

**REGULAR MEETING  
OCTOBER 10, 2006  
MINUTES**

The Board of County Commissioners of San Miguel County held a Regular Meeting and a County Finance Meeting on Tuesday October 10, 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. The agenda for the meeting is 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 was absent, Commissioner Susano F. Ortiz, Commissioner David R. Salazar and Commissioner Kenneth C. Medina were present.

The record will show a quorum was present.

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF AGENDA**

Motion made by Commissioner David Salazar to approve agenda as amended. Second by Commissioner Kenneth C. Medina. Motion carried

**APPROVAL OF MINUTES: SPECIAL MEETING SEPTEMBER 4, 2006 AND REGULAR MEETING SEPTEMBER 12, 2006 \***

County Manager Les Montoya and County Attorney Jesus Lopez had no recommended changes to the minutes of Special Meeting September 4, 2006 and Regular Meeting September 12, 2006.

Motion made by Commissioner Susano Ortiz to approve the minutes of the following meetings: Special Meeting held September 4,2006 and Regular Meeting held September 12,2006. Second by Commissioner David Salazar. Motion carried.

**INTRODUCTION OF NEW EMPLOYEES**

County Manager Les Montoya introduced the following new County employees:

Irene Schneider	Appraiser II	Assessor's Division
(Probationary Employee)		

**INTRODUCTION OF THE SAN MIGUEL COUNTY DETENTION CENTER K-9 HANDLER MR. TONY VIGIL AND CANINE "MOTO".**  
**PRESENTATION ON PROPOSED 2007 RESOLUTION TO BE PRESENTED, NEW MEXICO STATE LEGISLATURE, TO ACCEPT FEDERAL FUNDS FOR THE WORKER/UNINSURED/ UNDERINSURED PROGRAM BY RITA TORREZ, CEO OF MANAGEMENT TEAM SOLUTION, INC. COMMISSION AUTHORIZED COUNTY STAFF TO MONITOR PROGRESS.**

**PRESENTATION OF PLAQUE TO MARGARET M. GALLEGOS IN GRATITUDE AND APPRECIATION FOR HER GENEROUS DONATION OF A PARCEL OF LAND FOR THE PECOS AMBULANCE SERVICE BUILDING.**  
**MS. GALLEGOS WAS NOT PRESENT TO ACCEPT HER PLAQUE, INSTEAD ASHLEY YOUNG WAS PRESENT TO ACCEPT THE PLAQUE FOR MS. GALLEGOS.**

**NEW BUSINESS:**

**1. COUNTY TREASURER'S MONTHLY REPORT\***

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

No action taken, for information only.

**2. REPORT ON SAN MIGUEL COUNTY EXTENSION SERVICE PROGRAM ACCOMPLISHMENT TO DATE\***

Roberta O. Rios, CES of the Northeastern District Director, San Miguel County Extension Staff and Clientele, Reported to the Commission a follow up on the FY 06-07 annual budget request.

Ms. Rios requested approval of the restoration the budget shortfall for FY 06-07 in the amount of \$4,900.00.

Chairman LeRoy H. Garcia informed Ms. Rios that at this time after discussing the item with County Manager Les Montoya they would not be able to approve the budget shortfall for FY 06-07. But Mr. Garcia recommended that she still keep the Commission informed on the program, and she consider the County mid year budget adjustment schedule as the time to request additional funding for the remainder of this fiscal year.

**3. MEMORANDUM OF AGREEMENT BETWEEN THE SMC DWI PLANNING COUNCIL/LAS VEGAS DWI SCHOOL FACILITATOR\***

DWI Coordinator Wendy Armijo informed the Commission that San Miguel County is requesting that a Memorandum of Understanding be agreed upon between the San Miguel County DWI Planning Council and the Las Vegas DWI School program provider. The SMC DWI Planning Council and the Las Vegas DWI School Facilitator(s) agree to combine their efforts through the use of education towards the reduction and recidivism of DWI's within the San Miguel County.

Ms. Armijo submitted for approval the Memorandum of Understanding between the San Miguel County DWI Planning Council and the Las Vegas DWI School program provider.

Motion made by Commissioner David Salazar to approve the Memorandum of Agreement between the SMC DWI Planning Council and the Las Vegas DWI school facilitator. Second by Commissioner Susano Ortiz. Motion carried.

