

**REGULAR MEETING
APRIL 08, 2008
MINUTES**

The Board of County Commissioners of San Miguel County held a Regular Meeting and a County Board of Finance Meeting on Tuesday April 08, 2008 at 1:30 p.m. at the San Miguel County Commission Chambers, 500 West National, 2nd Floor, Las Vegas, New Mexico 87701. The agenda for the meeting was as follows:

CALL TO ORDER

County Attorney Jesus Lopez Requested a moment of silence on the passing of the late Honorable Judge Leon Karelitz who was an Attorney in Las Vegas for 40 years.

ROLL CALL

Chairman David R. Salazar, Vice-Chairman June J. Garcia, Commissioner Hugh H. Ley, Commissioner Kenneth C. Medina, and Commissioner Albert J. Padilla were present.

The record will show a quorum was present.

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA:

Motion made by Commissioner Albert Padilla to approve agenda. Second by Commissioner Kenneth Medina Motion carried.

APPROVAL OF MINUTES: Regular Meeting March 11, 2008.

Motion made by Commissioner Hugh Ley to approve the minutes for Regular Meeting held on March 11, 2008. Second by Commissioner June Garcia. Motion carried.

INTRODUCTION OF NEW EMPLOYEES:

Carl Vigil (Probationary Employee) (Not present)	DWI Transit Operator	DWI Division
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John Roybal (Probationary Employee)	DWI Transit Operator	DWI Division
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NEW BUSINESS:

1. COUNTY TREASURER'S MONTHLY REPORT*

San Miguel County Treasurer Alfonso Ortiz Jr. presented the Treasurer's monthly report for the month of March 2008.

No action taken; for information purposes only.

**2. APPROVAL FOR SELECTIVE TRAFFIC ENFORCEMENT PROGRAM
(100 DAYS AND NIGHTS OF SUMMER) PROJECT NUMBER 08-PT-DS-087, \$3000.00**

Sheriff Benjie Vigil informed the Commission that the S.T.E.P. Program from the New Mexico Department of Transportation has granted the Sheriff's Department funds for the past years to pay Deputies overtime to enforce the traffic laws in the high crash areas in San Miguel County, being the State roads and County roads.

Approval requested for the \$3,000.00 that was awarded

Commissioner Hugh Ley inquired as to where the concentration sites would be for the DWI check points and how many officers will be certified to give any breath tests at these check points.

Sheriff Vigil responded that he had three Deputies, himself and the Under sheriff that are certified. Sheriff Vigil also added he had two Deputies that were not certified for administering the breath test.

Sheriff Vigil advised the concentration sites would be I-25 in conjunction with the State Police to the Pecos area, State Road 84 and County roads around San Miguel.

Motion to approve by Commissioner Albert Padilla and second by Commissioner Kenneth Medina. Motion Carried.

**3. RESOLUTION PROPOSING ADOPTION OF AN ORDINANCE TO BE ADOPTED
PURSUANT TO THE REQUIREMENTS OF SECTION 5-10-9 OF THE NEW MEXICO
LOCAL ECONOMIC DEVELOPMENT ACT, NMSA 1978***

Les Montoya, County Manager and Jesus L. Lopez, County Attorney, informed the Commission of the matter related to the County's Wood Cluster Plan Medite Purchase, Partnership with EDC and all matters incident thereto. The NM Economic Development Department has determined the County needs to complete one or more step for compliance with the Local Economic Development Act ,and release of moneys to the County. Therefore, the NM Economic Development Department requires the County adopt a final ordinance concerning the economic development project, approving the project participation agreement, and ratifying and approving all actions heretofore taken by the County relating to these matters.

Mr. Montoya requested approval of Resolution No. 04-08-08-LEDA, proposing adoption at the May 13, 2008, regular monthly meeting of an ordinance as noted above, after notice and hearing as required by law.

Motion made by Commissioner Hugh Ley for approval of Resolution No. 04-08-08-LEDA Second by Commissioner Albert Padilla. Motion carried.

**4. APPROVAL FOR AMENDMENT OF SOLICITATION/MODIFICATION OF
CONTRACT FOR DEPARTMENT OF THE ARMY CORPS OF ENGINEERING***

County Manager Les Montoya presented to the Commission a modification to the U.S. Corp of Engineering Grant Number W912PP-07-7-0021. This money is used to pay overtime for patrols on the Army Corps of Engineers land in the Conchas Dam area, during the period of April 6, 2008

through September 28, 2008. There is also a small amount allocated for maintenance on Sheriff's Vehicles. The total amount is \$16,480.

Mr. Montoya requested approval of Modification for additional funds for the County to compensate the Under Sheriff or Deputies in that area for salary and the Department for additional operational costs.

Motion made by Commissioner Kenneth C. Medina to approve funds as presented. Second by Commissioner Hugh Ley. Motion carried.

5. DISCUSSION ON UTILIZING INDUSTRIAL REVENUE BONDS AS A MEANS OF PROMOTING INDUSTRY AND TRADE INCLUDING COMPANIES TO LOCATE AND EXPAND IN SAN MIGUEL COUNTY, NEW MEXICO. REVIEW PROPOSED RESOLUTION, SETTING POLICY FOR SAN MIGUEL ON USE OF INDUSTRIAL REVENUE BONDS.*

Invenegy has requested of the Commission authorization to utilize Industrial Revenue bonds to assist in financing company development to be located in San Miguel County. The Commission had requested additional information on the Industrial Revenue Bond Process.

