

**REGULAR MEETING
MARCH 14, 2006
MINUTES**

The Board of County Commissioners of San Miguel County held a Regular Meeting and a County Finance Meeting on Tuesday, March 14, 2006 at 1:30 p.m. at the Board Room of the Donaldo A. Martinez Administration Building of the West Las Vegas Schools, 179 Bridge Street, Las Vegas, New Mexico 87701. Immediately following the Regular Scheduled Meeting, a County Board of Finance Meeting followed. The minutes for the meeting are as follows:

CALL TO ORDER

Chairman LeRoy H. Garcia called the meeting to order at 1: 30 p.m.

ROLL CALL

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

The record will show a quorum was present.

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

County Manager Les Montoya requested the presentation on resolution to protect and promote the health, safety and welfare of the people of San Miguel County by advocating for the protection of the Valle Vidal Land endorsing the core values of the coalition for the Valle Vidal Unit, by the coalition for the Valle Vidal be removed from the agenda.

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

APPROVAL OF MINUTES Regular Meeting of February 14, 2006.

County Manager Les Montoya and County Attorney Jesus Lopez had no recommended changes to the minutes of Regular Meeting of February 14, 2006.

Motion made by Commissioner David Salazar to approve the minutes of Regular Meeting of February 14, 2006. Second by Commissioner Susano Ortiz. Motion carried

Chairman LeRoy H. Garcia requested the Commission take a moment of silence in memory of Commissioner Susano Ortiz's mother who passed away last week. Chairman LeRoy H. Garcia on behalf of the Commission expressed their condolences.

The Commission also took a moment of silence in memory for Donaldo Martinez who also passed away last week.

NEW BUSINESS:

1. APPOINTMENT OF LES MONTOYA AS COUNTY MANAGER EFFECTIVE APRIL 10, 2006 AT A SALARY OF \$65,900.00 THROUGH DECEMBER 31, 2006.

The County Manager's position has been handled for the past (90) ninety days on a volunteer basis by Mr. Montoya. This administrative change was due to Mr. Montoya's retirement effective December 31, 2005. The Commission now determines whether to appoint Mr. Montoya as County Manager effective April 10, 2006.

Commissioner Kenneth C. Medina made a motion to table this matter to be discussed in Executive Session. Second by Commissioner David Salazar. Motion carried.

2. COUNTY TREASURER'S MONTHLY REPORT

County Treasurer Alfonso Ortiz went over the County Treasurer's Monthly Report for the month of February 2006.

No action taken for information only.

3. STATE OF NEW MEXICO DEPARTMENT OF PUBLIC SAFETY OFFICE OF EMERGENCY MANAGEMENT SUB-GRANT AGREEMENT # 2005-GE-TS-0012-SAN MIGUEL AND APPLICATION FOR 2006 OFFICE OF EMERGENCY MANAGEMENT SUB-GRANT APPLICATION

Emergency Manager Eugene Garcia of the Las Vegas/San Miguel Office of the Emergency Management clarified the use of Grant Funds for the 2005 sub-grant agreement and updated the Commission regarding the items being applied for in the 2006 application. Discussion ensued.

Mr. Garcia explained to the Commission how the mobile data system would be utilized and answered any questions that the Commission had. Discussion ensued.

No action taken for information only.

4. RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLAN AND CERTIFICATION

Planning & Zoning Supervisor Alex Tafoya informed the Commission that the County's current Residential Anti-Displacement and Relocation Assistance Plan and certification was last reviewed and approved in September 2002 and is now three (3) years old. DFA-Local Government Division recommends that such plan and certification be reviewed and approved every two or three years. Such review and approval ensures that the County is in compliance with various grant funding sources that are administered by DFA-Local Government Division.

Mr. Tafoya requested the Commission review and approve the Residential Anti-Displacement and Relocation Assistance Plan and Certification.

Motion made by Commissioner David R. Salazar to approve the Residential Anti-Displacement and Relocation Assistance Plan and Certification as presented. Second by Vice-Chairman Hugh H. Ley. Motion carried.

