO MARTINEZ CUSTOM TRAILERS (MTC) INDUSTRIES INC., FOR ONE REFURBISHED SIDE LOAD BODY AND CHASSIS FOR THE AMOUNT OF \$34,900.00

County Manager Les Montoya informed the Commission that the County had bid for the purchase of one refurbished 33 cubic yard side load body and solid waste chassis and only Martinez Custom Trailers (MTC) Industries Inc submitted a bid.

Mr. Montoya requested the Commission award bid to Martinez Custom Trailers (MTC) Industries Inc. for the amount of \$34,900.00 contingent upon availability of funds.

Motion made by Commissioner Kenneth C. Medina to award bid to Martinez Custom Trailers (MTC) Industries Inc. for the amount of \$34,900.00 contingent upon availability of funds as requested. Second by Vice-Chairman Hugh H. Ley Motion carried.

16. AGREEMENT FOR EMERGENCY HOUSING OCCUPANCY OF RIBERA HOUSING PROPERTY

County Manager Les Montoya reminded the Commission that at the last meeting a recommendation was made to use the Ribera Housing for temporary emergency housing. The proposed agreement sets out terms for such housing should it be made available to County residents who loose habitation because of fire, natural disaster or other serious emergency.

Mr. Montoya submitted the proposed agreement for the Commission to review. Mr. Montoya informed the Commission he had just discussed the matter with Section 8 Administrator and was informed by HUD that the housing units could not be leased out because the property was in disposition at this time. Mr. Montoya recommended tabling this item until he meets with HUD.

Motion made by Commissioner Kenneth C. Medina to table this item as recommended by County Manager Les Montoya. Second by Vice-Chairman Hugh H. Ley Motion carried.

17. COUNTY MANAGER'S PERSONNEL RECOMMENDATIONS TO HIRE AND TO RATIFY THE FOLLOWING INDIVIDUAL AS PER THE RECOMMENDATION OF ALBERT PADILLA, COUNTY ASSESSOR TO FILL THE CASUAL POSITION OF APPRAISAL CLERK AT THE SAN MIGUEL COUNTY ASSESSOR'S DEPARTMENT

County Manager Les Montoya submitted the following recommendations for hire and ratifications to fill the position as per the recommendation of Albert Padilla, County Assessor:

Casual Employee

Dorene Garcia Appraisal Clerk County Assessor's Office
Effective Date: June 6, 2005 to October 7, 2005
Hourly Salary: \$9.00

Motion made by Vice-Chairman Hugh H. Ley to approve recommendations for hire and ratifications as recommended by Albert Padilla, County Assessor. Second by Commissioner David Salazar. Motion carried.

18. COUNTY MANAGER'S PERSONNEL RECOMMENDATION TO HIRE CASUAL EMPLOYEE MR. PLACIDO BUSTAMANTE TO FILL THE POSITION OF CONVENIENCE CENTER OPERATOR WITH THE SAN MIGUEL COUNTY PUBLIC WORKS DIVISION

County Manager Les Montoya submitted the following recommendations for hire:

Probationary Employee

Placido Bustamante Convenience Center Operator Public Works Division
Effective Date: June 18, 2005
Salary: \$ 14,520.00

Motion made by Commissioner Kenneth C. Medina to approve recommendation to hire Placido Bustamante. Second by Vice-Chairman Hugh H. Ley. Motion carried.

19. COUNTY MANAGER’S PERSONNEL RECOMMENDATION TO HIRE AND RATIFY OFFICE MANAGER/DISPATCHER POSITION WITH THE SMC SHERIFF’S DIVISION

County Manager Les Montoya submitted the following recommendations for hire and ratify Office Manager/Dispatcher position with the SMC Sheriff’s Division:

Exempt employee
Theresa Maldonado Office Manager/Dispatcher Sheriff’s Division
Effective Date: May 30, 2005
Annual Salary: \$23,400.00

Motion made by Commissioner Kenneth C. Medina to approve recommendation to hire and ratify Office Manager/Dispatcher position with the SMC Sheriff’s Division. Second by Vice-Chairman Hugh H. Ley. Motion carried.

Chairman LeRoy H. Garcia abstained from voting.