The Commission listened to a presentation from Paul Cassidy of Dain Rascher, Manager/Investment Banker on IRB's and their purpose and process.

Mr. Cassidy presented to the Commission in short that the IRB is a tool the Legislature gave to County and City Commissions to encourage businesses to locate and expand within the boundaries of their jurisdiction. And in addition the two benefits of utilizing the IRB are property tax abatement and abatement from gross receipts on equipment purchases. Mr. Cassidy did note that Roosevelt and Quay Counties have already established the use of IRB's.

Mr. Cassidy presented a packet of information describing the process and a sample of the IRB questionnaire.

Mr. Montoya submitted the following for consideration:

1. Presentation from Paul Cassidy of Dain Rascher.
2. Draft resolution setting policy for San Miguel County, providing direction to County Manager to present resolution as determined by the Commission.

Commissioner Hugh Ley did comment on his approval in reference to the economic benefits.

The Commission directed the County to place on the Commission agenda in May to consider establishing a IRB policy for San Miguel County..

6. PUBLIC HEARING AND ADOPTION OF AMENDED BUSINESS LICENSE ORDINANCE, NO. SMC-04-08-08-ORD-1*

Planning and Zoning Supervisor Alex Tafoya presented the proposed amended business license registration ordinance.

Mr. Tafoya advised that this issue came before the County Commission meeting on March 11, 2008 for the Commission to approve a resolution to amend the current Business License Ordinance, No. SMC-04-08-08-ORD-1.

Mr. Tafoya advised the only changes include the language from County Clerk to County Manager. And in addition adding the request for the physical and mailing address. Mr. Tafoya requested that the County Commission conduct a public hearing and accept public comment on then amended Business Licenses Ordinance. And if everything is acceptable to adopt the Amended Business License Ordinance. Mr. Tafoya also noted that the County has a total of 335 business licenses.

A public hearing was conducted and discussion ensued.

Motion made by Commissioner Albert Padilla to approve amended business license ordinance No SMC-04-08-08-ORD-1. Second by Commissioner June Garcia. Motion carried.

7. APRIL AS FAIR HOUSING MONTH

Planning and Zoning Supervisor Alex Tafoya noted that April is Fair Housing Month in New Mexico.

Mr. Tafoya requested that the Commission adopt a Proclamation designating April as Fair Housing Month.

Chairman David Salazar read the Proclamation.

Discussion ensued.

Motion made by Commissioner Albert Padilla to approve April as Fair Housing Month. Second by June Garcia. Motion carried.

8. INFRASTRUCTURE CAPITAL IMPROVEMENT PLAN (ICIP) 2010-2014*

Planning and Zoning Supervisor Alex Tafoya presented to the Commission that the DFA-Local Government Division has advised all counties and municipalities that it is time to begin the process of updating their respective Infrastructure Capital Improvement Plan (ICIP) for 2010-2014. Various agencies involved in funding local projects use the ICIP to determine if a project should be funded.

Mr. Tafoya requested the Commission begin the process of updating the ICIP by requesting the County Commission conduct a public hearing to gather suggestions from the public on projects to be included in the ICIP; and to ask the County Commission for suggestions on projects to be included in the ICIP.

Mr. Tafoya asked that a public hearing be conducted at this time for any comments or suggestions on adding any projects to the ICIP.

Chairman David Salazar opened a public hearing as requested. No comments or suggestions were brought forth.

Discussion ensued

No action taken at this time. Request for public hearing at next meeting for comments or suggestions on adding any projects to the ICIP.

9. SAN JUAN COMMUNITY CENTER BID AWARD FOR IMPROVEMENTS AND RENOVATION*

Alex Tafoya, Planning and Zoning Supervisor requested rejection of the two bids due to the fact that San Miguel County is not the property owner of the San Juan Community Center.

Mr. Tafoya advised that after further research he found the San Juan Community Center is not property of San Miguel, which would not allow San Miguel County to pursue the bidding process

Mr. Lopez included the use of the conduit method and in addition that a MOU may not work. And that San Miguel County would need to obtain ownership of the property

Discussion ensued

Motion made by Commissioner Hugh Ley to reject the (2) bids received. Second by Commissioner June Garcia. Motion carried.

10. RESOLUTION NO. 04-08-08-WILD ANIMALS AMENDING SAN MIGUEL COUNTY ORDINANCE SMC-10-10OR-(B)-95. ARTICLE 7,WILD OR EXOTIC ANIMALS,SECTION 7-1, PARAGRAPH D*

Alex Tafoya, Planning and Zoning Supervisor requested that the Commission review and approve resolution No. 04-08-08-Wild Animals, which would direct the County Manager to amend the animal control ordinance by adding Exhibit A. that would read all wolves and wolf hybrids, wild or domestic, shall be banned from San Miguel County.

Mr. Tafoya also added that if this amendment is acceptable to the Commission then a published amendment will be provided at the next County Commission meeting in a public hearing on the amendment.

Andres Aragon from the Northern New Mexico Stockmen's Association wanted to advise of his full support of the amendment in question.

Discussion ensued.

Gabe Estrada also commented on the destruction of livestock due to the wolves.

