

**REGULAR MEETING
AUGUST 15, 2006
MINUTES**

The Board of County Commissioners of San Miguel County held a Regular Meeting and a County Finance Meeting on Tuesday, August 15, 2006 at 1:30 p.m. at the Board Room of the Donaldo A. Martinez Administration Building of the West Las Vegas Schools, 179 Bridge Street, 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

Commissioner David Salazar recommended the agenda be amended and requested that Item No. 13 Agreement between owner and Engineer-Tecolote Road and Drainage Project CDBG No. 06-C-NR-I1-G-43 be moved to Item No. 2.

Motion made by Commissioner David Salazar to approve agenda as amended. Second by Vice-Chairman Hugh H. Ley. Motion carried

APPROVAL OF MINUTES Regular Meeting of July 18, 2006.

County Manager Les Montoya and County Attorney Jesus Lopez had no recommended changes to the minutes of Regular Meeting held July 18, 2006.

Motion made by Commissioner David Salazar to approve the minutes of the following meetings: Regular Meeting held July 18, 2006. Second by Commissioner Kenneth C. Medina. Motion carried.

INTRODUCTION OF NEW EMPLOYEES

County Manager Les Montoya introduced the following new County employees:

Connie Gallegos Appraisal Clerk Assessor's Department
(Probationary Employee)

Pete Ortiz Convenience Center Operator/Public Works Division
Solid Waste

Dominic Trujillo Convenience Center Operator/Public Works Division
Solid Waste

NEW BUSINESS:

1. COUNTY TREASURER'S MONTHLY REPORT

County Treasurer Alfonso Ortiz went over the monthly report for the month of July 2006. Discussion ensued.

No action taken; for information only.

2. ADOPTION OF INFRASTRUCTURE CAPITAL IMPROVEMENT PLAN (ICIP) 2008-2012

Planning and Zoning Supervisor Alex Tafoya submitted for approval Resolution No. 8-15-06-ICIP and requested the Commission select the top five projects that would be submitted for funding consideration to the Governor in the January 2007 Legislative Session.

Mr. Tafoya reminded the Commission that the County has developed its Infrastructure Capital Improvements Plan (ICIP) for 2008-2012 and public comment was received by letter and public hearings.

Mr. Tafoya informed the Commission that in order to proceed with finalizing the 2008-2012 ICIP it is necessary to adopt the ICIP by resolution so that it can be submitted to DFA-local Government Division. Mr. Tafoya stated that it is necessary to select the top five- (5) priority projects that would be submitted for funding consideration to the Governor in January 2007 Legislative Session.

After much discussion among the Commission and the County Manager, it was decided that the followings projects would be submitted to the Governor for the January 2007 Legislative Session. As the County's top Capitol Out Lay Projects.

Vice-Chairman Hugh Ley expressed his concerns and felt that the network software and computer hardware should be moved up and the Pedestrian Bridge in Montezuma be moved down.

Chairman LeRoy H. Garcia stated that it was a safety issue and should be ranked in the original order it was presented.

Motion made by Commissioner David Salazar to approve the following projects in the following order of priority: 1. Courthouse Renovation 2. Ribera Corruco Bridge Construction 3. Detention Center Improvements 4. Pedestrian Bridge in Montezuma 5. Hydrology Study for County these are the projects to be submitted for funding consideration to the Governor in the January 2007 Legislative Session. Second by Commissioner Susano Ortiz. Motion carried.

The record will show that Vice-Chairman H. Hugh Ley voted against the motion.

Motion made by Commissioner David Salazar to adopt Resolution No. 8-15-06-ICIP subject to the foregoing priorities. Second by Commissioner Susano Ortiz. Motion carried.

Frank Splendoria went before the Board for consideration for a resolution for some action regarding the watershed.

Vice-Chairman Hugh H. Ley requested that this item be presented at a later meeting, because the item was not on the agenda.

