

**REGULAR MEETING  
OCTOBER 12, 2005  
MINUTES**

The Board of County Commissioners of San Miguel County held a Regular Meeting and a County Finance Meeting on Monday, October 12, 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 87701. 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, Commissioner Kenneth C. Medina and Commissioner Susano Ortiz were present.

The record will show a quorum was present.

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF AGENDA**

County Manager Les Montoya presented the agenda as prepared.

Motion made by Commissioner Susano Ortiz to approve agenda as prepared. Second by Commissioner Kenneth C. Medina. Motion carried.

**APPROVAL OF MINUTES – Regular Meeting September 12, 2005.**

County Manager Les Montoya had no recommended changes to the minutes of Regular Meeting September 12, 2005.

Motion made by Commissioner David Salazar to approve the minutes of Regular Meeting of September 12, 2005. Second by Vice-Chairman Hugh H. Ley. Motion carried.

Commissioner Kenneth C. Medina and Commissioner Susano Ortiz abstained from voting.

**INTRODUCTION OF NEW EMPLOYEES**

County Manager Les Montoya introduced the following new employee:

- Rita Sanchez                                      Administrative Assistant/      Detention Center  
(Probationary Employee)                      Secretary
  
- Nash Roybal                                      Heavy Equipment OperatorI/Public Works Division  
(Probationary Employee)                      Animal Control
  
- Tommy Smith                                      Heavy Equipment OperatorI/Public Works Division  
(Probationary Employee)
  
- Juan Diego Encinias                              Convenience Center Operator Public Works Division  
(Probationary Employee)

**PRESENTATION ON THE NORTH LAS VEGAS ARTERIAL STUDY BY GLENN S. BROUGHTON P.E., PROJECT ENGINEER WITH BOHANNAN HUSTON**

Jeanette Walther, from Bohannan-Huston gave a presentation on the North Las Vegas Arterial Study. Carlos Ortiz, Public Works Supervisor from the City will inform the County once, the City Council takes formal action to approve the study. Discussion ensued.

**NEW BUSINESS:**

**1. ROAD VIEWING OF LA LIENDRE ROAD C-48-A**

Planning & Zoning Supervisor Alex Tafoya informed the Commission that the San Miguel County road viewers conducted a public road viewing of La Liendre Road C-48-A on Friday, September 30, 2005 for the purpose of considering the abandonment of a portion of the road from its status of County road to that of a public road.

Mr. Tafoya stated that approximately seventeen (17) residents and interested persons attended the road viewing. Mr. Tafoya also stated that the road viewers recommended that the County keep the road open and maintain the road.

Chairman LeRoy H. Garcia and Commissioner Kenneth C. Medina agreed that the road remain open and be maintained by the County. Discussion ensued.

Motion made by Commissioner Kenneth C. Medina to approve the recommendations of the road viewers to keep the La Liendre Road C-48-A open and maintain the road. Second by Commissioner David Salazar, Commissioner Susano Ortiz and Vice-Chairman Hugh H. Ley. Motion carried.

**2. COUNTY TREASURER'S MONTHLY REPORT**

County Treasurer Alfonso Ortiz was not present but the County Manager handed out the County Treasurer's Monthly Report for the month of September 2005.

No action taken for information only.

**3. RUBEL ALLEMAND APPLICATION FOR SUMMARY SUBDIVISION**

On September 12, 2005 the Commission heard the application submitted by Rubel Allemand for a Summary Subdivision. After reviewing the application and conducting a public hearing, the Commission voted to continue the hearing until the County gets a final opinion from the State Engineer's Office in regard to water availability.

County Manager Les Montoya requested that the hearing regarding the Rubel Allemand Application be continued until the Commission receives the final report from the State Engineer's Office in regard to water availability

Motion made by Vice-Chairman Hugh H. Ley to continue the public hearing and table this matter until the Commission receives the final report from the State Engineer's Office in regard to water availability. Second by Commissioner Susano Ortiz. Motion carried.

**4. PETITION TO DISCONTINUE AN UNUSED PORTION OF CABALLO ROAD AS A PUBLIC ROAD**

Planning & Zoning Supervisor Alex Tafoya informed the Commission that he had received a petition from Ellis and Sheryl Vickers to discontinue an unused portion of a road as a public road, said road being a portion of Caballo Road located in the vicinity of Hooverville, Conchas Dam, New Mexico.

Mr. Tafoya requested the Commission review the petition and authorize staff to conduct a public road viewing of Caballo Road.