Motion made by Commissioner Hugh Ley to review and approve resolution 04-08-08-Wild Animals Second by Commissioner June Garcia. Motion carried.

11. RESOLUTION EXTENDING FRANCHISE ORDINANCE BETWEEN FARMERS' ELECTRIC COOPERATIVE AND SAN MIGUEL COUNTY*

Planning and Zoning Supervisor Alex Tafoya spoke of San Miguel County Ordinance No. SMC-12-14-04- FRANCHISE, grants to Farmers' Electric Cooperative a franchise to operate within San Miguel County. The Ordinance has a term of (1) year and is renewed on a yearly basis. Mr. Tafoya advised the Commission that Farmers' Electric Cooperative wishes to renew the Franchise Ordinance for another year.

Mr. Tafoya requests the commission to adopt Resolution No. 04-08-08-FARMERS' extending the Franchise for another year from January 15, 2008 to January 15, 2009.

Finance Supervisor Melinda Gonzales requested Farmers' Electric include a list of all customers and any additional information such as physical and mailing address.

Commissioner Ley requested that Resolution No. 04-08-08-Farmers' include mailing and physical addresses.

Motion to approve Resolution No. 04-08-08-FARMERS' by Commissioner Ley and Second motion by Commissioner Kenneth Medina, as amended by Commissioner Ley. Motion Carried.

12. REQUEST FOR OUT OF STATE TRAVEL TO LAFAYETTE, LOUISIANA FOR GILBERT ALMANZA JR., EXECUTIVE DIRECTOR TO ATTEND THE SOUTHWEST NAHRO ANNUAL CONFERENCE*

Section 8 Housing Administrator Gilbert Almanza Jr. asked the Commission that he be allowed to attend the Southwest NAHRO annual Conference. Mr. Almanza included that he is the VP of member services for NM NAHRO and a member of the Southwest NAHRO member services committee. In addition Mr. Almanza is the chairman for an AD-Hoc Committee, and a member of the Executive committee.

Motion made by Commissioner Kenneth Medina to approve Out of State travel for Gilbert Almanza Second by Commissioner Hugh Ley. Motion carried.

13. JOB DESCRIPTION FOR THE OFFICE OF EMERGENCY MANAGEMENT MANAGER'S POSITION*

County Manager Les Montoya introduced the Job Description for the new position of Office of Emergency Manager, San Miguel County/Las Vegas Office of Emergency Management. The NM Department of Homeland Security/Emergency Management and the City of Las Vegas are on board with the Job Description.

Mr. Montoya requested discussion and action to approve job description.

Motion made by Commissioner Hugh Ley to approve Job Description. Second by Commissioner Albert Padilla. Motion carried.

14. SAN MIGUEL COUNTY/LAS VEGAS OFFICE OF EMERGENCY MANAGEMENT RECEIVED A THREE YEAR EMERGENCY EXERCISE GRANT FROM THE DEPARTMENT OF HOMELAND SECURITY/EMERGENCY MANAGEMENT (DHSEM) TO SAN MIGUEL COUNTY/LAS VEGAS OFFICE OF EMERGENCY MANAGEMENT. REQUEST APPROVAL TO PROCEED WITH ADVERTISING FOR REQUEST FOR PROFESSIONAL SERVICES (RPF) AND INTERVIEW PROCESS FOR CONTRACTOR TO PROCEED WITH THE DESIGNING, DEVELOPING, AND ORGANIZING OF THE EXERCISE PROGRAM.*

Safety Coordinator Dennis English advised the Commission that the grant (\$162,000) received through DHSEM has been an ongoing through the San Miguel County/Las Vegas office of Emergency Management, and is a requirement through the national Homeland Security Department in order to receive any future funding.

Mr. English requested approval and signature of the Commission.

Discussion ensued.

Motion made by Commissioner Albert Padilla for approval of grant received through DHSEM. Second by Commissioner Kenneth Medina Motion carried.

15. FOOD SERVICE MANAGEMENT AGREEMENT SAN MIGUEL COUNTY, NEW MEXICO AND SUMMIT FOOD SERVICE MANAGEMENT, LLC*

Warden/Facility Administrator Patrick Snedeker advised the Commission that the food service management by and between San Miguel County, New Mexico and Summit Food Service Management, LLC for operation and management of food service operations, at the San Miguel County Detention Center is presented. The agreement is a result of an RFP for Detention Center Food Service Operations and selection of Summit Management as the best qualified proposal offeror. The agreement has been reviewed by San Miguel County Attorney, Mr. Jesus Lopez.

Mr. Snedeker requested approval of the Food Service Management Agreement as submitted.