3. APPROVAL OF RESOLUTION NO. 08-15-06-GROSS RECEIPTS TAX, PROPOSING ADOPTION OF AN ORDINANCE AND ELECTION PROCLAMATION FOR PLACING ON THE BALLOT AT THE NOVEMBER 7, 2006, GENERAL ELECTION, THE QUESTION OF WHETHER THE REMAINING 1/8 GROSS RECEIPTS TAX AVAILABLE TO SAN MIGUEL COUNTY SHOULD BE IMPOSED, EFFECTIVE JULY 1, 2007

County Manager Les Montoya submitted for approval Resolution No. 08-15-06 GROSS RECEIPTS, proposing the adoption of an ordinance and election proclamation placing on the ballot for the November 7, 2006 General Election, the question of whether or not to impose the County's remaining 1/8 of one percent gross receipts tax for county buildings, infrastructure projects and for payment of revenue bonds for infrastructure purposes, for construction and improvement of roads, streets and bridges, and for all the purposes stated in the dedication clause of the proposed ordinance attached to the resolution as Exhibit "A".

County Attorney Jesus Lopez informed the Commission that the final draft of the ordinance would include verbatim the statutory language for the authorized uses.

Mr. Montoya stated as among the purposes of the design, construction, acquisition, improvement, renovation, rehabilitation, equipping or furnishing of public buildings or facilities, including parking facilities. Acquisition of land for public buildings, or facilities, and the acquisition or improvements of the grounds surrounding public buildings or facilities payment of gross receipts tax revenue bonds issued pursuant to Chapter 4, Article 62, NMSA 1978, for infrastructure purposes.

Mr. Lopez also informed the Commission that the resolution reads that they need to meet in a Special Meeting on September 4, 2007 to adopt the ordinance and the election proclamation.

Vice-Chairman Hugh H. Ley stated the date of September 4, 2007 was the Labor Day Holiday.

Mr. Lopez stated because of time election timelines, that was the only date available.

Motion made by Commissioner David Salazar to approve Resolution No. 08-15-06 GROSS RECEIPTS, proposing that adoption of an ordinance and election proclamation placing on the ballot for the November 7, 2006 General Election, the question of whether or not to impose the County's remaining 1/8 of one percent gross receipts tax for the purposes noted in the proposed ordinance. Second by Commissioner Susano Ortiz. Motion carried.

4. MONTHLY REPORT FOR THE PUBLIC WORKS DIVISION FOR THE MONTH OF JULY 2006

Public Works Supervisor Harold Garcia submitted the monthly report for the month of July 2006, and answered any questions from the Commissioners.

Commissioner Susano Ortiz requested a schedule change of days off for the current caretaker of the solid waste center in Sapello. Discussion ensued.

No action taken; for information only.

5. MEMORANDUM OF AGREEMENT BETWEEN SANTA FE COUNTY AND SAN MIGUEL COUNTY

County Manager Les Montoya submitted for approval Memorandum of Agreement between Santa Fe County and San Miguel County.

Mr. Montoya informed the Commission that Santa Fe County offered San Miguel County residents the opportunity, particularly those residing in the Pecos Area, over the past few years to utilize the Santa Fe County Recycling Facility. This service was allowed until June 2005, and since then is no longer available to San Miguel County. Santa Fe County has extended an offer to San Miguel County to provide Recycling Services at the Pecos Solid Waste Convenience Center. Discussion ensued.

Motion made by Vice-Chairman Hugh H. Ley to approve Memorandum of Agreement between Santa Fe County and San Miguel County as presented. Second by Commissioner Kenneth C. Medina. Motion carried.

6. REQUESTS FOR PROPOSALS FOR TRIMMINGS OF TREES AT THE SAN MIGUEL COUNTY COURTHOUSE AND GALLEGOS ROAD LEADING TO THE SAN MIGUEL COUNTY PUBLIC HEALTH FACILITY

Public Works Division Supervisor Harold Garcia informed the Commission the San Miguel County Public Works Division prepared a Request for Proposals for the purpose of advertising for the trimming of trees at the County Courthouse and Gallegos Road leading to the San Miguel County Public Health Facility. This is being done in an effort to beautify the area and make it safe for the public using County facilities.