Motion made by Commissioner David R. Salazar to authorize staff to conduct a public road viewing of Caballo Road as requested. Second by Vice-Chairman Hugh H. Ley. Motion carried.

**5. 2005 RE-AUTHORIZED PROJECT NO. 00-489-BERNAL COMMUNITY CENTER**

Planning & Zoning Supervisor Alex Tafoya informed the Commission that the County serves as fiscal agent and grant administrator for various communities within the County that receive legislative appropriations.

Mr. Tafoya stated that the County had received from DFA-Local Government Division an amendment to Special Appropriations Project No. 00-489 for the Bernal Community Center, which amendment re-authorizes the project in the amount of \$10,000.00. The new grant agreement expiration date will be June 30, 2010. Mr. Tafoya requested the Commission approve the amendment.

Motion made by Commissioner David R. Salazar to approve the amendment as requested. Second by Vice-Chairman Hugh H. Ley. Motion carried.

Chairman LeRoy H. Garcia requested to take a five (5) minute break.

Chairman LeRoy H. Garcia called the meeting back to order at 2:55 p.m.

**6. NEW MEXICO AGING AND LONG-TERM SERVICES DEPARTMENT CONTRACT NO. 2006-420 AND CONTRACT NO. 2006-422**

Planning & Zoning Supervisor Alex Tafoya informed the Commission that the County serves as fiscal agent and grant administrator for the Senior Citizen's Centers located in San Miguel County. The New Mexico Aging and Long-Term Services Department submitted the following contracts for review and acceptance by San Miguel County: Contract No. 2006-422 for the amount of \$20,000.00 to be used for renovations to the Las Vegas and San Miguel County Senior Centers located in San Miguel County; and Contract No. 2006-422 for the amount of \$15,000.00 to be used to purchase equipment for the San Miguel Senior Center in San Miguel County. Mr. Tafoya requested the Commission accept the contracts.

County Manager Les Montoya informed the Commission of the City's request for the County to consider leasing the Senior Citizens Building in Las Vegas. The Commission informed Mr. Montoya that the County did not want to lease the building.

Motion made by Commissioner David R. Salazar to approve Contract No. 2006-422 for the amount of \$20,000.00 to be used for renovations to the Las Vegas and San Miguel County Senior Centers located in San Miguel County; and Contract No. 2006-422 for the amount of \$15,000.00 to be used to purchase equipment for the San Miguel Senior Center in San Miguel County as requested. Second by Vice-Chairman Hugh H. Ley. Motion carried.

**7. PROPOSED AFFORDABLE HOUSING ORDINANCE**

Planning & Zoning Supervisor Alex Tafoya submitted for approval Affordable Housing Ordinance.

Mr. Tafoya informed the Commission that at the Commission Meeting of September 12, 2005, the Commission gave direction to staff to prepare an ordinance in compliance with rules promulgated by the New Mexico Mortgage Finance Authority Affordable Housing Act Rules that provides for housing assistance grants to qualified non-profit organizations. The proposed ordinance has been prepared and has been forwarded to the New Mexico Mortgage Finance Authority for review and comment. The ordinance as prepared complies with the Affordable Housing Act and rules.

Mr. Tafoya requested authorization to publish a Notice of Hearing and Proposed Adoption of the Affordable Housing Ordinance.

No Comments as to the writing of the ordinance were presented.

Motion made by Vice-Chairman Hugh H. Ley to authorize publication of the Notice of Hearing and Proposed Adoption of the Affordable Housing Ordinance. Second by Commissioner David R. Salazar. Motion carried.

**8. PUBLIC MEETING FOR THE SECTION 8 HOUSING 2005 AGENCY PLAN**

Section 8 Housing Administrator Gilbert Almanza, Jr. submitted for approval the Five-Year plan for the Section 8 Housing.

Mr. Almanza informed the Commission a public hearing is required for any public comment regarding the plan.

Chairman LeRoy H. Garcia requested public comment in favor of the Five-Year Plan for the Section 8 Housing.

No one came forward.

Chairman LeRoy H. Garcia requested public comment against the Five-Year Plan for the Section 8 Housing.

No one came forward.

Motion made by Commissioner David R. Salazar to approve the Five-Year Plan for the Section 8 Housing as requested. Second by Commissioner Susano Ortiz. Motion carried.