**4. MEMORANDUM OF AGREEMENT BETWEEN SMC DWI PLANNING**

**COUNCIL/LAS VEGAS CITY POLICE DEPARTMENT (LVPD)\***

DWI Coordinator Wendy Armijo informed the Commission of the Memorandum of Agreement between the Las Vegas Police Department (LVPD) and the County of San Miguel DWI program. The SMC DWI Planning Council will provide a total of \$2,000.00 (two thousand dollars) to the LVPD for the purpose of conducting and/or providing the following DWI operations: Additional Saturation Patrols.

Ms. Armijo submitted for approval the Memorandum of Agreement between the Las Vegas Police Department and the San Miguel County DWI planning council.

Motion made by Commissioner Kenneth C. Medina to approve the Memorandum of Agreement between the LVPD and the SMC DWI planning council. Second by Commissioner David Salazar. Motion carried.

**5. MEMORANDUM OF AGREEMENT BETWEEN THE SMC DWI PLANNING COUNCIL/SAN MIGUEL COUNTY SHERIFF'S DEPARTMENT\***

DWI Coordinator Wendy Armijo informed the Commission of the Memorandum Agreement between the San Miguel County Sheriff's Department (SMCSD) and the County of San Miguel DWI program. The SMC DWI program council will provide a total of \$2,000.00 (two thousand dollars) to the SMCSD for the purpose of conducting and/or providing the following DWI Operation: Additional Saturation Patrols, Liquor Establishment inspections, Prevention Activities, Youth Presentations and Officer Training.

Ms. Armijo submitted for approval the Memorandum of Agreement between the San Miguel County Sheriff's Department and the San Miguel County DWI Planning Council.

Motion made by Commissioner Kenneth C. Medina to approve the Memorandum of Agreement between the SMCSD and the SMC DWI planning council. Second by Commissioner Susano Ortiz. Motion carried.

**6. MEMORANDUM OF AGREEMENT BETWEEN SMC DWI PLANNING COUNCIL AND VICTORY ROYAL EXPRESS, INC.\***

DWI Coordinator Wendy Armijo informed the Commission that the SMC DWI Planning Council is requesting that a Memorandum of Agreement be agreed upon for the Victory Royal Express, Inc. The San Miguel DWI planning council has agreed to provide five thousand, nine hundred and six dollars (5,916.00) for the purpose of providing the community with a Free-Ride-Home service. Passengers will be provided with a free ride home from any liquor establishment in the Las Vegas area.

Ms. Armijo submitted for approval the Memorandum of Agreement between the San Miguel County DWI Planning Council and Victory Royal Express, Inc.

Motion made by Commissioner Kenneth C. Medina to approve the Memorandum of Agreement between the SMC DWI planning council and the Victory Royal Express Inc. Second by Commissioner David Salazar. Motion carried.

**7. TURKEY MOUNTAIN LEASE AGREEMENT FOR COMMUNICATIONS SYSTEM\***

Planning and Zoning Supervisor Alex Tafuya informed the Commission that the

countywide emergency communications system requires the use of an existing tower at Turkey Mountain located in Mora County. In order to utilize the tower and the site, it is necessary to enter into a lease agreement with Global Signal Services for the amount of \$950.00 a month. Installation of a shelter and electric power is currently being arranged. To have any work completed it is necessary to sign the lease agreement.

Mr. Tafoya submitted for approval that the Commission ratify the action taken by the County staff in regard to signing the lease agreement.

Motion made by Commissioner David Salazar to approve the signing of the lease agreement. Second by Commissioner Susano Ortiz. Motion carried.

**8. REQUEST FOR PROPOSALS FOR PLANNING GRANT NO. GDBG-70\***

Planning and Zoning Supervisor Alex Tafoya informed the Commission that they had received two (2) proposals in response to the request of proposals for professional planning services for the purpose of developing a road maintenance plan and for review and recommendations to the current land use ordinance. Proposals were submitted by Consensus Planning and by PAIKI, both of Albuquerque, New Mexico. Proposals have been independently reviewed and ranked by County staff. Scores are as follows: Consensus Planning 438 points; and PAIKE 398 points.

Mr. Tafoya submitted for approval the authorization to enter into contract negotiations with the company that received the highest number of points which is Consensus Planning.

Motion made by Commissioner David Salazar to approve the authorize County staff to enter into contract negotiations with Consensus Planning in the best interest of the County. Second by Commissioner Susano Ortiz. Motion carried.

