

**SPECIAL MEETING
September 4, 2006
MINUTES**

The Board of County Commissioners of San Miguel County held a **Special Meeting** on Monday, **September 4, 2006** at 12:00 p.m. at the office of the San Miguel County Manager 500 W. National Suite 100 Las Vegas, New Mexico. The minutes for the meeting are as follows:

CALL TO ORDER

Chairman LeRoy H. Garcia called the meeting to order at 12:00 p.m.

ROLL CALL

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

The record will show a quorum was present.

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

County Manager Les Montoya submitted the agenda as prepared.

NEW BUSINESS:

1. **ITEM TO BE PRESENTED: PUBLIC HEARING AND FORMAL ACTION ON ADOPTION OF PROPOSED ORDINANCE NO. 09-04-06, ADOPTING A COUNTY CAPITOL OUTLAY GROSS RECEIPT TAX, IMPOSING AND EXCISE TAX EQUAL TO 1/8 OF ONE PERCENT (1.25%) OF THE GROSS RECEIPTS REPORTED OR REQUIRED TO BE RECORDED PURSUANT TO THE NEW MEXICO GROSS RECEIPTS AND COMPENSATIONS TAX ACT, TO BE KNOWN AS THE "COUNTY CAPITOL OUTLAY GROSS RECEIPTS TAX."**

County Manager Les Montoya proposed to the Commission that the ordinance be adopted, the question of the imposition of the tax shall be placed on the ballot at the November 7 General Election for determination by the county-wide electorate. If the imposition of the gross receipts tax is approved by the electorate, it shall become effective January 1, 2007, and shall be used for the design, construction, acquisition, improvement, renovation, rehabilitation, equipping or furnishing of public buildings or facilities, including parking facilities, the acquisition of the land for the public buildings or facilities and the acquisition

or improvement of the grounds surrounding public buildings or facilities; the payment of gross receipts tax revenue bonds issued pursuant to Chapter 4, Article 62, NMSA 1978, for infrastructure purposes; the construction, reconstruction or improvement of roads, streets or bridges, including acquisition of right of way; and the design, construction, acquisition, improvement or equipping of a county jail, juvenile detention facility or other county correctional facility or multipurpose regional adult jail or juvenile detention facility.

Mr. Montoya submitted for approval and review Ordinance No. 06-04-06, if approved this will be placed on the ballot for the November election. The estimated amount is \$368,000.00 a year.

Vice-Chairman Hugh H. Ley requested clarification on how the funds would be distributed.

County Attorney Jesus Lopez reminded the Commission that the meeting was for the approval of the Resolution and if any discussion is needed should be held at the next Regular Meeting on September 12, 2006.

Motion made by Commissioner David Salazar to approve Ordinance No. 09-04-06 Adopting a County Capitol Outlay Gross Receipts Tax. Second made by Commissioner Kenneth C. Medina. Motion Carried.

2. ADOPTION OF ELECTION PROCLAMATION PLACING IN THE BALLOT FOR THE NOVEMBER 7, 2006, GENERAL ELECTIONS, THE QUESTION OF THE IMPOSITION OF THE GROSS RECEIPTS TAX AUTHORIZED BY ORDINANCE NO. 09-04-06.

County Manager Les Montoya presented to the Commission the question of the gross receipts tax authorized by Ordinance No. 09-04-06 must be voted upon by the electorate. The Election Proclamation places the question on the ballot for the General Election to be held November 7, 2006, and the County Clerk will publish the Election Proclamation for this question together with the Election Proclamation for the General Election, as required by law.

Mr. Montoya submitted for approval the Election Proclamation placing it in the ballot for the November 7, 2006, General Election.

County Attorney Jesus Lopez noted for the record that no one was present other than the four Commissioners, with Vice-Chairman Hugh H. Ley via telephone, James Marquez from the County Clerks office, Paul Maez from the County Clerks office, Melinda Gonzales, County Attorney Jesus Lopez, and County Manager Les Montoya.

Motion made by Commissioner David Salazar to adopt the Election Proclamation placing it on the ballot for the November 7, 2006, General Election. Second made by Commissioner Kenneth C. Medina. Motion carried.

Chairman Leroy H. Garcia requested a roll call vote to ensure a unanimous decision.

Chairman LeRoy H. Garcia present
Vice-Chairman Hugh H Ley present via telephone
Commissioner Kenneth C. Medina present
Commissioner David R. Salazar present
Commissioner Susano F. Ortiz present

ADJOURNMENT

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

The record will show the time is 12:25 p.m.

Approved this _____ day of _____, 200 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