20. COUNTY MANAGER’S PERSONNEL RECOMMENDATION TO HIRE AND TO RATIFY THE FOLLOWING INDIVIDUAL TO FILL THE CASUAL POSITION OF DEPUTY CLERK AS PER THE RECOMMENDATION OF PAUL MAEZ, COUNTY CLERK

County Manager Les Montoya submitted the following recommendations for hire and ratification, the following individual to fill the casual position of Deputy Clerk as per the recommendation of County Clerk Paul Maez:

Casual employee
Lynette Urioste Deputy Clerk County Clerk’s Office
Effective Date: May 11, 2005 to June 25, 2005
Hourly Salary: \$8.00

Motion made by Commissioner David Salazar to approve recommendation to hire and ratify the casual position of Deputy Clerk as per the recommendation of County Clerk Paul Maez. Second by Commissioner Kenneth C. Medina. Motion carried.

21. COUNTY MANAGER’S PERSONNEL RECOMMENDATION TO HIRE AND TO RATIFY THE FOLLOWING EMPLOYEES TO FILL THE POSITIONS AT THE SAN MIGUEL COUNTY DETENTION CENTER.

County Manager Les Montoya submitted the following recommendations for hire and ratifications to fill the positions at the San Miguel County Detention Center:

Probationary Employees:

Jodi Rael	Correctional Medical Officer	Salary: \$18,720.00 Annually
Andrea Lopez	Detention Officer	Salary: \$17,843.28 Annually
Stephanie Gonzales	Detention Officer	Salary: \$17,843.28 Annually
Robert Romero	Detention Officer	Salary: \$17,843.28 Annually

Motion made by Commissioner Kenneth C. Medina to approve recommendations to hire and ratifications to fill the positions at the San Miguel County Detention Center. Second by Vice-Chairman Hugh H. Ley. Motion carried.

22. RECOMMENDATION TO HIRE MANUEL M. CHAVEZ AS SAFETY COORDINATOR FOR SAN MIGUEL COUNTY

County Manager Les Montoya reminded the Commission that the position of Safety Coordinator became vacant on April 8, 2005 and the position was advertised.

Mr. Montoya requested the Commission consider hiring Manuel Chavez to the position of Safety Coordinator effective June 20, 2005, at an annual salary of \$22,500.00 per year (exempt position).

Motion made by Commissioner Kenneth C. Medina to approve recommendations to hire Manuel Chavez as Safety Coordinator with an annual salary of \$22,500.00 per year (exempt position). Second by Vice-Chairman Hugh H. Ley. Motion carried.

23. PERSONNEL ACTIONS

County Manager Les Montoya submitted Personnel Actions that have taken place in San Miguel County for ratification and approval.

Chairman LeRoy H. Garcia expressed his condolences on behalf of the Commission to Mr. Patrick Snedeker and his family for the death of his mother.

A moment of silence was taken.

Motion made by Vice-Chairman Hugh H. Ley to approve Personnel Actions as presented. Second by Commissioner Kenneth C. Medina. Motion carried.

24. SAN MIGUEL COUNTY BOARD OF FINANCE MEETING

Chairman LeRoy H. Garcia announced that the Board of County Commissioners would meet as the Board of Finance for San Miguel County.

25. PRESENT RESOLUTION NO. 5-14-2005-F1 BUDGET ADJUSTMENTS

Finance Division Supervisor Melinda Gonzales submitted Resolution No-5 14-2005-F1 Budget Adjustments for review and approval and went over the budget adjustments. Discussion ensued.

Ms. Gonzales informed the Commission that this item was presented to the Commission during the last meeting and the DFA asked for modifications on few amounts.

Motion made by Vice-Chairman Hugh H. Ley to approve Resolution No. 5-14-2005-F1 Budget Adjustments as presented. Second by Commissioner David Salazar. Motion carried.

26. SERVICE AGREEMENT WITH DESERTGATE WIRELESS INTERNET

Finance Division Melinda Gonzales informed the Commission that the DWI Department is in need of high speed internet access and DSL is not available in their area and has determined that Desertgate Wireless is the only wireless provider.

Chairman LeRoy H. Garcia recommended that Ms. Gonzales negotiate the price of internet service.

Motion made by Commissioner David Salazar to have Ms. Gonzales negotiate the price of the internet service with Desertgate. Second by Vice-Chairman Hugh H. Ley. Motion carried.

27. REQUEST FOR PROPOSALS FOR AUDITING SERVICES

Finance Division Melinda Gonzales informed the Commission that the County solicited bids for auditing services for the fiscal years 2004/2005, 2005/2006 and 2006/2007.