Motion made by Commissioner David Salazar to authorize staff to proceed with the advertisement for invitation for bids for the trimming of the trees at the San Miguel County Courthouse and Gallegos Road. Second by Commissioner Susano Ortiz. Motion carried.

7. RESOLUTION NUMBER 08-15-06 PW AUTHORIZING THE BOARD OF COMMISSIONERS OF SAN MIGUEL COUNTY TO ENTER INTO A GRANT AGREEMENT WITH THE STATE OF NEW MEXICO ENVIRONMENT DEPARTMENT IN THE AMOUNT OF 60,000.00, AND DESIGNATING A GRANTEE REPRESENTATIVE AND SIGNATORY AUTHORITY ON BEHALF OF SAN MIGUEL COUNTY FOR THIS GRANT AGREEMENT*

Public Works Division Supervisor Harold Garcia submitted for approval Resolution number 08-15-06 PW authorizing the Board of Commissioners of San Miguel County to enter into a grant agreement with the State of New Mexico Environment Department in the amount of \$60,000.00, and designating a grantee representative and signatory authority on behalf of San Miguel County for this grant agreement.

Motion made by Vice-Chairman Hugh H. Ley to approve Resolution No.

08-15-06 PW to authorizing the Board of Commissioners of San Miguel County to enter into a grant agreement with the State of New Mexico environment department in the amount of \$60,000.00, and designating a grantee representative and signatory authority on behalf of San Miguel County for this grant agreement. Second by Commissioner Kenneth C. Medina. Motion Carried.

8. AUTHORITY TO ADVERTISE FOR BIDS FOR THE PURCHASE OF 30 AND 40 OPEN-TOP ROLL OFF SOLID WASTE CONTAINERS AND 3-CUBIC YARD SIDE LOAD SOLID WASTE CONTAINERS*

Public Works Division Supervisor Harold Garcia informed the Commission the County received an appropriation from the New Mexico Legislature in the amount of \$60,000.00 for the purchase of equipment for the Solid Waste Division. The need is to purchase open-top containers for the division in order to replace some dumpsters that are in poor condition. Also prepare to provide sideload container services in the outlying areas of the City of Las Vegas and request authorization to purchase three cubic-yard open-top containers so we can provide the necessary service.

Mr. Garcia requested authorization to proceed with advertisement for bids for the purchase of 30 and 40 open-top-top roll-off dumpsters and 3-cubic yard sideload dumpsters.

Motion made by Vice-Chairman Hugh H. Ley to authorize staff to proceed with advertisement for bids for the purchase of 30 and 40 open-top roll-off dumpsters and 3-cubic yard sideload dumpsters. Second by Commissioner David Salazar. Motion carried.

9. 2006 LEGISLATIVE SEVERANCE TAX BOND APPROPRIATION*

Planning and Zoning Supervisor Alex Tafoya informed the Commission that San Miguel County had received a 2006 Legislative Severance Tax Bond appropriation in the amount of \$50,000.00 to plan, design and construct renovations to the Tecolote Community Center.

Mr. Tafoya asked the Commissioners to review the Legislative Grant Agreement, approve the agreement and authorize Commission Chairman LeRoy H. Garcia to sign this agreement.

Motion made by Commissioner David Salazar to approve the agreement and authorize the Commission Chairman to sign the agreement. Second by Commissioner Susano Ortiz. Motion carried.

10. CAPITAL COOPERATIVE AGREEMENTS-2006 LEGISLATIVE APPROPRIATION*

Planning and Zoning Supervisor Alex Tafoya informed the Commission that eleven (11) County road projects are funded through these appropriations. The improvements include plan, design and construction improvements to the various County roads. The total amount of the appropriations is \$555,000.00. The projects include:

- Conchas Lake area: \$50,000.00
- Pendaries Road: \$100,000.00
- County Road A-3: \$ 80,000.00
- County Road B-31-A \$ 42,000.00
- County Road B-28-A \$ 48,000.00
- County Road B-36: \$ 20,000.00
- County Road B-27: \$ 30,000.00
- El Llano Road: \$ 120,000.00
- County Roads B-26-A, B-27, A-19-A, Sheridan Road, Coruco Bridge: \$ 50,000.00
- County Road A-30: \$ 10,000.00
- One-Forth Mile of fence \$5,000.00

Mr. Tafoya requested the Commission review the appropriations agreement and consider approving and authorizing County Chairman LeRoy H. Garcia to execute the agreement.