Motion made by Commissioner Hugh Ley to approve the Food Service Management Agreement. Second by Commissioner Albert Padilla. Motion carried

16. MORA, SAN MIGUEL , GUADALUPE COUNTIES LOCAL BEHAVIORAL HEALTH COLLABORATIVE TOTAL COMMUNITY APPROACH PROGRAM TO ADDRESS SUBSTANCE USE AND MENTAL HEALTH BEHAVIORAL HEALTH ISSUES FOR DETAINEES AT THE SAN MIGUEL COUNTY DETENTION CENTER, INCLUDING MEMORANDUM OF UNDERSTANDING BETWEEN THE NM BEHAVIORAL HEALTH INSTITUTE/COMMUNITY BASED SERVICES PROGRAM AND THE SAN MIGUEL COUNTY DETENTION CENTER.*

Warden/Facility Administrator Patrick Snedeker advised the Commission that the Total Community Approach Program is intended to address substance use and mental health/behavioral health issues for detainees at the San Miguel County Detention Center. The local behavioral health

collaborative received funding from the NM State Health Collaborative, specific to services being offered. The Total Community Approach Plan targets substance use, mental health/behavioral health issues, and co-occurring issues including prevention, education, treatment, aftercare and recovery support and including a memorandum of understanding, for provision of services between the NM Behavioral Health Services/Community Based Services Program and the San Miguel County Detention Center.

Mr. Snedeker introduced Marino Rivera, Yolanda Cruz, Sarah Stevens, Lucy Reed, Paula Martinez, Kathy Duran and Corrine Dominguez, who all spoke on behalf of the program and their roll as part of the program.

Mr. Snedeker requested approval of the Total Community Approach Program, and the Memorandum of Understanding Agreement as presented for implementation for detainees at the Sam Miguel Detention Center.

Motion made by Chairman David Salazar to approve the Total Community Approach Program. Second by Commissioner Hugh Ley. Motion carried.

17. EXTENSION AGREEMENT/CONTRACT INMATE CONFINEMENT HARDING COUNTY, NM AND SAN MIGUEL COUNTY, NM.*

Warden /Facility Administrator Patrick Snedeker presented to the Commission that the Extension Agreement/Contract for the confinement of prisoners of Harding County, NM at the San Miguel County Detention Center is presented. The cost of detainment is at the rate of \$45 per day, per inmate and other provisions remain the same pursuant to said contract.

Mr. Snedeker requested the review and approval of the Extension Agreement/Contract.

Motion made by Commissioner Kenneth C. Medina to approve the Extension Agreement/Contract. Second by Commissioner Hugh Ley. Motion carried.

Chairman Salazar thanked Mr. Snedeker for all his work with the Detention Center.

18. CERTIFICATE OF APPRECIATION AND PLAQUE TO BE PRESENTED TO FORMER DWI PLANNING COUNCIL MEMBER DAVID R. SALAZAR IN RECOGNITION OF HIS HARD WORK, DEDICATION AND CONTRIBUTION TO THE SAN MIGUEL COUNTY DWI PLANNING COUNCIL*

Christina Barajas, DWI Administrative Assistant, presented a certificate and plaque of appreciation to Mr. Salazar for his hard work and time served with the DWI Planning Council. Mr. Salazar was on the Council for 4 years, 2 as the Chairman of the DWI Planning Council.

Mr. Salazar spoke of his time with the Council and was thankful for having the opportunity to be on the Council.

19. MONTHLY REPORT IN THE PUBLIC WORKS DIVISION FOR THE MONTH OF MARCH.*

Information on issues dealt with in the Public Works Division for the month of March.

Public Works Division Supervisor Harold Garcia presented this information to the Commission.

No action needed, for information purposes only.

20. RESOLUTION NUMBER 04-08-2008-PW/SW RECYCLING GRANT AUTHORIZING THE SAN MIGUEL COUNTY PUBLIC WORKS DIVISION OF SAN MIGUEL COUNTY TO SUBMIT A RECYCLING AND ILLEGAL DUMPING GRANT APPLICATION*

Public Works Division Supervisor Harold Garcia presented to the Commission that San Miguel County is proposing to submit a Grant Application through the New Mexico Environment Department in the amount of \$20,000 for the purpose of developing a recycling study and Implementation Program. A resolution is required by San Miguel County in order to apply for this grant.

Mr. Garcia requested approval of Resolution Number 04-08-2008-PW/SW recycling grant authorizing the San Miguel County Public Works Division of San Miguel County to submit a recycling and Illegal Dumping Grant Application to the NM Environment Department for the Recycling Development and Implementation.

Chairman Salazar extended his congratulations to Mr. Harold Garcia for being named Chairman of the affiliate for the Association of Counties.

Motion made by Commissioner June Garcia for Approval of Resolution Number 04-08-2008-PW/SW recycling grant. Second by Commissioner Albert Padilla. Motion carried.

21. AWARD OF BID ON TRUCKS TO QUALIFIED BIDDER (INLAND KENWORTH-NM 3120 PAN AMERICAN FREEWAY NE ALBUQUERQUE, NEW MEXICO 87107.*

Public Works Division Supervisor Harold Garcia presented to the Commission that San Miguel County Public Works Division recently advertised for trucks for the Solid Waste Division. Two bids were received, one from Inland Kenworth-NM and the other from Roberts Trucks. The bids were opened March 19, 2008. The amount of the bid submitted by Inland Kenworth-NM for the Roll Off is \$157,056.00 and the amount of the extended Day Cab is \$116,332.00 for a total bid of \$273,388.00. At this time staff making a

recommendation to the Commission to award Inland Kenworth-NM, the bid as the lowest bidder based on the meeting of specifications and authorization to negotiate a bid that meets the budget for the purchase of these trucks within 10% of the submitted bid.

Mr. Garcia requested from the Commission to award bid to the lowest bidder based on the meeting of specifications.

