

**REGULAR MEETING
JULY 12, 2005
MINUTES**

The Board of County Commissioners of San Miguel County held a Regular Meeting on Tuesday, July 12, 2005 at 1:30 p.m. at the Las Vegas City Schools Administration Building, Central Office Board Room, 901 Douglas Ave., Las Vegas, New Mexico. 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 all present.

The record will show a quorum was present.

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

County Manager Les Montoya submitted the agenda as prepared.

Motion made by Commissioner Kenneth C. Medina to approve agenda as prepared. Second by Vice-Chairman Hugh H. Ley. Motion carried.

APPROVAL OF MINUTES – Regular Meeting June 14, 2005.

Motion made by Commissioner David Salazar to make a correction on Item No. 2 reflecting correction regarding motion. Second by Commissioner Kenneth C. Medina. Motion carried.

INTRODUCTION OF NEW EMPLOYEES

County Manager Les Montoya introduced the following new employees:

Manuel Chavez (Exempt Employee)	Safety Coordinator	Safety Office
------------------------------------	--------------------	---------------

Executive/Closed Session

- A. Personnel Matters as permitted by Section 10-15-1(H) (2) of the New Mexico Open Meetings Act, NMSA 1978.**
- B. Matters subject to the attorney-client privilege pertaining to threatened or pending litigation in which SMC is or may become a participant, as permitted by Section 10-15-1(H) and of the New Mexico Open Meetings Act, NMSA 1978.**
- C. Matters pertaining to the discussion of the acquisition of real property, as permitted by Section 10-15-1 (H)(8) of the Open Meeting Act, NMSA 1978.**

Chairman LeRoy H. Garcia 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 Vice-Chairman Hugh H. Ley to retire into Executive Session at 1:25 p.m. to discuss Personnel Matters, as permitted by Section 10-15-1(H) (2) of the New Mexico Open Meetings Act, NMSA 1978, matters subject to the attorney-client privilege pertaining to threatened or pending litigation in which SMC is or may become a participant, as permitted by Section 10-15-1(H) (7) of the New Mexico Open Meetings Act, NMSA 1978 and matters pertaining to the discussion of the acquisition of real property, as permitted by Section 10-15-1(H)(8) of the Open Meetings Act, NMSA 1978. Second by Commissioner David Salazar. Motion carried.

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

Chairman LeRoy H. Garcia	yes
Vice-Chairman Hugh H. Ley	yes
Commissioner Kenneth C. Medina	yes
Commissioner Susano Ortiz	yes
Commissioner David Salazar	yes

Unanimous vote to retire into executive session.

Chairman LeRoy H. Garcia called the meeting back into public session at 2:25 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.

NEW BUSINESS:

1. COUNTY TREASURER'S MONTHLY REPORT

County Treasurer Alfonso Ortiz went over the County Treasurer's Monthly Report for the month of June 2005. Discussion ensued

No action taken for information only.

2. SAN MIGUEL COUNTY ORDINANCE NO. 07-12-03 PERSONNEL, PROPOSING THE AMENDMENT OF THE COUNTY PERSONNEL ORDINANCE, TO REQUIRE A ONE-YEAR PROBATIONARY PERIOD FOR ALL COUNTY EMPLOYEES

County Manager Les Montoya presented for approval Ordinance No. 07-12-2005 Personnel, Proposing the amendment of the County Personnel Ordinance to require a one- year probationary period for all County employees. The proposed Ordinance was published in the Las Vegas Daily Optic two weeks before today's meeting and was proposed by Resolution adopted by the Commission at the June Regular Meeting.

Chairman LeRoy H. Garcia requested public comment from anyone who was in favor of the proposed ordinance.

The following persons were in favor of the proposed ordinance:

Wendy Armijo

Chairman LeRoy H. Garcia requested public comment from anyone that was against the proposed ordinance.

No one came forward.

Motion made by Vice-Chairman Hugh H. Ley to approve Ordinance No. 06-14-2005 Personnel, proposing the amendment of the County Personnel Ordinance to require a one-year probationary period for all County employees, as presented. Second by Commissioner Susano Ortiz. Motion carried.

3. AGREEMENT BETWEEN COUNTY AND ADVANCED COMMUNICATIONS FOR INTEGRATED VOICE COMMUNICATIONS SYSTEM FOR EMERGENCY RESPONSE

Planning & Zoning Supervisor Alex Tafoya informed the Commission that on May 10, 2005, County staff was directed to enter into contract negotiations with Advanced Communications System for emergency response.

Mr. Tafoya requested ratification and approval of agreement between the County and Advanced Communications for Integrated Voice Communications for emergency response for the amount of \$674,899.00.