Motion made by Commissioner David Salazar to approve the appropriation agreement, and authorize staff to return the agreement to the New Mexico Department of Transportation. Second by Vice-Chairman Hugh H. Ley. Motion carried.

11. APPOINTMENTS TO EXTRA-TERRITORIAL ZONING COMMISSION

Planning and Zoning Supervisor Alex Tafoya informed the Board of County Commissioners they needed to appoint new members to serve on the Extra-Territorial Zoning Commission and Authority on behalf of the County as provided under the ETZ Joint Powers Agreement.

Mr. Tafoya requested the Commission consider appointing two (2) new members to the ETZ Zoning Commission to serve a two (2) year term each, as representatives of the County and appoint one new member to serve on the ETZ Zoning Authority to continue representing the County.

Motion made by Vice-Chairman Hugh H. Ley to remove Commissioner LeRoy H. Garcia from the Authority. Second by Commissioner David Salazar. Motion carried.

Motion made by Commissioner Kenneth C. Medina to appoint Commissioner David Salazar to the Authority, which would replace Commissioner LeRoy H. Garcia and to remove Larry Rascon from the Authority and replace him with Commissioner Susano Ortiz. Second by Vice-Chairman Hugh H. Ley. Motion carried.

Motion made by Commissioner David Salazar to appoint Commissioner LeRoy H. Garcia and Art Archuleta to the Extra-Territorial Zoning Commission for a two-(2) year term. Second by Commissioner Kenneth C. Medina. Motion carried.

Chairman LeRoy H. Garcia directed County Manager Les Montoya to send letters to the former members thanking them for their service.

12. LEASE AGREEMENT FOR PECOS AMBULANCE BUILDING*

Planning and Zoning Supervisor Alex Tafoya informed the Commission the Pecos Valley Medical Center and the County of San Miguel have agreed that the County owned property situated adjacent to the Pecos Valley Medical Center and consisting of a parcel of land 0.50 acre in size, more or less and one (1) metal building currently under construction, is to be used for the purpose of housing the Pecos Valley Ambulance Service. A lease agreement is necessary to formalize the use of said property for the Ambulance Service.

Mr. Tafoya requested the Commission approve the lease agreement between San Miguel County and the Pecos Valley Medical Center. Mr. Tafoya also inquired about the lease remaining on a 20-year term.

Motion made by Vice-Chairman Hugh H. Ley to approve the lease agreement and keeping the agreement on a 20-year lease. Second by Commissioner David Salazar. Motion carried.

13. AGREEMENT BETWEEN OWNER AND ENGINEER-TECOLOTE ROAD AND DRAINAGE PROJECT CDBG NO. 06-C-NR-I-1-G-43*

Planning and Zoning Supervisor Alex Tafoya informed the Commission the San Miguel County staff received directions from the Board of County Commissioners to enter into contract negotiations with Miller Engineering Consultants for professional services for the Tecolote Road and Drainage Project-CDBG No. 06-C-NR-I-1-G-43. Negotiations have been completed for services to include topographical survey, geo-technical soil compaction testing, final design, bid and construction phase. Total engineering fees are \$50,054.00 plus applicable gross receipts tax of \$3,128.37 for a total amount of \$53,182.37. Staff has determined that the agreement and the negotiation amount are in the best interest of the County and the project.

Mr. Tafoya requested the Commission approve and ratify the agreement between San Miguel County and Miller Engineering Consultants.

Motion made by Commissioner David Salazar to approve the agreement between San Miguel County and Miller Engineering Consultants. Second by Vice-Chairman Hugh H. Ley. Motion carried.