5. PUBLIC SALE OF COUNTY OWNED REAL ESTATE

Planning and Zoning Supervisor Alex Tafoya reminded the Commission that the County conducted a public auction on Thursday, March 9, 2006 for the sale of County owned property situated on N. Grand Avenue. The appraised value of the property is \$107,885.00 as of December 31, 2005 and the County cannot accept any bid that is less than two-thirds of the appraised value.

Mr. Tafoya informed the Commission that two (2) bids were submitted and the highest bid was from Robert Gerhardt in the amount of \$85,500.00.

Mr. Tafoya requested the Commission adopt the resolution accepting the bid for the sale of the property in the amount \$85,500.00, and the execution of the quitclaim deed.

Motion made by Commissioner Kenneth C. Medina to adopt the resolution authorizing the sale of the property and the execution of the quitclaim deed as requested. Second by Commissioner Susano Ortiz. Motion carried.

Commissioner David R. Salazar expressed his concerns regarding the sale of the property and stated that he felt that the sale price was too low and the County may be able to get a better deal.

County Attorney Jesus Lopez gave a brief history regarding the property that is being sold and also noted that Commissioner Ley previously had concerns about selling the property and had suggested that the County consider leasing it, but the County didn't receive any offers. Discussion ensued.

Roll call was taken for the motion authorizing the Resolution accepting the bid for the sale of the property and the execution of the quitclaim deed.

Chairman LeRoy H. Garcia	yes
Vice-Chairman Hugh H. Ley	no
Commissioner David R. Salazar	no
Commissioner Kenneth C. Medina	yes
Commissioner Susano Ortiz	yes

The motion carried and the Resolution and quitclaim deed were executed by the County Commissioners.

6. PLANNING AND ZONING ADMINISTRATIVE ASSISTANT JOB DESCRIPTION

Planning & Zoning Supervisor Alex Tafoya submitted for approval the P and Z Administrative Assistant Job Description.

Motion made by Vice-Chairman Hugh H. Ley to approve the P and Z Administrative Assistant Job Description as requested. Second by Commissioner David Salazar. Motion carried.

7. FINANCIAL SPECIALIST II JOB DESCRIPTION

Finance Division Supervisor Melinda submitted for approval Financial Specialist II Job Description.

Motion made by Commissioner David R. Salazar to approve Financial Specialist II Job Description as requested. Second by Vice-Chairman Hugh H. Ley. Motion carried.

8. REQUEST FOR OUT OF STATE TRAVEL TO HOUSTON, TEXAS FOR GILBERT ALMANZA JR., SECTION 8 HOUSING ADMINISTRATOR TO ATTEND A CONFERENCE ON SECTION 8 HCV EXECUTIVE MANAGEMENT

Section 8 Housing Administrator Gilbert Almanza Jr. requested approval from the Commission to attend conference on Section 8 HCV Executive Management to acquire some formal training on the responsibilities of a Section 8 Manager.

Motion made by Chairman LeRoy H. Garcia to approve out of state travel for Gilbert Almanza to attend conference on Section 8 HCV Executive Management in Houston, Texas. Second by Commissioner Susano Ortiz. Motion carried.

9. RESOLUTION NO. 3-14-06-E-911-03 ADDING A NEW ROAD

Information Specialist Mario H. Vasquez submitted for approval Resolution No. 3-14-06-E-911 adding a new road.

Motion made by Commissioner Kenneth C. Medina to approve Resolution No. 3-14-2006-E-911 Adding a new road as requested. Second by Commissioner Susano Ortiz. Motion carried.

10. RESOLUTION NO. 3-14-06-E-911-04

Information Specialist Mario H. Vasquez submitted for approval Resolution No. 3-14-2006 E-911-04 to rename a road from Oscar Whit Road to Mishawaka Road.

Motion made by Vice-Chairman Hugh H. Ley to approve Resolution No. 3-14-2006 E-911-04 to rename a road from Oscar Whit Road to Mishawaka Road. as requested. Second by Commissioner David Salazar. Motion carried.