Motion made by Commissioner Kenneth C. Medina to award the bid as recommended by Harold Garcia. Second by Vice-Chairman Albert Padilla. Motion carried.

22. AGREEMENT BETWEEN SAN MIGUEL COUNTY AND TERRY HAAFFE-HARRISON, LANDLORD OF 1212 RAILROAD AVE., LAS VEGAS, NEW MEXICO.*

Public Works Division Supervisor Harold Garcia advised the Commission that San Miguel County Public Works Division has been in contact with Terry Haaffe-Harrison regarding renting space at 1212 Railroad for the purpose of providing storage for items stored in the basement area of the District Attorneys Office.

Public Works Division Supervisor Harold Garcia requested the Commission to allow staff to ratify the agreement with Terry Haaffe Harrison to provide storage space for the County for storage.

Motion made by Commissioner Albert Padilla to ratify the agreement with Terry Haaffe-Harrison for the lease of commercial storage property at 1212 Railroad. Second by Commissioner Kenneth Medina. Motion carried.

23. NOTICE OF REQUEST FOR PROPOSALS FOR PROFESSIONAL PLANNING SERVICES FOR THE SAN MIGUEL COUNTY CINDER ROAD SAFE ROUTES TO SCHOOLS PROGRAM.*

Public Works Division Supervisor Harold Garcia advised the Commission that San Miguel County was recently notified of receipt of Planning Funds through the New Mexico Department of Transportation Safe Routes to Schools Program for the purpose of developing a plan in conjunction with the Las Vegas City Schools for a Safe Routes to School Program within Cinder Road and the local School facilities within the Las Vegas City School District that are located within 2-mile radius of Cinder Road. Staff has prepared a Request for Proposals for Professional Planning Services and is presenting this for authorization to proceed with the advertisement of this RFP.

Public Works Division Supervisor Harold Garcia requests from the Commission to authorize staff to proceed with the advertisement for the request for Proposals, for Professional Planning Services for the San Miguel County Cinder Road Safe Routes to Schools Program.

Discussion ensued

Motion made by Commissioner June Garcia to authorize staff to proceed with the advertisement for the Request for Proposals. Second by Commissioner Albert Padilla. Motion carried.

24. REQUEST FOR SEALED PROPOSALS FOR PROFESSIONAL SERVICES TO PLAN, DESIGN A PEDESTRIAN AND BICYCLE PATH WITH LANDSCAPING ALONG CINDER ROAD WITHIN SAN MIGUEL COUNTY.

Public Works Division Supervisor Harold Garcia advised the Commission that San Miguel County received funding from the New Mexico Department of Transportation for the purpose of developing the Cinder Road Pedestrian and Bicycle Path. (\$440,000.)

Mr. Garcia requests from the Commission to authorize staff to proceed with the advertisement for the Request for Proposals.

Motion made by Commissioner June Garcia to approve Resolution 2008-03-11-F3. Second by Commissioner Hugh Ley. Motion carried.

25. AWARD OF BID ON ROAD IMPROVEMENTS TO BIG MESA ROAD IN THE CONCHAS AREA.*

Public Works Division Supervisor Harold Garcia advised the Commission that San Miguel County Public Works Division has been working diligently over the past few months with Engineer's Inc. and Taschek Environmental Consultants on the design of several Severance Tax Road Improvements Projects. These projects were recently advertised for bid for construction, with mandatory Pre-Construction meeting held on Wednesday, March 19, 2008. Bid opening was held Wednesday, April 2, 2008.

Mr. Garcia asked Commission to award bid to lowest bidder based on the recommendation of the Engineer and the availability of funds for this project. Mr. Garcia also advised a bid was received for 137,077.38 thru Pacheco Trucking Co. which would include asphalt work within Big mesa Ave. in the Conchas area.

Motion made by Commissioner Kenneth C. Medina to award bid to Pacheco Trucking Co. on road improvements to the Big Mesa area in the Conchas area. Second by Commissioner Albert Padilla. Motion carried.

26. AWARD OF BID ON ROAD IMPROVEMENTS TO COUNTY ROAD B-31-A (GONZALES AREA.)*

Public Works Division Supervisor Harold Garcia advised the Commission of this project which was the 5 mile area between the Valley Schools and northern end at the top of the Mesa. Advertisement for a bid was done and had anticipated \$200,000 for the project and

only received \$77,000. So Mr. Garcia requests that this project be rejected due to the bid being very high.

Motion by Commissioner Kenneth Medina to reject project B-31-A. Second Motion by Commissioner Padilla. Motion Carried.

27. AWARD OF BID ON ROAD IMPROVEMENTS TO COUNTY ROAD A-30 (SAN GERINIMO AREA)*

Public Works Division Supervisor Harold Garcia advised the Commission that the San Miguel County Public Works Division has been working diligently over the past few months with Engineer's Inc. and Taschek Environmental Consultants on the design of several Grip 2 Road Improvements Projects. These Projects were recently advertised for bid for construction, with mandatory Pre-Construction meeting held on Wednesday, March 19, 2008. Bid openings were held Wednesday, April 2, 2008.

Mr. Garcia requested that a bid be awarded to lowest bidder based on the recommendation of the engineer and the availability of funds for this project. Mr. Garcia did include that a low bid from Rocky Road Gravel Products in the amount of \$27,897.91 and an estimated budget of \$71,000. Doing so would include complete construction

Motion made by Commissioner Albert Padilla to award bid to Rocky Road Gravel Products with the bid of \$27,897.91. Second by Commissioner June Garcia. Motion carried.