14. (2006-2007) NM TRAFFIC SAFETY COMMUNITY DWI (CDWI) GRANT AGREEMENT*

DWI Coordinator Wendy Armijo informed the Commission the DWI Planning Council was fortunate to receive Community DWI (CDWI) Grant funding for the last seven years. The program will receive a total of \$17,806.00 FY 06-07, of that \$4,000.00 will be allotted to the New Mexico State Police Department District I & II for the purpose of conducting additional saturation patrols. The remaining \$13,806.00 will be distributed as follows: Las Vegas Police Department and the San Miguel County Sheriff's Department will both receive \$2,000.00 each for the purpose of conducting additional Saturation Patrols, Underage Drinking enforcement operatives, LEA Training and participation in Program Preventative/Educational Activities. The additional funding will be allotted to each County school district for the implementation and operation "Project Prom". The program will also utilize funds towards the implementation and Operation of the "Safe-Ride" program.

Ms. Armijo requested the Commissions approve the administration and implementation of FY (06-07) CDWI Grant funds.

Motion made by Commissioner Kenneth C. Medina to approve CDWI Grant Funding Agreement FY (06-07) as requested. Second by Commissioner Susano Ortiz. Motion carried.

15. OUT OF STATE TRAVEL REQUEST-OKLAHOMA K-9 ACADEMY K-9 HANDLER SCHOOL-SEPTEMBER 18-29, 2006*

Warden and Facility Administrator Patrick W. Snedeker informed the Commission that the San Miguel County Detention Center approved FY 2007 budget, included capital expenditure monies for procurement of a dual purpose (drug detention/patrol/crowd control) specialized K-9 Dog and an associated Handler School. Mr. Tony Vigil has been identified as the K-9 Handler. Handler School dates of instruction are September 18-29, 2006 at the Oklahoma K-9 Academy located in Shawnee, Oklahoma.

Mr. Snedeker requests the Commission approve of the Out of State Travel expenses for Tony Vigil for completion of the Handler School course of instruction and return to the Detention Center with the specialized dual-purpose

canine dog.

Motion made by Commissioner David Salazar to approve the expenses for the out of state travel for Tony Vigil. Second by Commissioner Susano Ortiz. Motion carried.

**16. MANAGEMENT TEAM SOLUTIONS-INMATE HEALTHCARE/
MEDICAL MANAGEMENT CONTRACT RENEWAL***

Warden and Facility Administrator Patrick W. Snedeker submitted for approval the Inmate Healthcare Services at the San Miguel County Detention Center, as well as management of direct care costs provided via contract agreement with Management Team Solutions, Inc. The annual renewal of the agreement was submitted.

Mr. Snedeker requested the approval and renewal for agreement.

Motion made by Commissioner Kenneth C. Medina to approve the renewal for Healthcare Services at the San Miguel County Detention Center. Second by Vice-Chairman Hugh H. Ley. Motion carried.

**17. CIBOLA COUNTY DETENTION CENTER-INMATE CONFINEMENT
AGREEMENT RENEWAL***

Warden and Facility Administrator Patrick W. Snedeker informed the Commission about the existing contract between San Miguel County and the Cibola County Detention Center for the housing the high risk and high security inmates at the Cibola County Detention Center. The Cost per day will be \$50.00.

Mr. Snedeker requested the renewal and approval of the agreement existing between the San Miguel County and Cibola County Detention Center.

Motion made by Vice-Chairman Hugh H. Ley to approve the renewal of the existing agreement between San Miguel and Cibola county Detention center. Second by Commissioner Kenneth C. Medina. Motion carried.

**18. NEW MEXICO CHILDREN, YOUTH AND FAMILIES DEPARTMENT
AGREEMENT***

Warden and Facility Administrator Patrick W. Snedeker submitted for approval the existing contract between San Miguel County and the NM Children, Youth and Families Department to provide alternatives to secure detention for juveniles arrested in the San Miguel County is presented. The agreement is a renewal of a collaborative effort between San Miguel County

and the NM Children, Youth and Families Department for the usage of electronic monitoring equipment for juvenile offenders identified by the agency's Juvenile Probation and Parole Office.

Mr. Snedeker requested the Commission approve the renewal of the existing agreement between San Miguel County and NM Children, Youth and Families Department.