Information Specialist Mario H. Vasquez updated the Commission regarding the color coding signage. Mr. Vasquez informed the Commission that County signage will be blue with white letters, state roads will be red with white letters and public and private roads will be green with white letters. Discussion ensued.

11. MONTHLY REPORT FOR THE PUBLIC WORKS DIVISION FOR THE MONTH OF FEBRUARY 2006

Public Works Division Supervisor Harold Garcia went over the monthly report for the month of February 2006 and answered questions from the Commission. Discussion ensued.

Commissioner Susano Ortiz asked how much money would be left over on the Las Dispensas bridge project. Public Works Division Supervisor Harold Garcia stated there would be approximately \$22,000.00 left over. Discussion ensued.

Commissioner David R. Salazar also expressed his concerns regarding the lack of progress on the construction project in the Tecolote area. Commissioner Salazar stated that Sierra Transit Mix had promised some time ago to restart the Tecolote Road and the promise has not been kept. Discussion ensued.

In response to Commissioner Salazar's concerns, County Manager Les Montoya suggested giving Sierra Transit Mix a deadline of April 1 to restart the project or else the County would seek new bids. Mr. Montoya was directed to set an April 1, 2006 deadline with Sierra Transit Mix to restart the Tecolote project.

Mr. Garcia is to provide written notice to Sierra Transit Mix accordingly.

Commissioner David R. Salazar requested that Public Works Supervisor Harold Garcia provide a grading schedule to the Commission monthly.

No action taken; for information only.

12. RESOLUTION NUMBER 03-14-06-PW AUTHORIZING THE BOARD OF COMMISSIONERS OF SAN MIGUEL COUNTY TO SUBMIT THE 2006 ADOPTED COUNTY ROAD LOG TO THE NEW MEXICO DEPARTMENT OF TRANSPORTATION

Public Works Division Supervisor Harold Garcia informed the Commission that the New Mexico Department of Transportation recently notified San Miguel County of the need to adopt the San Miguel County Road Log and submit it to the Department of Transportation. Mr. Garcia stated that the purpose of getting this done is for certification purposes in order to qualify for road funds through the Local Government Road Fund Program and other road funds that might be available through the Department of Transportation.

Mr. Garcia also informed the Commission that three roads were added to the road log and there were as follows:

**Tyson Road – County Road - B-50-A –Rowe
La Joya Del Padre Road - B-65-A
La Liendre - C-48**

Motion made by Commissioner David R. Salazar to approve Resolution No. 03-14-06-PW Authorizing the Board of Commissioners of San Miguel County to submit the 2006 Adopted County Road Log to the New Mexico Department of Transportation as requested. Second by Vice-Chairman Hugh H. Ley. Motion carried.

Chairman Garcia requested Vice-Chairman Hugh H. Ley execute the Road Log Document, page by page.

13. AWARD OF BID FOR CONSTRUCTION/IMPROVEMENTS TO THE BRIDGE ON COUNTY ROAD A-3 IN LAS DISPENSAS

Public Works Division Supervisor Harold Garcia informed the Commission that San Miguel County has 04-05 AND 05-06 Legislative funds for bridge repairs on County Road A-3 in Las Dispensas. Total budget amount for this project is \$33,880.88. Miller Engineering has performed the necessary design of the needed improvements and prepared the necessary bid package for advertisement of this project.

Mr. Garcia informed the Commission that the County advertised for construction and received the following bids:

JAG Construction:	\$31,387.00
Kenston Construction	\$34,990.00

Mr. Garcia requested authorization to award bid to Jag Construction in the amount of \$31,387.00.

Motion made by Commissioner Susano Ortiz to award bid to Jag Construction in the amount of \$31,387.00 as requested. Second by Commissioner Kenneth C. Medina. Motion carried.

14. AWARD OF BID FOR CONSTRUCTION OF ROAD WORK IN THE EL CERRITO AREA ALONG COUNTY ROAD B-18-A

Public Works Division Supervisor Harold Garcia informed the Commission that there were legislative funds in the amount of \$125,000.00 appropriated for El Cerrito, and these funds are earmarked for design and construction of road improvements within this County road. The design has been completed and bids advertised. Costs incurred totaled to \$22,000.00, leaving a construction budget of approximately \$103,000.00. Bids were opened on Wednesday, March 8, 2006 and will be handed to the County Commission at the meeting.