Motion made by Vice-Chairman Hugh H. Ley to approve agreement between San Miguel County and Advanced Communications for Integrated Voice Communications for emergency response, in the amount of \$674,899.00 as presented. Second by Commissioner Kenneth C. Medina. Motion carried.

4. MEMORANDUM OF AGREEMENT 2005-06 SCREENING SERVICES

SMC-DWI Coordinator Wendy Armijo submitted Memorandum of Agreement 2005-06 Screening Services between Somos Familia Institute Inc. and the San Miguel County DWI Planning Council for approval. Discussion ensued.

Motion made by Vice-Chairman Hugh H. Ley to approve Memorandum of Agreement 2005-06 Screening Services between Somos Familia Institute Inc. and the San Miguel County DWI Planning Council as presented. Second by Commissioner Kenneth C. Medina. Motion carried.

5. MEMORANDUM OF AGREEMENT BETWEEN THE SMC DWI PLANNING COUNCIL AND THE RIO GRANDE TREATMENT

SMC-DWI Coordinator Wendy Armijo submitted Memorandum of Agreement between the San Miguel County DWI Planning Council and the Rio Grande Treatment Center for approval. Discussion ensued.

Motion made by Vice-Chairman Hugh H. Ley to approve Memorandum of Agreement between the San Miguel County DWI Planning Council and the Rio Grande Treatment Center as presented. Second by Commissioner Kenneth C. Medina. Motion carried.

6. MEMORANDUM OF AGREEMENT BETWEEN THE SMC DWI PLANNING COUNCIL/LAS VEGAS DWI SCHOOL FACILITATORS

SMC-DWI Coordinator Wendy Armijo submitted Memorandum of Agreement between the San Miguel County DWI Planning Council and the Las Vegas DWI School Facilitators for approval. Discussion ensued.

Motion made by Vice-Chairman Hugh H. Ley to approve Memorandum of Agreement between the San Miguel County DWI Planning Council and the Las Vegas DWI School Facilitators as presented. Second by Commissioner Susano Ortiz. Motion carried.

7. MEMORANDUM OF AGREEMENT BETWEEN SMC DWI PLANNING COUNCIL/NMSP DISTRICT I

SMC-DWI Coordinator Wendy Armijo submitted Memorandum of Agreement between the San Miguel County DWI Planning Council and NMSP District I for approval. Discussion ensued.

Motion made by Vice-Chairman Hugh H. Ley to approve Memorandum of Agreement between the San Miguel County DWI Planning Council and NMSP District I as presented. Second by Commissioner Susano Ortiz. Motion carried.

8. MEMORANDUM OF AGREEMENT BETWEEN SMC DWI PLANNING COUNCIL/NMSP DISTRICT II

SMC-DWI Coordinator Wendy Armijo submitted Memorandum of Agreement between the San Miguel County DWI Planning Council and NMSP District II for approval. Discussion ensued.

Motion made by Vice-Chairman Hugh H. Ley to approve Memorandum of Agreement between the San Miguel County DWI Planning Council and NMSP District II as presented. Second by Commissioner Kenneth C. Medina. Motion carried.

9. MEMORANDUM OF AGREEMENT BETWEEN SMC DWI PLANNING COUNCIL/LAS VEGAS CITY POLICE DEPARTMENT LVPD

SMC-DWI Coordinator Wendy Armijo submitted Memorandum of Agreement between the San Miguel County DWI Planning Council and Las Vegas Police Department LVPD for approval. Discussion ensued.

Motion made by Vice-Chairman Hugh H. Ley to approve Memorandum of Agreement between the San Miguel County DWI Planning Council and Las Vegas Police Department LVPD as presented. Second by Commissioner Kenneth C. Medina. Motion carried.

10. MEMORANDUM OF AGREEMENT BETWEEN SMC DWI PLANNING COUNCIL/SAN MIGUEL COUNTY SHERIFF'S DEPARTMENT

SMC-DWI Coordinator Wendy Armijo submitted Memorandum of Agreement between the San Miguel County DWI Planning Council and San Miguel County Sheriff's Department for approval. Discussion ensued.

Motion made by Vice-Chairman Hugh H. Ley to approve Memorandum of Agreement between the San Miguel County DWI Planning Council and San Miguel County Sheriff's Department as presented. Second by Commissioner Susano Ortiz. Motion carried.

11. (2005-6) NM TRAFFIC SAFETY COMMUNITY DWI (CDWI) GRANT AGREEMENT

SMC-DWI Coordinator Wendy Armijo informed the Commission that the DWI Planning Council received Community DWI grant funding for six consecutive years and the initial purpose of the CDWI funding is to provide local law enforcement agencies with equipment, materials, educational training and overtime funds that would be utilized to impact and reduce DWI's in San Miguel County.