**9. AWARD OF BID FOR IMPROVEMENTS TO LAS VEGAS SENIOR CENTER\***

Planning and Zoning Supervisor Alex Tafoya informed the Commission that the City of Las Vegas and the County of San Miguel have both received legislative appropriations for improvements to the Senior Center in Las Vegas. An invitation to bid for improvements to the Senior Center was issued and bids were received on September 6, 2006 from the following two (2) companies:

New Image Construction:  
Base bid amount: \$ 141,200.00  
Alternate #1 Stucco: \$9,000.00

La Cueva Construction:  
Base bid amount: \$138,670.00  
Alternate: \$ 11,000.00

It is necessary for both the City and the County to award the bid to the lowest bidder upon verification of funding amount. Legislative appropriations total approximately \$ 140,171.00 of which the County's appropriation totals \$ 80,171.00.

Mr. Tafoya submitted for approval the base bid amount of \$ 138,670.00 from

La Cueva Construction be accepted and the legislative funds be appropriated to the County for said project not to exceed \$ 80,171.00.

Motion made by Commissioner Kenneth C. Medina to accept the base bid amount of \$ 138,670.00 submitted by La Cueva Construction and to authorize the legislative funds appropriated to the County for the project. Second by Commissioner David Salazar. Motion carried.

**10. AWARD OF BID FOR COUNTY FAIRGROUNDS METAL BUILDING PHASE I\***

Planning and Zoning Supervisor Alex Tafuya informed the Commission that on October 3, 2006, San Miguel County conducted an opening of sealed bids for the San Miguel County Fair Grounds Metal Building Phase I. This project is funded by two (2) separate legislative appropriations totaling an amount of \$100,000.00. The architect for this project is reviewing the bids received.

County Manager Les Montoya requested that the Commission consider rejecting the bid due to the fact that the bids received are in excess of the amount available for the project. Also allowing us to re-advertise for the project.

Motion made by Commissioner David Salazar to reject the bid received for this project and allowing the County re-advertise for bids. Second by Commissioner Susano Ortiz. Motion carried.

**11. REQUEST FOR PROPOSAL FOR HOUSING ASSISTANCE GRANT\***

Planning and Zoning Supervisor Alex Tafuya informed the Commission that SMC issued a second request for proposals to solicit applications to determine a qualifying grantee for the use of housing assistance grant, said grant identified as the Ribera Housing Property. SMC received one (1) proposal from Salas, Steinberg & Lujan, d/b/a San Miguel Assisted Living Community. The applicant met the requirements identified in the request for proposals as a for profit-organization. The applicant is currently waiting for approval of its 501 c (3) designation. The applicant proposes to rehabilitate the property for the purpose of establishing as assisted living facility to serve the aged, and the mentally challenged and/ or delayed and the physically challenged. The applicant has indicated that a minimum 70% of the available units will be assigned to clients of low to moderate income.

Mr. Tafuya submitted for approval and review and asked the County staff be authorized to submit certification in writing to the New Mexico Mortgage Finance Authority that the County determined Salas, Steinberg & Lujan to be a qualifying grantee and allow the Mortgage Finance Authority forty-five (45) days to determine whether or not the application submitted is complete, and whether the requirements of the Affordable Housing Act

have been satisfied and the applicant is a qualifying grantee; and upon receipt of notification by MFA that it agrees that applicant is a qualifying grantee, direct County staff to bring to the County Commission the award of a Housing Assistance Grant to the applicant.

Motion made by Commissioner David Salazar to authorize the County staff to submit certification in writing to MFA that County has determined applicant to be a qualifying grantee, and to direct staff to bring back to the County Commission the award of a Housing Assistance Grant to the applicant upon receipt of notification from MFA that it agrees. Second by Commissioner Kenneth C. Medina. Motion carried.

**12. SAN JUAN COMMUNITY CENTER BID REJECTION\***

Planning and Zoning Supervisor Alex Tafoya informed the Commission that the County of San Miguel received sealed bids for improvements to the San Juan Community Center. The funds available total \$36,074.00. The bids received are as follows:

New Image Construction:	Base Bid: \$42,000.00	Alternative #1: \$17,00.00
La Cueva Construction:	Base Bid: \$61,000.00	Alternative #1: \$17,783.00
Lumar, Inc. :	Base Bid: \$48,000.00	Alternative #1: \$14,600.00

Mr. Tafoya asked that all bids be rejected because the lowest bid submitted exceeds the amount available for the projects, and to also authorize County staff to re bid for the project.