28. AWARD OF BID ON ROAD IMPROVEMENT TO COUNTY ROAD A-19/A-17 (SAN GERONIMO AREA)*

Public Works Division Supervisor Harold Garcia advised the Commission that the San Miguel County Public Works Division has been working diligently over the past few months with Engineer's Inc. and Taschek Environmental Consultants on the design of several Grip 2 Road Improvements Projects. These Projects were recently advertised for bid for construction, with mandatory Pre-Construction meeting held on Wednesday, March 19, 2008. Bid openings were held Wednesday, April 2, 2008.

Mr. Garcia requested of the Commission that the bid be awarded to the lowest bidder based on the recommendation of the engineer and the availability of funds for this project.

Mr. Garcia added that a low bid from Rock Road was given for the amount of \$138,128.76 for this project and requested that the low bid be awarded to Rocky Road as being the lowest bidder.

Motion by Commissioner Albert Padilla to award Rocky Road lowest bid for Project A-19/A-17 in the amount of \$138,128.76. Second by Commissioner Kenneth Medina. Motion Carried.

29. AWARD OF BID ON ROAD IMPROVEMENTS TO COUNTY ROAD B-56-B (TRUJILLO AREA.)*

Public Works Division Supervisor Harold Garcia advised the Commission that the San Miguel County Public Works Division has been working diligently over the past few months with Engineer's Inc. and Taschek Environmental Consultants on the design of several Grip 2 Road Improvements Projects. These Projects were recently advertised for bid for construction, with mandatory Pre-Construction meeting held on Wednesday, March 19, 2008. Bid openings were held Wednesday, April 2, 2008.

Mr. Garcia advised that the bid is higher than the budget allows for this project.

Mr. Garcia asked that this project be rejected due to lack of funds.

Motion by Commissioner Kenneth Medina to reject improvements to County Road B-56-B do to lack of funds for this Project. Second by Commissioner Albert Padilla. Motion Carried.

30. AWARD OF BID ON ROAD IMPORVEMENTS TO COUNTY ROAD A-3 (LAS DISPENSAS)*

Public Works Division Supervisor Harold Garcia advised the Commission that the San Miguel County Public Works Division has been working diligently over the past few months with Engineer's Inc. and Taschek Environmental Consultants on the design of several Grip 2 Road Improvements Projects. These Projects were recently advertised for bid for construction, with mandatory Pre-Construction meeting held on Wednesday, March 19, 2008. Bid openings were held Wednesday, April 2, 2008.

Mr. Garcia advised the Commission that the budget for this project is approximately. \$348,000 and received a low bid in the amount of \$197,635.00, which would leave a balance of approximately \$120,000. Mr. Garcia added that the remaining monies will be used to complete some unfinished work in this area as well as some bridge work in this same area.

Mr. Garcia Requests award in the amount of \$197,635.00 to Rocky Road Gravel Products.

Motion by Commissioner Albert Padilla to award project to Rocky Road. Second Motion by Kenneth Medina. Motion Carried.

31. AWARD OF BID ON ROAD IMPROVEMENTS TO COUNTY ROAD B-26 (BLANCHARD AREA)*

Public Works Division Supervisor Harold Garcia advised the Commission that the San Miguel County Public Works Division has been working diligently over the past few months with Engineer's Inc. and Taschek Environmental Consultants on the design of several Grip 2 Road Improvements Projects. These Projects were recently advertised for bid for construction, with mandatory Pre-Construction meeting held on Wednesday, March 19, 2008. Bid openings were held Wednesday, April 2, 2008.

Mr. Garcia requested award of bid in the amount if \$161,147.67 from Rocky Road as being the lowest bidder.

The Commission discussed the use of Coal millings base coarse and what materials will be used so that the project will be done correctly without having to go back and redesign.

The Commission came to a decision to reject the County Road B-26 (Blanchard Area) and evaluate the project at next Commission Meeting.

Motion to reject County Road B-26 Improvement project by Commissioner Albert Padilla. Second Motion by Commissioner June Garcia. Motion Carried.

32. AWARD OF BID ON ROAD IMPROVEMENTS TO COUNTY ROAD B-28-A (EL CERRITO AREA.)*

Public Works Division Supervisor Harold Garcia advised the Commission that the San Miguel County Public Works Division has been working diligently over the past few months with Engineer's Inc. and Taschek Environmental Consultants on the design of several Grip 2 Road Improvements Projects. These Projects were recently advertised for bid for construction, with mandatory Pre-Construction meeting held on Wednesday, March 19, 2008. Bid openings were held Wednesday, April 2, 2008.

Mr. Garcia requests that bid for County Road B-28 be awarded to Rocky Road for being the lowest bidder in the amount of \$77,198.83.

Motion by Commissioner Albert Padilla to award bid to Rock Road. Second by Commissioner June Garcia. Motion Carried.