Ms. Armijo requested approval for administration and implementation of FY (2005- 2006) CDWI grant funds.

Motion made by Vice-Chairman Hugh H. Ley to approve administration and implementation of FY (2005- 2006) CDWI grant funds as requested. Second by Commissioner David Salazar. Motion carried.

12. DWI TREATMENT (RENEWAL OF CONTRACT SERVICES FOR FY 05-06)

SMC-DWI Coordinator Wendy Armijo requested approval for the renewal of DWI Treatment Services with the Adolescent and Family Service Program FY 05-06.

Ms. Armijo informed the Commission that the amount allotted for contract service is \$35,000.00 which will be paid on a 1/12 basis..

Motion made by Vice-Chairman Hugh H. Ley to approve the renewal of DWI Treatment Services with the Adolescent and Family Service Program FY 05-06. as requested. Second by Commissioner David Salazar. Motion carried.

13. 2005-2006 DEPARTMENT OF FINANCE AND ADMINISTRATION (DFA) LOCAL GOVERNMENT GRANT AGREEMENT

SMC-DWI Coordinator Wendy Armijo requested approval from the Commission toward the implementation and the administration of the DFA Local Government Distribution and Grant funds for FY 2005-06. The program was awarded a total of \$102,462.00 in Distribution and \$35,000.00 in Grant Funding for FY 2005-2006.

Motion made by Vice-Chairman Hugh H. Ley to approve the implementation and the administration of the DFA Local Government Distribution and Grant funds for FY 2005-06 as presented. Second by Commissioner Kenneth C. Medina. Motion carried.

14. NEW MEXICO CHILDREN, YOUTH AND FAMILIES DEPARTMENT AGREEMENT

Warden Patrick W. Snedeker submitted the agreement between New Mexico Children, Youth and Families Department and San Miguel County for review and approval.

Mr. Snedeker informed the Commission that the agreement is a renewal of collaborative efforts between San Miguel County and New Mexico Children Youth and Families Department for the use of electronic monitoring for youth identified by the Agency's Juvenile Probation and Parole Office. The agreement provides professional services that serve to assist both entities in implementing innovative changes to the existing juvenile justice services system.

Motion made by Vice-Chairman Hugh H. Ley to approve the agreement between New Mexico Children, Youth and Families Department and San Miguel County as presented. Second by Commissioner Kenneth C. Medina. Motion carried.

15. MONTHLY REPORT FOR THE PUBLIC WORKS DIVISION FOR THE MONTH OF JUNE 2005

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

County Manager Les Montoya went over a list of road priorities for San Miguel County.

No action taken; for information only.

16. AWARD BIDS ON SALES OF EXCESS VEHICLES AND EQUIPMENT

Public Works Division Supervisor Harold Garcia informed the Commission that bids openings were held on Sale of Excess Vehicles and Equipment. The bids were opened on June 22, 2005 with eleven (11) bids received.

Mr. Garcia submitted a list of the high bidders and requested authorization to submit letters to the high bidders and insure these units are paid for to the County and taken out of the County yard within thirty (30) days after letters are submitted to each bidder.

Motion made by Vice-Chairman Hugh H. Ley to authorize staff to submit letters to the high bidders and insure these units are paid for to the County with a cashier's check and taken out of the County yard within thirty (30) days after letters are submitted to each bidder. Second by Commissioner Kenneth C. Medina. Motion carried.

17. LODGERS TAX ADVISORY BOARD NOMINATION – GARY MICKINLEY – PENDARIES

County Manager Les Montoya informed the Commission that the Lodger's Tax Advisory Committee met on June 23, 2005 and agreed to nominate Gary McKinley from Pendaries to serve as a member.

Motion made by Commissioner Susano Ortiz to approve the recommendation from the Lodger's Tax Advisory Committee to nominate Gary McKinley from Pendaries to serve as a member. Second by Commissioner Kenneth C. Medina. Motion carried.

18. RESOLUTION NO. SMC 07-12-05-CM DESIGNATING A DISASTER DECLARATION, FOR SAN MIGUEL COUNTY AND OTHER ELIGIBLE APPLICANTS WHO HAVE SUFFERED DAMAGE CAUSED BY EXCESSIVE SNOW MELT AND SUBSEQUENT RUNOFF THROUGH THE PECOS RIVER AND CONTRIBUTING TRIBUTARIES

County Manager Les Montoya submitted Resolution No. SMC 07-12-05-CM designating a disaster declaration, for San Miguel County and other eligible applicants who have suffered damage caused by excessive snow melt and subsequent runoff through the Pecos River and contributing tributaries.