Motion made by Commissioner Susano Ortiz to reject bids received from New Image Construction, La Cueva Construction, and Lumar Inc., and to also allow the re bidding for the project. Second by Commissioner David Salazar. Motion carried.

**13. JOB DESCRIPTION FOR THE DETENTION OFFICER POSITION WITH SPECIFIC DUTIES AND RESPONSIBILITIES WITHIN THE AREAS OF INMATE CLASSIFICATION, STAFF DEVELOPMENT, TRAINING AND SAFETY, INMATE GRIEVANCES/ DISCIPLINARY AND OFFENDER SPECIAL MANAGEMENT/ SEGREGATION\***

Warden/Facility Administrator Patrick W. Snedeker informed the Commission of the job description for the Detention Officer position with specialized responsibilities for the areas of inmate classification, staff development, training and safety, inmate grievances/disciplinary and offender special management/ segregation is presented for Commission review and approval.

Mr. Snedeker submitted for review and approval the job description as submitted.

Motion made by Commissioner David Salazar to approve the job description for the Detention Officer. Second by Commissioner Susano Ortiz. Motion carried.

**14. ABL MANAGEMENT INC. FOOD SERVICE CONTRACT EXTENSION SAN MIGUEL COUNTY DETENTION CENTER\***

Warden/Facility Administrator Patrick W. Snedeker informed the Commission that ABL Management Inc., is the contract food service provider for the San Miguel County Detention Center. The contract agreement is for an initial one (1) year period. The first one (1) year renewal is submitted. Pursuant to the agreement, a price per meal increase of 3% is reflected.

Mr. Snedeker submitted for review and approval the renewal agreement as submitted.

Chairman LeRoy H. Garcia directed that this item should be discussed further in executive session.

Motion made by Commissioner Kenneth C. Medina to table the item and take it into executive session. Second by Commissioner David Salazar. Motion carried.

**15. MONTHLY REPORT FOR THE PUBLIC WORKS DIVISION**

**FOR THE MONTH OF SEPTEMBER 2006\***

Public Works Division Supervisor Harold Garcia informed the Commission on issues addressed within the Public Works Division for the month of September 2006.

No action take; for information purpose only.

**16. AWARD OF BID ON PURCHASE OF 30 AND 40 CUBIC YARD OPEN-TOP DUMPSTERS AND 3 CUBIC YARD SIDELOAD CONTAINERS\***

Public Works Division Supervisor Harold Garcia informed the Commission that SMC advertised for bids for the purchase of 30 and 40 cubic yard open-top containers and 3 cubic yard sideload containers. There were three bidders who submitted bids: Waste Systems from Abernathy Texas, Waste Systems from Roswell New Mexico, and Waste Equipment/ AG Products from Arvada Colorado. The bids are as follows:

**BIDDER: ITEM DESCRIPTION: BID AMOUNT:**

Waste Systems, Abernathy 30 cubic yard open-top container no bid  
40 cubic yard open-top container no bid  
3-cubic yard sideload container \$445.00/each  
Waste Systems, Roswell 30 cubic yard open-top container \$4,189.00/each  
40 cubic yard open-top container \$4,669.00/each  
3-cubic yard sideload container \$459.00/each  
Waste Equip./AG products 30 cubic yard open-top container \$3,134.00/each  
40-cubic yard open-top container \$3,610.00/each

Mr. Garcia submitted for approval bids to the lowest bidder as follows:

Waste Systems, Abernathy Texas, 3 cubic yard sideload containers \$445.00 each  
Waste Equipment/AG products, 30 cubic yard open-top containers \$3,134.00 each  
Waste Equipment/AG products, 40 cubic yard open-top containers \$3,610.00 each

Motion made by Commissioner Davis Salazar to award the bids on Solid Waste Dumpsters to the lowest bidder as identified above. Second by Commissioner Kenneth C. Medina. Motion carried.

**17. AUTHORIZATION TO THE PUBLIC WORKS DIVISION TO ADVERTISE FOR REQUEST FOR COMPETITIVE BIDS FOR THE LEASE WITH THE OPTION TO PURCHASE ONE (1) OR MORE NEW, CURRENT YEAR, MODEL, STANDARD PRODUCTION BACKDOE-LOAD(S)\***

Public Works Division Supervisor Harold Garcia informed the Commission that the SMC Public Works Department had a backhoe at the Pecos Solid Waste Convenience Center being utilized for compaction of trash at this facility. This backhoe was recently returned to Caterpillar. The Public Works Division is in need of replacing this backhoe and is therefore requesting authorization from the County Commission to solicit bids for the lease with the option to purchase a new backhoe.