Public Works Supervisor Harold Garcia did not have the documentation to present at this time. Mr. Garcia indicated he would retrieve the information from his office. Chairman Garcia recommended the item be moved to the end of the agenda until the information is retrieved.

15. AWARD OF BID FOR CONSTRUCTION OF ROAD WORK IN THE CAMP LUNA AREA (VISTA DE VEGAS), CAMINO MAXIMILLIANO AND LUNA DRIVE

Public Works Division Supervisor Harold Garcia informed the Commission that there were legislative funds in the amount of \$120,000.00 appropriated for the Camp Luna area and these funds are earmarked for Vista de Vegas, Camino Maximilliano and Luna Drive. The design has been completed and bids advertised with costs being \$14,272.56 for the design, leaving a construction budget of \$105,727.44. Bids were opened on Wednesday, March 8, 2006 and will be handed to the County Commission at the meeting. Staff is recommending award to the low bidder contingent upon the availability of funds.

Mr. Garcia informed the Commission that the bids received were above budget; therefore, his recommended was to reject all bids.

Motion made by Commissioner Kenneth C. Medina to reject all bids as per Public Works Division Supervisor Harold Garcia recommendation. Second by Commissioner David R. Salazar. Motion carried.

16. RESOLUTION NO. 03-14-2006 SUPPORTING THE DEVELOPMENT OF THE LINKS TRACT PROPERTY IN PECOS INTO A FULL SERVICE PUBLIC CAMP GROUND

County Manager Les Montoya informed the Commission the Terrero area is heavily used area for camping, hunting, picnicking, fishing, hunting etc. The area lends itself to unlimited outdoor use. The area does not have sufficient facilities to accommodate the visitors thereby it is necessary to bring this situation to the attention of the responsible parties and push to begin planning for the future improvements in the area.

Mr. Montoya submitted for approval Resolution No. 03-14-2006 Supporting the Development of the links tract property in Pecos into a full service public camp ground.

Motion made by Vice-Chairman Hugh H. Ley to approve Resolution No. 03-14-2006 Supporting the Development of the links tract property in Pecos into a full service public camp ground as requested. Second by Commissioner Kenneth C. Medina. Motion carried.

Motion made by Commissioner Kenneth C. Medina to take a ten (10) minute break. Second by Commissioner David Salazar. Motion carried.

Chairman LeRoy H. Garcia called meeting back to order at 3:40 p.m.

17. COUNTY MANAGER'S PERSONNEL RECOMMENDATIONS TO HIRE AND RATIFY THE FOLLOWING INDIVIDUAL TO FILL THE POSITION OF ACCOUNTING INTERNSHIP WITH THE SAN MIGUEL COUNTY FINANCE DIVISION AS PER THE RECOMMENDATION OF MELINDA GONZALES, SAN MIGUEL COUNTY FINANCE DIVISION SUPERVISOR.

County Manager Les Montoya submitted the following recommendation to hire and ratify the following individual to fill the position of Accounting Internship with the San Miguel County Finance Division as per the recommendation of Melinda Gonzales, San Miguel County Finance Supervisor.

Casual Employee

Crystal Romero	Accounting Internship	Salary: \$10.00 hourly
Date of Hire:	March 6, 2006	

Mr. Montoya informed the Commission that Ms. Romero will be working through Luna Community College internship; the internship would be funded through San Miguel County and Luna Community College for a total of 100 hours.

Motion made by Commissioner David R. Salazar to approve recommendation to fill the position of Accounting Internship with the San Miguel County Finance Division as per the recommendation of Melinda Gonzales, San Miguel County Finance Supervisor. Second by Commissioner Susano Ortiz. Motion carried.