33. PROFESSIONAL SERVICES AGREEMENT WITH SLOEIL WEST FOR ARCHITECTURAL DESIGN AND ENGINEERING OF THE SOLID WASTE TRANSFER STATION AT THE NORTHEASTERN NEW MEXICO WOOD BUSINESS PARK.*

Public Works Division Supervisor Harold Garcia informed the Commission that San Miguel County was recently notified of a Legislative appropriation in the amount of \$400,000 for the purpose of construction of the solid waste transfer station at the northeastern New Mexico Wood Business Park. There have been 5 acres set aside within the industrial park for the public works/Solid Waste Facility. The county has a professional Services Retainer with Soleil West for the purpose of providing Architectural Design and Engineering Services. The County Manager and Public Works Division Supervisor recently met with Mr. Kevin Balciar of Soleil West to discuss design of the Solid Waste Transfer Station. Mr. Balciar submitted a proposal through the retainer in the amount of \$25,000 plus tax (\$26,718.75 Total) for these services. Design of this project would commence immediately after the agreement is approved.

Mr. Garcia requests that the Commission approve the agreement submitted contingent on funding and authorize staff to proceed with Soleil West in the design of the Solid Waste Transfer Station to be located at the northeastern New Mexico Business park.

Motion by Commissioner Hugh Ley to approve agreement as approved by Harold Garcia. Second by Commissioner Kenneth Medina. Motion Carried.

34. REQUEST FOR OUT OF STATE TRAVEL FOR COUNTY MANAGER, PLANNING AND ZONING SUPERVISOR, COUNTY TREASURER AND COUNTY COMMISSIONER JUNE GARCIA TO ATTEND THE NATIONAL ASSOCIATION OF COUNTIES MEETING IN KANSAS CITY MISSOURI.*

County Manager Les Montoya requested from the Commission out of State travel. The conference attendees if approved will leave on July 10, 2008 and return on July 16, 2008. NACO provided various courses and presentations on issues affecting County Government. Displays and introductory to new equipment material and methods are also presented.

Mr. Montoya requested from the commission to authorize County Personnel to attend this out of State Conference.

Motion by Commissioner Kenneth Medina for County Personnel to attend Conference. Second by Albert Padilla. Motion Carried.

35. COUNTY MANAGER'S PERSONNEL RECOMMENDATIONS TO HIRE AND RATIFY THE FOLLOWING INDIVIDUALS TO FILL VACANT POSITIONS AT THE SAN MIGUEL COUNTY DETENTION CENTER AS PER THE RECOMMENDATION OF PATRICK SNEDEKER, WARDE/FACULTY/ADMINISTRATOR*

RECOMMENDATION TO HIRE

PROBATIONARY EMPLOYEE

Nick Jaramillo	Correctional Medical officer	Salary:	\$22,800.00
Donald Nelson	Detention Center Officer	Salary:	\$19,950.00

County Manager Les Montoya requested to hire and ratify the above individuals to fill vacant positions at the San Miguel County Detention Center.

Motion to approve and fill vacant positions at the San Miguel Detention Center by Commissioner Kenneth Medina. Second by Commissioner Albert Padilla. Motion Carried.

Commissioner June Garcia had question as to why the turnover at the detention center was high. County Manager advised that new hires that were in probationary period found other employment did not want to comply with the duties required and or compromised the safety of the detention center were released from employment as the detention center continues a zero tolerance policy.

36. COUNTY MANAGER'S PERSONNEL RECOMMENDATIONS TO HIRE THE FOLLOWING INDIVIDUAL TO FILL THE POSITION OF FINANCE SPECIALIST II WITH THE SAN MIGUEL COUNTY FINANCE DIVISION AS PER THE RECOMMENDATION OF MELINDA GONZALES, SAN MIGUEL COUNTY FINANCE DIVISION SUPERVISOR.*

County Manager Les Montoya advised the Commission that the Finance Specialists II position is vacant due to Ms. Melanie Montoya resigning her position as the Financial Specialist III and Ms. Marie Kavanaugh was promoted to that position which left the Finance Specialist II position vacant.

At this time no applicant has been identified. Notification to Commission was to advise that position was open at this time.

No action taken at this time.

37. COUNTY MANAGER'S PERSONNEL RECOMMENDATIONS TO HIRE AND PROMOTE THE FOLLOWING INDIVIDUAL TO FILL THE NEW POSITION OF OFFICE OF EMERGENCY MANAGEMENT PROGRAM SUPERVISOR WITH THE SAN MIGUEL COUNTY EMERGENCY MANAGEMENT DIVISION*

RECOMMENDATION TO HIRE

EXEMPT EMPLOYEE

Dennis English Office Management Program Salary:\$55,000.0

County Manager Les Montoya advised the Commission that the City took official action on March 31, 2008 turning over the management of the Office of Emergency to San Miguel County. The San Miguel County Board of Commissioners have responsibilities of the Office of Emergency Management for San Miguel. Mr. Dennis English has served as the Safety Coordinator for San Miguel County and is qualified to fill this position.

Mr. Montoya requests approval of this position.

Motion to approve Dennis English as Emergency Management Program Supervisor by Commissioner Albert Padilla. Second by Commissioner Hugh Ley. Motion Carried

Chairman David Salazar wanted to commend Mr. English on all his work and congratulate him on his new position.

38. PERSONNEL ACTIONS*

County Manager Les Montoya presented to the Commission the Personnel actions that have taken place in San Miguel County for ratification and approval by the San Miguel County Board of Commissioners.

Mr. Montoya Requested approval of Commission.