Mr. Garcia submitted for approval the request to authorize staff to proceed with the advertisement of bids.

Commissioner Kenneth Medina did ask why we were only considering to purchase one backhoe. Harold explained only payment for one was budgeted and plan to replace

the one in Pecos.

Mr. Garcia further explained there was other loads and backhoe. Mr. Medina realized other equipment was available so he was satisfied with the request to purchase one backhoe.

A motion was made by Commissioner Kenneth C. Medina to authorize advertisement of the purchase for a backhoe. Second by Commissioner David Salazar. Motion carried.

**18. UPDATE ON PRESIDENTIAL EMERGENCY DECLARATION RECENTLY APPROVED FOR SAN MIGUEL COUNTY\***

Public Works Division Supervisor Harold Garcia informed the Commission that SMC experienced damage to various County Roads during the months of July, August and September 2006. The Board of Commissioners approved a Resolution declaring an Emergency Disaster and submitted the resolution to the State Office of Emergency Management. Gov. Bill Richardson declared San Miguel County along with several other Counties a disaster and requested consideration for a Federal Disaster of these Counties. The Federal Disaster was also approved by President Bush.

No action was taken; for information purpose only.

**19. AN ORDINANCE AUTHORIZING THE ISSUANCE OF UP TO \$7,500,000.00 SAN MIGUEL COUNTY, NEW MEXICO GROSS RECEIPT TAX REFUNDING AND IMPROVEMENT REVENUE BONDS, SERIES 2006\***

County Manager Les Montoya informed the Commission that the County will save approximately \$500,000.00 net present value by refunding the County's Series 1997A and Series 1997B Gross Receipts Tax Revenue Bonds. The ordinance also authorizes up to \$2,500,000.00 for new projects.

Chairman LeRoy Garcia requested approval public input on the proposed ordinance, no comment from the audience for or against the proposed ordinance that was submitted. consider taking action to approve and direct staff to proceed with the process of refunding the mentioned bonds. Chairman Garcia conducted a public hearing and no one came forward.

Motion made by Commissioner Susano Ortiz to approve the proposed ordinance and to adopt the ordinance by a minimum of a 2/3 majority of the Board. Second be Commissioner Kenneth C. Medina. Motion carried unanimously.

**20. NEGOTIATIONS WITH CONTRACTOR FOR THE TRIMMING AND CUTTING OF TREES AT THE SAN MIGUEL COUNTY COURTHOUSE\***

Public Works Division Supervisor Harold Garcia informed the Commission that the San Miguel County Public Works Division advertised for proposals for the trimming of trees at the San Miguel County Courthouse and Gallegos Road leading to the San Miguel County Public Health Office. Two proposals were submitted, one by Parson's Landscaping, the other by Green Acres, Inc. The proposals are being evaluated and interviews will be conducted of the two firms. A recommendation to enter into a contract with the most qualified contractor will be presented to the County Commission at the October 12,2006 Commission meeting.



Mr. Garcia submitted for approval to authorize staff to enter into price negotiations with the most qualified landscaping business for the purpose of providing trimming and cutting of trees for San Miguel County.

Motion made by Commissioner David Salazar to allow the County staff to enter into negotiations with Green Acres Inc. and to present to the Commission a serious agreement for review and consideration at the next regular meeting in November. Second made by Commissioner Susano Ortiz. Motion carried.

**21. EMERGENCY DISASTER ROAD ASSISTANCE AGREEMENTS\***

Public Works Division Supervisor Harold Garcia informed the Commission that the County had solicited for Emergency Disaster Road Assistance from the local contractors four 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 of Las Vegas area.) Four contractors submitted bids and were each assigned an area.

Mr. Garcia submitted for approval that the Commission allow the staff to enter into a 12-month agreement between San Miguel County and the following contractors: JAG Construction, Duran's Sand & Gravel, Rocky Road Gravel Projects, Crespin's Paving & Maintenance.

Motion made by Commissioner Kenneth C. Medina to approve the agreement between San Miguel County and the following contractors: JAG Construction, Duran's Sand & Gravel, Rocky Road Gravel Projects, Crespin's Paving & Maintenance. Second by Commissioner David Salazar. Motion carried.