**9. RESOLUTION SMC NO. 10-12-2005-S8-1 TO RATIFY A PREFERENCE LISTING, SAID PREFERENCES ENSURE THE INTEGRITY OF THE SAN MIGUEL COUNTY SECTION 8 HOUSING AUTHORITY**

Section 8 Housing Administrator Gilbert Almanza, Jr. submitted for review and approval Resolution SMC No. 10-12-2005-S8-1 to set a preference listing, said preferences ensure the integrity of the San Miguel County Section 8 Housing Authority.

Motion made by Commissioner Kenneth C. Medina to approve Resolution SMC No. 10-12-2005-S8-1 as requested. Second by Vice-Chairman Hugh H. Ley. Motion carried.

**10. RESOLUTION SMC NO 10-12-2005-S8-2 TO INCREASE THE SAN MIGUEL COUNTY SECTION 8 HOUSING PROGRAM WITH 65 HOUSING CHOICE VOUCHERS FOR AFFECTED RESIDENTS OF THE TAOS/ENCINO HOPE VI DEMOLITION PROJECT IN LAS VEGAS NEW MEXICO**

Section 8 Housing Administrator Gilbert Almanza, Jr. submitted for review and approval Resolution SMC No. 10-12-2005-S8-2 to increase the San Miguel County Section 8 Housing Program with 65 Housing Choice vouchers for affected residents of the Taos/Encino Hope VI Demolition Project in Las Vegas, New Mexico.

Motion made by Commissioner David R. Salazar to approve Resolution SMC No. 10-12- 2005-S8-2 to increase the San Miguel County Section 8 Housing Program with 65 Housing Choice vouchers for affected residents of the Taos/Encino Hope VI Demolition Project in Las Vegas, New Mexico as requested. Second by Vice-Chairman Hugh H. Ley. Motion carried.

**11. PROJECT AGREEMENT (06-ID-63-087) OPERATION DWI**

Under Sheriff Benjie Vigil requested approval for Project Agreement (06-ID-63-087) Operation DWI

Mr. Vigil informed the Commission that the Operation DWI projects are monies given to the department to work overtime, which comes from the New Mexico Department of Transportation. Discussion ensued.

Motion made by Commissioner David Salazar to approve Project Agreement (06-ID-63- 087) Operation DWI as requested. Second by Vice- Chairman Hugh H. Ley. Motion carried.

**12. TITLE TRANSFER OF DWI TRAILER TO NEW MEXICO STATE POLICE (NMSP) DISTRICT II**

DWI Coordinator Wendy Armijo requested approval from the Commission to transfer the title of DWI Trailer to the New Mexico State Police (NMSP) District II.

Ms. Armijo informed the Commission that the San Miguel DWI Program through the use of Community DWI (CDWI) funds has since the inception of the program purchased goods/items for its local Law Enforcement Agencies. The San Miguel county DWI Program purchased a DWI Trailer for the NMSP District II, (Las Vegas). The trailer will be utilized to transport all DWI Checkpoint materials needed to operate a checkpoint and it is required that the NMSP be allowed to obtain title of the trailer to acquire vehicle registration and ownership.

Motion made by Commissioner Kenneth C. Medina to approve title transfer of DWI Trailer to New Mexico State Police (NMSP) District II as requested. Second by Commissioner Susano Ortiz. Motion carried.

**13. BID AWARD FOR PAVING OF PARKING LOT AT THE NEW BIG MESA FIRE STATION/CONCHAS DAM**

Fire Marshal Dan Wright informed the Commission that Miller Engineering Consultants prepared plans for surfacing the parking lot around the station including a comprehensive drainage plan. DR Construction was the lowest qualified bidder meeting specifications at \$59,682.19 which is within the engineers estimate and the Fire Department project budget.

Mr. Wright requested the Commission award the bid to the low bidder DR Construction as recommended by Miller Engineering Consultants and to authorize staff to enter into a construction contract with DR. Construction.

Motion made by Commissioner Kenneth C. Medina to award bid to DR Construction for the bid amount of \$59,682.19 including taxes and authorizes staff to enter into a construction contract as requested. Second by Commissioner David Salazar. Motion carried.

**14. CONTRACT FOR RESIDENT DETENTION BY AND BETWEEN SAN MIGUEL COUNTY, NM AND SANTA FE COUNTY, NM FOR THE HOUSING OF SAN MIGUEL COUNTY JUVENILE DETAINEES AT THE SANTA FE COUNTY YOUTH DEVELOPMENT PROGRAM**

County Manager Les Montoya submitted for approval a Contract for resident detention between San Miguel County and Santa Fe County for the housing of San Miguel County Juvenile Detainees at the Santa Fe County Youth Development Program.