Ms. Gonzales informed the Commission that the County had received a proposal from Myners and Company and requested approval from the Commission to move forward to submit proposal to the State Auditor's Office for final approval.

Motion made by Commissioner Kenneth C. Medina to approve proposal from Myners and Company as requested. Second by Commissioner David Salazar. Motion carried.

28. CASH BALANCE REPORT

Finance Division Supervisor Melinda Gonzales went over the Cash Balance Report. Discussion ensued.

No action taken; for information only.

29. ACCOUNTS PAYABLE LISTING

Finance Division Supervisor Melinda Gonzales submitted Accounts Payable Listing for approval and certified each expenditure as a true and legitimate expense.

Motion made by Commissioner Kenneth C. Medina to approve Accounts Payable Listing as presented. Second by Vice-Chairman Hugh H. Ley. Motion carried.

30. INDIGENT CLAIMS

Finance Division Supervisor Melinda Gonzales submitted the Indigent Claims for review and approval.

The Commission decided to discuss this item in executive session.

Executive/Closed Session

A. Personnel Matters as permitted by Section 10-15-1(H) (2) of the New Mexico Open Meetings Act, NMSA 1978.

B. Matters subject to the attorney-client privilege pertaining to threatened or pending litigation in which SMC is or may become a participant, as permitted by Section 10-15-1(H) and of the New Mexico Open Meetings Act, NMSA 1978.

C. Matters pertaining to the discussion of the acquisition of real property, as permitted by Section 10-15-1 (H)(8) of the Open Meeting Act, NMSA 1978.

Les Montoya, County Manager recommended to retire into Executive Session to discuss Personnel Matters, as permitted by Section 10-15-1(H) (2) of the New Mexico Open Meetings Act, NMSA 1978, matters subject to the attorney-client privilege pertaining to threatened or pending litigation in which SMC is or may become a participant, as permitted by Section 10-15-1(H) (7) of the New Mexico Open Meetings Act, NMSA 1978 and matters pertaining to the discussion of the acquisition of real property, as permitted by Section 10-15-1(H)(8) of the Open Meetings Act, NMSA 1978.

Motion made by Vice-Chairman Hugh H. Ley to retire into Executive Session at 3:20 p.m. to discuss Personnel Matters, as permitted by Section 10-15-1(H) (2) of the New Mexico Open Meetings Act, NMSA 1978, matters subject to the attorney-client privilege pertaining to threatened or pending litigation in which SMC is or may become a participant, as permitted by Section 10-15-1(H) (7) of the New Mexico Open Meetings Act, NMSA 1978 and matters pertaining to the discussion of the acquisition of real property, as permitted by Section 10-15-1(H)(8) of the Open Meetings Act, NMSA 1978. Second by Commissioner Kenneth C. Medina. Motion carried.

Roll call was taken before County Commission retired into Executive Session.

Chairman LeRoy H. Garcia	yes
Vice-Chairman Hugh H. Ley	yes
Commissioner Kenneth C. Medina	yes
Commissioner Susano Ortiz	absent
Commissioner David Salazar	yes

Unanimous vote to retire into executive session.

Chairman LeRoy H. Garcia called the meeting back into public session at 4:30 p.m.

The record will show no action was taken in Executive Session, and matters discussed in the closed meeting were limited only to those specified in the motion for closure.

The following items were discussed regarding Indigent Claims:

Alta Vista approved with following exceptions:

- a. File # 5216, included was @ \$34,640.00 guidelines @ \$34,040.00
- b. Critical care claims for \$ 9,226.40 not approved.

St. Vincent approved.

Heart Hospital – both claims denied

Presbyterian – Application for claim partially paid by Medicare, denied.
The other two (2) need to be determined.

Motion made by Vice-Chairman Hugh H. Ley to approve Indigent Claims.
Second by Commissioner David Salazar. Motion carried.

ADJOURNMENT

Motion made by Vice-Chairman Hugh H. Ley to adjourn. Second by Commissioner Kenneth Medina. Motion carried.

The record will show the time is 4:33 p.m.

Approved this _____ day of _____, 2005 as the Official Minutes of the Board of County Commissioners of San Miguel County, New Mexico.

LeRoy H. Garcia, Chairman

Hugh H. Ley, Vice-Chairman

David R. Salazar Commissioner

Kenneth C. Medina, Commissioner

Susano Ortiz, Commissioner

ATTEST

Paul Maez, County Clerk

Minutes Submitted by: Geraldine E. Gutierrez