**22. PROJECT AGREEMENT (07RF-01-087) OPERATION BUCKLE DOWN AMOUNT \$5,396.00\***

Deputy Leon Herrera informed the Commission that the above project is monies given to our department to work overtime. This money is from the New Mexico Department of Transportation, Safer New Mexico. They have been receiving this grant for the last seven years. Doing this type of overtime project has saved many lives and more awareness to our community in San Miguel County.

Mr. Herrera submitted for approval the project agreement (07-RF-01-087) Operation Buckle Down.

Motion made by Commissioner Kenneth C. Medina to approve the Project Agreement (07-RF-01-087). Second by Commissioner Susano Ortiz. Motion carried.

**23. DESIGNATION OF APPLICANT AGENT RESOLUTION NO. 10-10-2006-CM. DESIGNATING COUNTY EMPLOYEE WHO IS ABLE TO PERFORM THE DUTIES ASSIGNED UNDER THE PRESIDENTIAL DISASTER DECLARATION OF SEPTEMBER 8, 2006 FOR SAN MIGUEL COUNTY\***

County Manager Les Montoya informed the Commission that this designation is required by law to become eligible for Federal Assistance to repair or replace damaged public facilities.

Mr. Montoya submitted for approval designating Harold Garcia as Public Works Division Supervisor as the "Applicant Agent" to represent the County in managing

the County applications for Federal Disaster.

Motion made by Commissioner Kenneth C. Medina to designate Harold Garcia, Public Works Division Supervisor. Second by David Salazar. Motion carried.

**24. 2007 LEGISLATIVE FUNDING REQUESTS TO BE CONSIDERED BY THE BOARD OF COUNTY COMMISSIONERS\***

County Manager Les Montoya informed the Commission that the New Mexico Legislative Session will begin in January 2007. The Board of County Commissioners needs to identify Legislative Funding Requests for the upcoming Legislative Session.

Mr. Montoya requested that the Commission make any suggestions on the item, so that we may have a final decision within the next few weeks.. Mr. Montoya would like to have this ready by the end of November, at the latest early December.

Chairman LeRoy H. Garcia introduced Mr. Bob Phillips to the Commission to express some of his own comments about Las Dispensas. Mr. Phillips had a few concerns about the road up in that area. Chairman LeRoy H. Garcia stated that last year they had presented this idea to fix the road up in that area, and left the decision up to the residents in that area, and the residents declined the improvement.

Chairman Garcia asked County Manager Les Montoya to include the projects/ presented for building solid waste facilities, public works equipment, detention vehicles, plumbing and utilities. Mr. Garcia asked that the Commission provide their four road improvements priorities and include the Commission concurred and advised Mr. Montoya to work accordingly.

**25. APPLICATION FOR TRAINING/SCHOOL REIMBURSEMENT FOR KIKI ARELLANO ADMINISTRATIVE ASSISTANT TO THE COUNTY MANAGER AND COUNTY COMMISSIONERS\***

County Manager Les Montoya informed the Commission that Ms. Arellano has enrolled in classes at Luna Community College and did so prior to approval of the policy. Ms. Arellano is requesting approval from the Board of County Commissioners to be reimbursed for the schooling through December 8,2006.

Mr. Montoya submitted for approval the employee's request for reimbursement for schooling as per County Administrative Regulation No. 09-12-2006.

Commissioner Medina asked if any other County employee had made such a request, Mr. Montoya responded that no other employee to this data has made a request.

Motion made by Commissioner Susano Ortiz to approve reimbursement of schooling to Ms. Arellano as per County Administrative Regulation No. 09-12-2006. Second by Commissioner David Salazar. Motion carried.

**26. COUNTY MANAGER'S PERSONNEL RECOMMENDATION TO HIRE A ROAD FOREMAN FOR THE PUBLIC WORKS DIRECTOR\***

County Manager Les Monotya asked the Commission to table this item so that it may be discussed further in executive session.

Motion made by Commissioner Kenneth C. Medina to discuss the item in executive session. Second by Commissioner Susano Ortiz. Motion carried.