Motion to approve Personnel Actions by Commissioner Albert Padilla. Second by Commissioner Kenneth Medina. Motion Carried.

SAN MIGUEL COUNTY BOARD OF FINANCE MEETING

39. MEMORANDUM OF AGREEMENT BETWEEN SAN MIGUEL COUNTY AND ALTA VISTA REGIONAL HOSPITAL*

Finance Division Supervisor Melinda Gonzales presented to the Commission that the agreement addresses the coordination of healthcare services provided to residents of San Miguel County and the scope of services for which the hospital will provide financial assistance.

Ms. Gonzales requests the commission to review and approve Memorandum of Agreement between San Miguel County and Alta Vista Regional Hospital.

Motion to approve Memorandum of agreement by Commissioner Albert Padilla and second by Commissioner June Garcia. Motion Carried.

40. BUDGET RESOLUTION 2008-04-08-F1*

Finance Division Supervisor Melinda Gonzales advised the Commission of the Miscellaneous budget adjustments

Mrs. Gonzales requested that the Commission review and consider approval.

Two items were discussed earlier about the Sheriff's office overtime in the amounts of \$3,000.00 and \$16,480.00.

Motion by Commissioner Albert Padilla to approve Budget Resolution 2008-04-08-F1. Second by Commissioner Hugh Ley. Motion Carried.

41. RESOLUTION 2008-04-08-F2 SEEKING PERMISSION TO REMOVE SOLID WASTE ACCOUNTS FROM THE SYSTEM.*

Finance Division Supervisor Melinda Gonzales advised the Commission that in an effort to resolve a prior year audit finding and maintain the integrity of the Solid Waste Billing System, the

County Commission approved a part-time individual to assist with our solid waste account receivable reconciliation. One of the ways this was approached was by researching solid waste bills that have been returned by the post office as “unable to forward” parcels. These accounts were researched by trying to locate the property owners in the Assessor’s system to obtain a correct address. Those individuals who had an account in the Assessor/Treasurer system the address was updated to reflect the address in the system. Those individuals who could not be found in the Assessor/Treasurer system are some of the accounts that are being requested to be removed from the receivable listing. There were also individuals who were on our permit listing and we are requesting them to be removed since they were being double billed. Finally, there were mobile homes moved out of the County without properly closing out their solid waste accounts. A mobile home clearance has since been implemented to include the review and release by the Solid waste Department.

221 accounts are being requested to be removed from the system totaling (\$114,333.26)

Discussion ensued

County Attorney Jesus Lopez advised the Commission that Ms. Gonzales is not requesting to forgive the accounts but to remove them and still reserve the right to collect when needed.

Motion to remove accounts but to reserve the right to collect when needed by Commissioner Hugh Ley. Second by Commissioner Albert Padilla. Motion Carried.

42. INDIGENT CLAIMS*

Finance Division Supervisor Melinda Gonzales presented to the Commission Indigent Claims submitted and reviewed by the Finance Office

Ms. Gonzales advised Commission of (2) claims to be approved. The 1st item from Alta Vista Regional Hospital in the amount of \$61,925.09. The second claim to Berdinelli Family Funeral services for an individual who had services in Santa Fe but was a resident of San Miguel County and is requesting \$600.00 for the services.

County Attorney Jesus Lopez advised that the Commission can authorize up to \$1,200 to cover funeral services

Motion to approve Indigent Claims by Commissioner Kenneth Medina. Second motion by Commissioner June Garcia. Motion Carried.

43. CASH BALANCE REPORT*

Finance Division Supervisor Melinda Gonzales presented the Cash Balance Report to inform the County Commissioners of the March 29, 2008 cash balances.

No action needed: for information only

44. ACCOUNTS PAYABLE LISTING*

Finance Division Supervisor Melinda Gonzales presented the report to the County Commission of payments since the last regular meeting.

Mrs. Gonzales requests approval of accounts payable.

Motion to approve accounts payable by Commissioner Albert Padilla and second by Commissioner Kenneth Medina. Motion Carried.

Executive/Closed Session

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 1

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/ Closed 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 Albert Padilla to retire into Executive/ Closed Session at 3:22 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 Hugh Ley. Motion Carried.

Chairman David Salazar	yes
Vice-Chairman June Garcia	yes
Commissioner Hugh Ley	yes
Commissioner Kenneth C. Medina	yes
Commissioner Albert Padilla	yes

Motion made by Commissioner Kenneth C. Medina to return from Executive Session. Second by Commissioner June Garcia. Motion carried.

The Commission returned to public session at 4:00 P.M. and Chairman David R. Salazar noted for the record that only those matters specified in the motion for closure were discussed in executive session.

No action taken in Executive Session.

ADJOURNMENT

Motion made by Commissioner Kenneth C. Medina to adjourn. Second by Commissioner June Garcia. Motion carried.

The record will show the time is 4:40 PM.

Approved this _____ day of _____, 2008 as the Official Minutes of the Board of County Commissioners of San Miguel County, New Mexico.

David R. Salazar, Chairman

June J. Garcia, Vice-Chairman

Hugh H. Ley, Commissioner

Kenneth C. Medina, Commissioner

Albert J. Padilla, Commissioner

ATTEST

Paul Maez, County Clerk

Minutes Submitted by: Javier L. Lopez