Motion made by Vice-Chairman Hugh H. Ley to approve the renewal of the existing agreement between San Miguel County and NM Children, Youth and Families Department. Second by Commissioner Kenneth C. Medina. Motion carried.

19. MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN NEW MEXICO DEPARTMENT OF TRANSPORTATION (DOT) AND SAN MIGUEL COUNTY FOR SNOW REMOVAL SERVICES ON THE COUNTY ROAD A-27 IN THE GALLINAS CANYON AREA.

County Manager Les Montoya informed the Commission that the County and DOT have been working to provide effective public services for residents who use County road A-27 during inclement weather conditions (snow). The District Engineer and County Manager are proposing the mentioned MOU. This arrangement will authorize DOT to work with its crews and equipment to perform snow removal and County road A-27.

Mr. Montoya requested the Commission to renew the proposed MOU and consider approving of the snow removal for the County road.

Motion made by Commissioner Kenneth C. Medina to approve the MOU and authorizing the Chairman to execute. Second by Vice-Chairman Hugh H. Ley. Motion Carried.

20. DISASTER DECLARATION RESOLUTION NO. SMC-08-15-06-CM DECLARING DISASTER SITUATION IN PARTS OF SAN MIGUEL COUNTY BASED ON HEAVY RAINFALL AND HAIL ON/OR ABOUT JULY 20, 2006*

County Manager Les Montoya informed the Commission about the heavy rain and hailstorms experienced on July 20, 2006. The amount of rain in some areas was extreme in comparison to structures and systems in place in the areas.

Mr. Montoya requested the Commission approve the Declaration prepared by the Las Vegas/ San Miguel Emergency Disaster Assistance Office to bring these County roads and structures back into place.

Motion made by Vice-Chairman Hugh H. Ley to approve the State Disaster Assistance to bring these County roads and structures into place. Also authorizing signature by the Chairman to direct staff to return to the Office of Emergency Management and request they submit the same to the State. Second by Commissioner Susano Ortiz. Motion carries.

21. COUNTY MANAGER’S PERSONNEL RECOMMENDATION TO HIRE A FINANCIAL SPECIALIST II POSITION WITH THE SAN MIGUEL COUNTY FINANCE DIVISION AS PER THE RECOMMENDATION OF MELINDA GONZALES, FINANCE DIVISION SUPERVISOR*

County Manager Les Montoya submitted the following recommendations for hire:

PROBATIONARY EMPLOYEE:

Joyce Roybal	Financial Specialists II	Salary: \$25,000.00 Annually
Date of Hire:	August 21, 2006	

Motion made by Vice-Chairman Hugh H. Ley to approve recommendations of Hire as requested. Second by Commissioner Susano Ortiz. Motion carried.

22. COUNTY MANAGER’S PERSONNEL RECOMMENDATION TO HIRE THE FOLLOWING INDIVIDUAL TO FILL THE PART TIME POSITION OF DWI OFFICE MANAGER WITH THE SAN MIGUEL COUNTY DWI DIVISION AS PER THE RECOMMENDATION OF WENDY ARMIJO, DWI COORDINATOR*

County Manager Les Montoya submitted the following recommendations for hire:

PART TIME EMPLOYEE:

Stephen Isaacs	DWI Office Manager	Salary: \$9.00 Hourly
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Motion made by Commissioner David Salazar to approve recommendations of hire as requested. Second by Vice-Chairman Hugh H. Ley. Motion carried.

23. COUNTY MANAGER’S PERSONNEL RECOMMENDATION TO HIRE THE FOLLOWING INDIVIDUAL TO FILL THE POSITION OF DEPUTY CLERK WITH THE SAN MIGUEL COUNTY CLERKS DEPARTMENT AS PER THE RECOMMENDATION OF PAUL MAEZ, SAN MIGUEL COUNTY CLERK*

County Manager Les Montoya submitted the following recommendations for hire:

PROBATIONARY EMPLOYEE:

James Marquez Deputy Clerk Salary: \$20,000.00 Annually

Motion made by Commissioner Susano Ortiz to approve recommendations of hire as requested. Second by Commissioner David Salazar. Motion carried.