**27. COUNTY MANAGER'S PERSONNEL RECOMMENDATION TO HIRE THE FOLLOWING INDIVIDUALS TO FILL THE VACANT POSITIONS WITH THE SAN MIGUEL COUNTY PUBLIC WORKS DIVISION\***

**RECOMMENDATION TO HIRE:**

**PROBATIONARY EMPLOYEE**

Peter Vigil	Heavy Equipment Operator III	Salary: \$24,960.00 Annually
Date of Hire:	October 23,2006	
Ted Garcia	Heavy Equipment Operator I	Salary: \$16,640.00 Annually
Date of Hire	October 23,2006	
Albert Yara	Maintenance Operator I	Salary: \$14,520.00 Annually
Date of Hire	October 23,2006	

County Manager Les Montoya informed the Commission that the vacant positions needed to be filled due to resignations in the Public Works Division.

Mr. Montoya submitted for approval the above recommendations to fill the vacant positions at the Public Works Division.

Motion made by Commissioner David Salazar to approve the individuals to fill the vacant positions at the San Miguel County Public Works Division. Second by Commissioner Susano Ortiz. Motion carried.

**28. COUNTY MANAGER'S PERSONNEL RECOMMENDATION TO HIRE AND RATIFY THE EARLY VOTING/ABSENTEE BOARD AS PER THE RECOMMENDATION OF PAUL MAEZ, SAN MIGUEL COUNTY CLERK\***

**RECOMMENDATION TO HIRE:**

**CASUAL EMPLOYEES**

Pauline Trujillo	Salary: \$8.00 Hourly
Date of Hire:	October 6, 2006 through November 6,2006
Claudette Medina	Salary: \$8.00 Hourly
Date of Hire:	October 6, 2006 through November 6,2006
Patricia Lopez	Salary: \$8.00 Hourly
Date of Hire:	October 6, 2006 through November 6,2006
Barbara Romero	Salary: \$8.00 Hourly
Date of Hire:	October 6, 2006 through November 6,2006
Angela Sanchez	Salary: \$8.00 Hourly
Date of Hire:	October 6, 2006 through November 6,2006
Alex Gonzales	Salary: \$8.00 Hourly
Date of Hire:	October 6, 2006 through November 6,2006

Deborah Chavez                      Salary: \$8.00 Hourly  
Date of Hire:                      October 6, 2006 through November 6,2006

Mary Griego                              Salary: \$8.00 Hourly  
Date of Hire:                      October 6, 2006 through November 6,2006

Victoria Gallegos                      Salary: \$8.00 Hourly  
Date of Hire:                      October 6, 2006 through November 6,2006

County Manager Les Montoya informed the Commission of the recommended temporary employees to work for County Manager Paul Maez during the upcoming General election.

Mr. Montoya submitted for approval the above recommendations of hire by Mr. Paul Maez.

Motion made by Commissioner David Salazar to approve the casual employees to work for the General Elections. Second by Commissioner Susano Ortiz. Motion carried.

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

**RECOMMENDATION TO HIRE:**

**PROBATIONARY EMPLOYEE**

Sarah Sandoval                      DWI Officer Manager                      Salary: \$10.00 Hourly  
Date of Hire:                      October 16,2006

County Manager Les Montoya informed the Commission of the vacant position due to the transfer of James Phillips, which is now classified as a part time position. This employee will be working 24 hours a week.

Mr. Montoya submitted for approval the recommendation to hire Sara Sandoval as a part time employee.

Motion made by Commissioner David Salazar to hire Ms. Sandoval as a probationary employee. Second by Commissioner Kenneth C. Medina. Motion carried.

**30. COUNTY MANAGER'S PERSONNEL RECOMMENDATIONS TO HIRE THE FOLLOWING EMPLOYEES TO FILL THE POSITIONS OF DETENTION SERGEANTS AND DETENTION OFFICERS AT THE SAN MIGUEL COUNTY DETENTION CENTER AS PER THE RECOMMENDATION OF PATRICK W. SNEDEKER, WARDEN/FACILITY ADMINISTRATOR\***

**RECOMMENDATION TO HIRE:**

**PROBATIONARY EMPLOYEE**

Stephen Mora	Detention Sergeant	Salary: \$19,197.36 Annually
Jose Ortiz	Detention Sergeant	Salary: \$19,197.36 Annually
Carlos Castillo	Detention Officer	Salary: \$17,843.28 Annually
Augustine Sanchez	Detention Officer	Salary: \$17,843.28 Annually
Irene Armas	Detention Officer	Salary: \$17,843.28 Annually
Glenda Fernandez	Detention Officer	Salary: \$17,843.28 Annually

County Manager Les Montoya informed the Commission of the positions needing to be filled immediately due to employees resigning their positions at the San Miguel County Detention Center.