Mr. Montoya informed the Commission that the San Miguel County juvenile detainees are presently housed at the Quay County Detention Center pursuant to a Joint Powers Agreement. Quay County has provided written notice that effective November 1, 2005 they would no longer house juvenile detainees.

Motion made by Commissioner Susano Ortiz to approve Contract for resident detention between San Miguel County and Santa Fe County for the housing of San Miguel County Juvenile Detainees at the Santa Fe County Youth Development Program as requested. Second by Commissioner David R. Salazar. Motion carried.

Chairman LeRoy H. Garcia requested a tour of the facility be set for those County Commissioners who want to see the facility.

**15. SAN MIGUEL COUNTY INMATE WORK DETAIL PROGRAM**

County Manager Les Montoya informed the Commission that an inmate work detail program has been initiated in cooperation with the San Miguel County Detention Center and the San Miguel County Public Works Division.

Mr. Montoya stated that a Policy and Procedures have been developed including condition(s) of participation and rules and regulations. Mr. Montoya went over the San Miguel County Work Detail Crew Scope of Work.

Motion made by Commissioner Susano Ortiz to approve the San Miguel County Inmate Work Detail Program as presented. Second by Vice-Chairman Hugh H. Ley. Motion carried.



**16. DFA-LOCAL GOVERNMENT DIVISION OWNER/ARCHITECT AGREEMENT FOR ARCHITECTURAL SERVICES-SAN MIGUEL COUNTY DETENTION CENTER FACILITY IMPROVEMENT MASTER PLAN**

County Manager Les Montoya submitted for approval DFA-Local Government Division Owner/Architect Agreement for Architectural Services with NCA Architects, PA and San Miguel County Detention Center Facility Improvement Master Plan.

Motion made by Vice-Chairman Hugh H. Ley to approve DFA-Local Government Division Owner/Architect Agreement with NCA Architects, PA for Architectural Services at the San Miguel County Detention Center Facility Improvement Master Plan. Second by Commissioner Kenneth C. Medina. Motion carried.

**17. AGREEMENT FOR CORRECTIONAL FACILITY FOOD SERVICE OPERATIONS AT THE SAN MIGUEL COUNTY DETENTION CENTER**

County Manager Les Montoya submitted for approval Agreement between ABL Management, Inc. and San Miguel County Detention Center for Correctional Facility Food Service Operations at the San Miguel County Detention Center

Finance Division Supervisor Melinda Gonzales summarized the cost factor for the food service. Discussion ensued.

Motion made by Commissioner Kenneth C. Medina to approve Agreement between ABL Management, Inc. and San Miguel County Detention Center for Correctional Facility Food Service Operations at the San Miguel County Detention Center as requested. Second by Commissioner David Salazar. Motion carried.

**18. MONTHLY REPORT FOR THE PUBLIC WORKS DIVISION FOR THE MONTH OF SEPTEMBER 2005**

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

No action taken; for information only.

Commissioner Susano Ortiz expressed his concerns regarding the culvert in the La Tewa road area and wanted to know when this work would be completed.

Commissioner David Salazar expressed his concerns regarding the Tecolote project and asked if the contractors have a time frame to finish a project, and regarding County contractor failure to complete projects. It was recommended that the County Manager use language in all future constructions projects to insure completion on a timely basis. Discussion ensued.

County Manager Les Montoya stated that a clause would be added to each contract that states that if a job is not completed within a certain time the contract could be terminated and the project could be re-advertised.

**19. RENEWAL OF EMERGENCY DISASTER ROAD ASSISTANCE AGREEMENTS**

Public Works Division Supervisor Harold Garcia informed the Commission that the County solicited for Emergency Disaster Road Assistance from local contractors three years ago for services within the four areas of the County (Villanueva and Pecos area, Conchas and eastern County area, north of Las Vegas and Rociada area, western side of the County and Las Vegas area). Mr. Garcia informed the Commission that four contractors submitted bids and each assigned an area.

Mr. Garcia informed the Commission the following contractors were assigned to the different areas.

JAG Construction – Conchas Area and Eastern side of the County.  
Duran’s Sand & Gravel – Pecos/Villanueva area  
Rocky Road Gravel Products North of Las Vegas and Rociada area  
Crespin’s Paving and Maintenance-Las Vegas and West of Las Vegas  
Mr. Garcia’s recommendation was to award to the low bidder which was Duran’s Sand and Gravel in the amount of \$84,746.12 as recommended by the County Engineer.