24. COUNTY MANAGER'S PERSONNEL RECOMMENDATIONS TO HIRE AND TO RATIFY THE FOLLOWING EMPLOYEE TO FILL THE POSITION AT THE SAN MIGUEL COUNTY DETENTION CENTER*

County Manager Les Montoya submitted the following recommendations for hire:

PROBATIONARY EMPLOYEE:

Lorraine Lopez Detention Officer Salary: \$17,843.28 Annually

The vacant positions need to be filled immediately due to vacant positions At the SMC Detention Center.

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

25. COUNTY MANAGER'S PERSONNEL RECOMMENDATIONS TO HIRE AND TO RATIFY THE FOLLOWING INDIVIDUALS TO FILL THE POSITIONS OF SOLID WASTE CONVENIENCE CENTER OPERATIONS WITH SAN MIGUEL COUNTY PUBLIC WORKS DIVISION*

County Manager Les Montoya submitted the following recommendations for hire:

PROBATIONARY EMPLOYEE:

Pete Ortiz Convenience Center Operator Salary: \$14,560.00 Annually
Dominic Lucero Convenience Center Operator Salary: \$13,520.00 Annually

Motion made by Vice-Chairman Hugh H. Ley to approve recommendations Of hire requested. Second by Commissioner Susano Ortiz. Motion carried.

26. COUNTY MANAGER'S PERSONNEL RECOMMENDATIONS TO HIRE AND TO RATIFY THE FOLLOWING INDIVIDUAL TO FILL THE

POSITION OF TEMPORARY PART TIME APPRAISAL CLERK WITH THE SAN MIGUEL COUNTY ASSESSOR'S DEPARTMENT AS PER THE RECOMMENDATION OF ALBERT PADILLA, SAN MIGUEL COUNTY ASSESSOR*

County Manager Les Montoya submitted the following recommendations for hire:

TEMPORARY PART TIME EMPLOYEE

Connie Gallegos Deputy Clerk Salary: \$9.00 Hourly

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

27. PERSONNEL ACTIONS*

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

Motion made by Commissioner David Salazar to approve and ratify Personnel Actions as requested. 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 2006-8-15-F1 REQUESTING A TEMPORARY BUDGET ADJUSTMENT*

Finance Division Supervisor Melinda Gonzales submitted for approval Financial Resolution 2006-8-15-F1 requesting a temporary budget adjustment.

Finance Division Supervisor Melinda Gonzales informed the Commission that interest payment on the 1997A was due in September. The amount of the payment is \$133,351.00, which is budgeted to be paid out of the debt service fund. However, there is a timing factor with the payment due date and with the equalization distribution which is partially used to make this payment.

Ms. Gonzales submitted for approval a temporary cash transfer from the general fund to the debt service fund in order to make the payment. As soon as the equalization distribution is received and deposited the cash will be transferred back to the general fund.

Motion made by Commissioner Susano Ortiz to approve the Financial Resolution 2006-8-15-F1 requesting a temporary budget adjustment. Second by Vice-Chairman Hugh H. Ley. Motion Carried.

30. INDIGENT CLAIMS*

Finance Division Supervisor Melinda Gonzales informed the Commission about the Indigent claims submitted and reviewed by the Finance Department regarding a claim for Alta Vista Regional Hospital in the amount Of \$54,894.23 and another claim for St. Vincent's Hospital in the amount of \$33,166.21.

Ms. Gonzales submitted for approval of payment on both Alta Vista Regional and for St. Vincent is for the Indigent Claims.

Motion made by Commissioner Kenneth C. Medina to approve Indigent Claims submitted by the Finance Department. Second by Vice-Chairman Hugh H. Ley. 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, legitimate, and lawful expense.

Motion made by Commissioner Kenneth C. Medina to approve Accounts Payable Listing as presented. Second by Vice-Chairman Hugh H. Ley. 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)(7) 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 Meetings 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 3:40 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 Vice-Chairman Hugh H. Ley. 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 4:53 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.

ADJOURNMENT

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

The record will show the time is 4:55 p.m.

Approved this _____ day of _____, 2006 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: James J. Marquez