Mr. Montoya submitted for approval the recommendation to hire the above employees to fill the vacant positions at the San Miguel County Detention Center.

Motion made by Commissioner Kenneth C. Medina to approve filling the vacant positions at the Detention Center. Second by Commissioner David Salazar. Motion carried.

**31. PERSONNEL ACTIONS\***

County Manager Les Montoya informed the Commission of personnel actions within the last month of September, that have taken place in San Miguel County for ratification and approval.

Mr. Montoya submitted for approval the personnel actions that have taken place within San Miguel County.

Motion made by Commissioner Kenneth C. Medina to approve the personnel actions. Second by Commissioner David Salazar. Motion carried.

**32. SAN MIGUEL COUNTY BOARD OF FINANCE MEETING**

**33. BUDGET RESOLUTION 2006-10-10-F1\***

Finance Division Supervisor Melinda Gonzales informed the Commission of the budget for the 07-RF-01-87 Operation Buckle Down Grant for the San Miguel County Sheriff's Office, in the amount of \$ 5,396.00.

Ms. Gonzales submitted for approval the budget for the Operation Buckle Down Grant for the Sheriff's Office.

Motion made by Commissioner David Salazar to approve the budget for the 07-RF-01-87 Operation Buckle Down. Second by Commissioner Susano Ortiz. Motion carried.

**34. LEASEE RESOLUTION DATED AS OCTOBER 10,2006, BETWEEN MUNICIPAL CAPITAL CORPORATION (LEASOR) AND SAN MIGUEL COUNTY (LESSEE)\***

Finance Division Supervisor Melinda Gonzales informed the Commission that in July, the Finance Office presented a lease agreement between Municipal Capital Corporation and the County. To finalize the lease agreement a Lessee Resolution is required.

Ms. Gonzales submitted for approval the Lessee Resolution.

Motion made by Commissioner David Salazar to approve the Lessee Resolution.  
Second by Commissioner Susano Ortiz. Motion carried.

**35. INDEGENT CLAIMS\***

Finance Division Supervisor Melinda Gonzales presented to the Commission the Indigent Claims submitted and reviewed by the Finance Department. St. Vincent's Hospital in the amount of \$10,000.00, and one from Alta Vista Regional Hospital in the amount of \$55,291.98.

Ms. Gonzales submitted for approval the Indigent Claims submitted and reviewed by the Finance Department.

Motion made by Commissioner Susano Ortiz to approve the Indigent Claims. Second by Commissioner David Salazar. Motion carried.

**36. CASH BALANCE REPORT\***

Finance Division Supervisor Melinda Gonzales informed the Commission of the September 30,2006 cash balances.

No action taken; for information only;

**37. 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, since the last regular meeting.

Motion made by Commissioner Kenneth C. Medina to approve Accounts Payable Listing as presented. Second by Commissioner David Salazar. 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 David Salazar to retire into Executive Session at 4:21 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 Susano Ortiz. Motion carried.

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

Chairman LeRoy H. Garcia	yes
Vice-Chairman Hugh H. Ley	Absent
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 5:32 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.

**14. ABL MANAGEMENT INC. FOOD SERVICE CONTRACT EXTENSION SAN MIGUEL COUNTY DETENTION CENTER\***

County Manager Les Montoya recommended to the Commission that it table the renewal of the ABL Management food service contract until the firm can provide additional estimates of what the annual cost would be to San Miguel County by including benefits for the employees that work for them on a full time basis, until next month.

Motion made by Commissioner David Salazar to table the renewal of the contract with ABL Management Food Service. Second by Commissioner Kenneth C. Medina. Motion carried.

**26. COUNTY MANAGER'S PERSONNEL RECOMMENDATION TO HIRE A ROAD FOREMAN FOR THE PUBLIC WORKS DIRECTOR\***

County Manager Les Montoya recommended to hire John Bustamante as the Road Foreman for San Miguel County with an annual salary of \$28,500.00. This is also an exempt position.

Motion made by Commissioner Susano Ortiz to approve the hire of Mr. Bustamante. As an exempt employee. Second by Commissioner David Salazar. Motion carried.

**ADJOURNMENT**

Motion made by Commissioner Kenneth C. Medina to adjourn. Second by Commissioner David Salazar. Motion carried.

The record will show the time is 5:36 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