Mr. Garcia submitted for review and approval the Renewal of Agreement between San Miguel County and JAG Construction, Duran’s Sand & Gravel, Rocky Road Gravel Products and Crespin’s Paving & Maintenance.

Commissioner Kenneth C. Medina expressed his concerns regarding an incident that occurred last year when a contractor was called out to do snow removal in the Bernal area and refused to go.

County Manager Les Montoya informed the Commission the County could include language that would penalize a contractor for not performing work when called upon to do so.

Motion made by Commissioner Kenneth to approve renewal of Emergency Disaster Road Assistance Agreements with the added language regarding

termination for non performance. Second by Vice-Chairman Hugh H. Ley.  
Motion carried.

**20. LEASE AGREEMENT APPROVAL OF A FOUR WHEEL DRIVE  
LOADER**

Public Works Division Supervisor Harold Garcia submitted for approval a Lease Agreement to enter into a five-year lease agreement through a “piggy-back” with the City of Las Vegas on the recently awarded lease with Wagner Equipment Company for the 938G Series II four-wheel front-end loader. .

Mr. Garcia informed the Commission that the current lease with Wagner Equipment Company for the 938 Caterpillar Four Wheel Drive Loader expires October 31, 2005.

Motion made by Commissioner David Salazar to approve a five-year lease agreement through a “piggy-back” with the City of Las Vegas on the recently awarded lease with Wagner Equipment Company for the 938G Series II four-wheel front-end loader as requested. Second by Vice-Chairman Hugh H. Ley.  
Motion carried.

**21. LEASE AGREEMENT APPROVAL OF A MOTOR GRADER**

Public Works Division Supervisor Harold Garcia informed the Commission that the current lease with Wagner Equipment Company for the 140H Motor Grader expires October 31, 2005 and Colfax County recently awarded a five-year lease with Wagner Equipment Company for 140H Motor Grader.

Mr. Garcia requested approval to enter into a five-year lease agreement through a “piggy-back” with Colfax County on the recently awarded lease with Wagner Equipment company for the 140H Series Motor Grader.

Motion made by Vice-Chairman Hugh H. Ley to approve the five-year lease agreement through a “piggy-back” with Colfax County on the recently awarded lease with Wagner Equipment company for the 140H Series Motor Grader as requested. Second by Commissioner David R. Salazar. Motion carried.

Chairman LeRoy H. Garcia requested that Mr. Garcia look into leasing two (2) mowers for the summer months and what the cost would be.

**22. REQUEST FOR BIDS FOR PURCHASING AND/OR DELIVERY OF BASE COURSE, 2” MINUS COBBLE STONE AND ASPHALT HOT/COLD MIX FOR SAN MIGUEL COUNTY**

Public Works Division Supervisor Harold Garcia informed the Commission that the County currently has a one-year agreement with Duran’s Sand & Gravel for the Pecos and Valley area and with Rocky Road Gravel Products for the Las Vegas area to provide base course and 2” minus cobblestone within certain areas of the County and these agreements will expire at the end of October.

Mr. Garcia requested authorization to proceed in advertising the bid for the purchase, delivery and placing of base course along the various County roads.

Motion made by Commissioner David Salazar to proceed in advertising the bid for the purchase, delivery and placing of base course along the various County roads as requested. Second by Commissioner Susano Ortiz. Motion carried.

**23. REQUEST FOR PROPOSALS FOR AMBULANCE SERVICES TO BE PROVIDED TO THE CITY OF LAS VEGAS AND SAN MIGUEL COUNTY**

County Manager Les Montoya informed the Commission that request for proposals were solicited by the City of Las Vegas/San Miguel County. Mr. Montoya requested that the County follow suit with what the City of Las Vegas did and reject all proposals for ambulance service to City of Las Vegas and San Miguel County that were received and be authorized to re-advertise the ambulance service.

Motion made by Vice-Chairman Hugh H. Ley to reject all proposals for ambulance service to City of Las Vegas and San Miguel County that were received and authorize staff to re-advertise the ambulance service as requested. Second by Commissioner Susano Ortiz. Motion carried.