18. COUNTY MANAGER'S PERSONNEL RECOMMENDATIONS 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:

Probationary Employees:

Chad Scott Detention Officer Salary: \$17,848.28 Annually

Santana Romero Detention Officer Salary: \$17,843.28 Annually

George Drain Detention Officer Salary: \$17,843.28 Annually

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

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

19. COUNTY MANAGER'S PERSONNEL RECOMMENDATIONS TO HIRE FINANCIAL SPECIALIST II POSITION WITH THE SAN MIGUEL COUNTY FINANCE DIVISION AS PER THE RECOMMENDATION OF MELINDA GONZALES, SAN MIGUEL COUNTY FINANCE DIVISION SUPERVISOR.

County Manager Les Montoya submitted the following recommendations for hire Financial Specialist II position with the San Miguel County Finance Division as per the recommendation of Melinda Gonzales, San Miguel County Finance Division Supervisor:

Probationary Employees:

Tony Montoya \$25,000.00 Annually

Date of Hire: February 20, 2006

Mr. Montoya noted for record that there was no relation.

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

20. COUNTY MANAGER'S PERSONNEL RECOMMENDATION TO HIRE THE FOLLOWING INDIVIDUAL TO FILL THE POSITION OF CONVENIENCE CENTER OPERATOR WITH THE SAN MIGUEL COUNTY PUBLIC WORKS DIVISION

County Manager Les Montoya submitted the following recommendation to hire the following individual to fill the position of Convenience Center Operator with the San Miguel County Public Works Division.

Probationary Employee

John Gomez \$13,520.00 annually
Date of Hire: February 20, 2006

Position vacancy was created due to the termination of Lee Ann Muniz in the Sapello Convenience Center.

Motion made by Commissioner Susano Ortiz to approve recommendation to hire John Gomez as requested. Second by Vice-Chairman Hugh H. Ley. Motion carried.

21. 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 and ratify Personnel Actions as requested. Second by Commissioner Susano Ortiz. Motion carried.

22. 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.

23. FINANCIAL RESOLUTION 2006-03-14-F1

Finance Division Supervisor Melinda Gonzales submitted for approval Resolution No. 2006-03-14-F1.

Ms. Gonzales informed the Commission this resolution would allow the Sheriff's Office to submit an application to the New Mexico Finance Authority.

Motion made by Commissioner David Salazar to approve Resolution No. 2006-03-14- F1 as requested. Second by Commissioner Kenneth C. Medina. Motion carried.

24. FINANCIAL RESOLUTION 2006-03-14-F2

Finance Division Supervisor Melinda Gonzales submitted for approval Resolution No. 2006-03-14-F2.

Ms. Gonzales went over the budget adjustments. Discussion ensued.

Motion made by Vice-Chairman Hugh H. Ley to approve Resolution No. 2006-03-14- F2 as requested. Second by Commissioner David Salazar. Motion carried.

25. INDIGENT CLAIMS

Finance Division Supervisor Melinda Gonzales submitted Indigent Claims for review and approval. Discussion ensued.

Motion made by Vice-Chairman Hugh H. Ley to approve Indigent Claims for Alta Vista Regional Hospital for the amount of \$97,464.93 as requested. Second by Commissioner David Salazar. Motion carried.

26. CASH BALANCE REPORT

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

No action taken; for information only.

27. 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.

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 Vice-Chairman Hugh H. Ley to retire into Executive Session at 2:35 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 Kenneth C. Medina. 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 3:45 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.

AWARD OF BID FOR CONSTRUCTION OF ROAD WORK IN THE EL CERRITO AREA ALONG COUNTY ROAD B-18-A

Motion made by Commissioner David R. Salazar to award bid for construction road in the El Cerrito area along County Road B-18-A to Sierra Transit Mix for the amount of \$104,000.00 excluding gross tax receipts. Second by Vice-Chairman Hugh H. Ley. Motion carried.

Motion made by Vice-Chairman Hugh H. Ley to approve the rehiring of County Manager Les Montoya effective April 10, 2006 at a salary of \$92,375.00 annually. Second by Commissioner Susano Ortiz. Motion carried unanimously.

ADJOURNMENT

Motion made by Commissioner David R. Salazar to adjourn. Second by Vice-Chairman Hugh H. Ley. Motion carried.

The record will show the time is 3:50 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: Geraldine E. Gutierrez