Motion made by Vice-Chairman Hugh H. Ley to approve Resolution No. SMC 07-12-05-CM designating a disaster declaration, for San Miguel County and other eligible applicants who have suffered damage caused by excessive snow melt and subsequent runoff through the Pecos River and contributing tributaries as requested. Second by Commissioner David Salazar. Motion carried.

19. BID AWARD FOR CONSTRUCTION OF THE PECOS VALLEY MEDICAL CENTER EMS AMBULANCE BUILDING

County Manager Les Montoya informed the Commission that bids were received for the construction of the Ambulance Building and Keven Balaciar from Solid West Architect recommended to award bid to 3B's Construction LLC. The recommendation is to award the base bid in the amount of \$137,593.75 including gross receipts tax.

Mr. Montoya informed the Commission that residents from Pecos, New Mexico have collected donations from residents from the Pecos and surrounding areas to add to the bid award and to date have collected \$23,309.00. Mr. Montoya stated

that the residents would like to commit the monies to Alternate # 1 (\$38,607.40) which would still fall short of approximately \$14,000.00.

Chairman LeRoy H. Garcia directed County Manager Les Montoya to locate the remaining funds of approximately \$14,000.00 within the County Budget to complete the project, being that the building would belong to the County.

Vice-Chairman Hugh H. Ley praised and thanked the County residents responsible for raising the funds. Discussion ensued.

Vice-Chairman Hugh H. Ley also recognized the Pecos Ambulance staff.

Motion made by Vice-Chairman Hugh H. Ley to award base bid in the amount of \$137,593.75 including gross receipts tax and alternate bid # 1 in the amount of \$38,607.40 to 3-B'S Construction LLC and to accept donation in the amount of \$23,309.00. Second by Commissioner Kenneth C. Medina. Motion carried.

20. QWEST NETWORK SERVICE AGREEMENT

County Manager Les Montoya submitted service agreement between Quest Network and San Miguel County for review and approval.

County Manager Les Montoya informed the Commission that the service contract was entered between San Miguel County and Qwest for the provision of Qwest DJI Service and the contract has expired and he is requesting authorization to renew the contract with the same monthly rate as previous year.

Motion made by Vice-Chairman Hugh H. Ley to approve service agreement between Quest Network and San Miguel County as presented. Second by Commissioner Kenneth C. Medina. Motion carried.

21. COUNTY MANAGER'S PERSONNEL RECOMMENDATION TO HIRE AND TO RATIFY THE FOLLOWING EMPLOYEES TO FILL THE POSITIONS AT THE SAN MIGUEL COUNTY DETENTION CENTER.

County Manager Les Montoya submitted the following recommendations for hire and ratifications to fill the positions at the San Miguel County Detention Center:

Probationary Employees:

Damian Overby	Detention Officer	Salary: \$17,843.28 Annually
Sandy Garcia	Detention Officer	Salary: \$17,843.28 Annually
Anna Garcia	Detention Officer	Salary: \$17,843.28 Annually
Mary Ann Saiz	Detention Officer	Salary: \$17,843.28 Annually
Keith Evans	Detention Officer	Salary: \$17,843.28 Annually
Victoria Edwards	Detention Officer	Salary: \$17,843.28. Annually

Motion made by Vice-Chairman Hugh H. Ley to approve recommendations to hire and ratifications to fill the positions at the San Miguel County Detention Center. Second by Commissioner Kenneth C. Medina. Motion carried.

22. PERSONNEL ACTIONS

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

Motion made by Vice-Chairman Hugh H. Ley to approve Personnel Actions as presented. Second by Commissioner David Salazar. Motion carried.

23. 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.

24. CASH BALANCE REPORT

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

No action taken; for information only.

25. ACCOUNTS PAYABLE LISTING

Finance Division Supervisor Melinda Gonzales submitted Accounts Payable Listing for approval and certified each expenditure as a true and legitimate expense.

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

County Manager Les Montoya gave a brief update regarding the Judicial Building Complex that is in the process of being built. Discussion ensued.

ADJOURNMENT

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

The record will show the time is 3:15 p.m.

Approved this _____ day of _____, 2005 as the Official Minutes of the Board of County Commissioners of San Miguel County, New Mexico.

LeRoy H. Garcia, Chairman

Hugh H. Ley, Vice-Chairman

David R. Salazar Commissioner

Kenneth C. Medina, Commissioner

Susano Ortiz, Commissioner

ATTEST

Paul Maez, County Clerk

Minutes Submitted by: Geraldine E. Gutierrez