**24. APPROVAL OF CONSTRUCTION CONTRACT WITH JIM SENA CONSTRUCTION COMPANY, INC., TO CONSTRUCT THE NEW SAN MIGUEL COUNTY DISTRICT COURT ANNEX, AND RATIFICATION OF THE CONTRACT AWARD TO JIM SENA CONSTRUCTION FOR THE TOTAL AMOUNT OF \$3,220,000.00, PLUS GROSS RECEIPTS TAX.**

County Manager Les Montoya reminded the Commission that the construction contract for the new District Court Annex was awarded to Jim Sena Construction Company at the meeting of September 12, 2005, on the condition that the contractor reduce the bid amount from \$3,320,000.00 to \$3,220,000.00. Mr. Sena provided notice of his intent to reduce the bid amount to \$3,220,000.00 on September 16, 2005.

The County provided official written notice of award to Jim Sena as per the official and public action taken by the Commission on September 12, 2005

County Manager Les Montoya submitted for approval the contract between San Miguel County and Jim Sena Construction Company, Inc.

Motion made by Commissioner Kenneth C. Medina to approve contract between San Miguel County and Jim Sena Construction Company, Inc. as requested. Second by Vice-Chairman Hugh H. Ley. Motion carried.

County Manager Les Montoya requested ratification of the bid award.

Motion made by Commissioner David Salazar to ratify the bid award. Second by Commissioner Susano Ortiz. Motion carried.

**25. 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:**

Rita Sanchez	Administrative Assistant/Secretary	Salary:\$21,000.00Annually
April Romero	Detention Officer	Salary: \$17,843.28 Annually
Joseph Moreno	Detention Officer	Salary: \$17,843.28 Annually
Clarence Padilla	Detention Officer	Salary: \$17,843.28 Annually
Lauri Rendon	Detention Officer	Salary: \$17,843.28 Annually
Brian Martinez	Detention Officer	Salary: \$17,843.28 Annually
Leroy Gonzales	Detention Officer	Salary: \$17,843.28 Annually
Amanda Rivera	Detention Officer	Salary: \$17,843.28 Annually
Emmett Heath	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 as presented. Second by Vice-Chairman Hugh H. Ley. Motion carried.

**26. COUNTY MANAGER’S PERSONNEL RECOMMENDATIONS TO HIRE THE FOLLOWING EMPLOYEES TO FILL THE POSITIONS OF MAINTENANCE TECHNICIAN WITH THE SAN MIGUEL COUNTY PUBLIC WORKS DIVISION AND THE SAN MIGUEL COUNTY DETENTION CENTER**

County Manager Les Montoya submitted the following recommendations for hire to fill the positions of Maintenance Technician with the Public Works Division and the San Miguel County Detention Center:

**Probationary Employees:**

Gary King	Maintenance Technician/ Public Works Division	Salary: \$21,220.00 Annually
Johnny Montano	Maintenance Technician/ Detention Center	Salary: \$21,220.00 Annually

Motion made by Commissioner Kenneth C. Medina to approve recommendations to fill the positions of Maintenance Technician with the Public Works Division and the San Miguel County Detention Center as presented. Second by Commissioner David R. Salazar. Motion carried.

**27. PERSONNEL ACTIONS**

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

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

**28. 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.

**29. FINANCIAL RESOLUTION 10-12-2005-F1**

Finance Division Supervisor Melinda Gonzales submitted for approval Resolution No. 10-12-2005-F1.

Ms. Gonzales went over the budget adjustments.

Motion made by Vice-Chairman Hugh H. Ley to approve Resolution No. 10-12-2005-F1 as requested. Second by Commissioner Kenneth C. Medina. Motion carried.

**30. INDIGENT CLAIMS**

Finance Division Supervisor Melinda Gonzales submitted for approval Indigent Claims.

Motion made by Vice-Chairman Hugh H. Ley to table this item to be discussed in executive session. Second by Commissioner David R. Salazar. Motion carried.

**31. CASH BALANCE REPORT**

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

No action taken; for information only.

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

**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.**

County Manager Les Montoya 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 Commissioner Kenneth C. Medina to retire into Executive Session at 3:15 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 David R. Salazar. 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	yes
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.

Motion made by Vice-Chairman Hugh H. Ley to approve Indigent Claims for Alta Vista Regional Hospital and St. Vincent Hospital and deny the claim for Presbyterian Hospital. Second by Commissioner Kenneth C. Medina. Motion carried.

## **ADJOURNMENT**

Motion made by Commissioner Kenneth C. Medina to adjourn. Second by Commissioner Susano Ortiz. 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

