

**REGULAR MEETING
JUNE 13, 2006
MINUTES**

The Board of County Commissioners of San Miguel County held a Regular Meeting and a County Finance Meeting on Tuesday, June 13, 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, Commissioner David R. Salazar, Commissioner Kenneth C. Medina and Commissioner Susano Ortiz were present. Vice-Chairman Hugh H. Ley was not present.

Chairman LeRoy H. Garcia informed the Commission that Commissioner Ley was running late and would be in later.

The record will show a quorum was present.

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

County Manager Les Montoya requested the agenda be amended and requested Item No. 36, Lease Agreement between the Bank of Las Vegas and the San Miguel County Gallinas Volunteer Fire Department in the amount of \$205,000.00 be removed; Chairman LeRoy H.Garcia requested that Item No. 21, Inmate Telephone Service, Windows based Jail Management System, contract agreement by and between San Miguel County, New Mexico and Securus Technologies be discussed in executive session before action is taken.

Motion made by Commissioner Kenneth C. Medina to approve agenda as amended. Second by Commissioner Susano Ortiz. Motion carried

APPROVAL OF MINUTES Special Meeting of May 1, 2006, Regular Meeting of May 9, 2006 and Emergency Meeting of May 16, 2006.

County Manager Les Montoya and County Attorney Jesus Lopez had no recommended changes to the minutes of Special Meeting held May 1, 2006, Regular Meeting held May 9, 2006 and Emergency Meeting held May 16, 2006.

Motion made by Commissioner Kenneth C. Medina to approve the minutes of the following meetings: Special Meeting held May 1, 2006, Regular Meeting held May 9, 2006 and Emergency Meeting held May 16, 2006. Second by Commissioner David Salazar. Motion carried.

INTRODUCTION OF NEW EMPLOYEES

County Manager Les Montoya introduced the following new County employees:

Michael Gonzales Maintenance Worker I Public Works Division
(Probationary Employee)

NEW BUSINESS:

PRESENTATION ON THE UNITED ACTION PLAN FOR PANDEMIC INFLUENZA BY ELLEN KENNEY, RN, BSN.CIC, NEW MEXICO DEPARTMENT OF HEALTH AND EUGENE GARCIA, EMERGENCY MANAGER LAS VEGAS EMERGENCY MANAGEMENT

Eugene Garcia, Emergency Manager from the Las Vegas Emergency Management, Ellen Janeene Grassie, Nurse Manager from the San Miguel County Health Office and John Miller from the Department Health Region 2 gave a presentation on the United Action Plan for Pandemic Influenza. Mr. Garcia and Mr. Miller requested the Commission participate in the emergency plan and invited them to attend an after hour Pademic Influenza Forum on June 22, 2006. Discussion ensued.

The record will show that Commissioner Ley joined the meeting at 1:40 p.m.

PRESENTATION ON TRAVEL MANAGEMENT REGULATION BY ROB POTTS, FOREST PLANNER SANTA FE NATIONAL FOREST AND JOE REDDEN, PECOS/LAS VEGAS RANGER STATION

Robert Potts, Forest Planner from the Santa Fe National Forest and Joe Redden, Pecos/Las Vegas Ranger Station gave a presentation on Travel Management Regulation's and answered any questions the Commission had. Discussion ensued.

1. PUBLIC HEARING AND PROPOSED AMENDMENT OF SAN MIGUEL COUNTY ORDINANCE NO. SMC-10-09-01-ORD-LODGERS' TAX

County Manager Les Montoya submitted for approval an amendment to San Miguel County Ordinance No. SMC-10-09-01-ORD-Lodgers' Tax.

Mr. Montoya informed the Commission the Lodgers' Tax Advisory Board requested to change the number of units from three or more to one or more to be required to pay Lodgers' Tax.

County Manager Les Montoya and County Attorney Jesus Lopez informed the Commission that there are very few establishments that don't comply with the Lodgers' Tax Regulations. Discussion ensued.

County Attorney Jesus Lopez advised the Commission that the notice of public hearing had been published as required and all other requirements had been met.

Chairman LeRoy H. Garcia entertained public comment from any person/persons who were in favor of the proposed amendment of San Miguel County Ordinance No. SMC-10-09-01-ORD-Lodgers' Tax.

No one came forward.

Chairman LeRoy H. Garcia entertained public comment from any person/persons who were against the proposed amendment of San Miguel County Ordinance No. SMC-10-09-01-ORD-Lodgers' Tax.

No one came forward.

Motion made by Vice-Chairman Hugh H. Ley to approve Amendment of San Miguel County Ordinance No. SMC-10-09-01-ORD-Lodgers' Tax as presented. Second by Commissioner Kenneth C. Medina. Motion Carried.

2. COUNTY TREASURER'S MONTHLY REPORT

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

No action taken; for information only.

3. 2006 SAN MIGUEL COUNTY VALUATION REPORT

County Assessor Albert T. Padilla went over the 2006 San Miguel County Valuation Report and informed the Commission that these valuations are subject to change due to protests. Discussion ensued.

County Attorney Jesus Lopez commended Mr. Padilla on a job well done and recognized Mr. Padilla's dedication to his job during his entire term as County Assessor. Discussion ensued.

4. RFP FOR HOUSING ASSISTANCE GRANT

County Manager Les Montoya informed the Commission that the County issued a request for proposals to solicit applications to determine a qualifying grantee for the use of a housing assistance grant, said grant identified as Ribera Housing Property. Mr. Montoya informed the Commission that the County received one (1) proposal and the proposal did not meet the requirements identified in the RFP as listed.

Mr. Montoya requested the Commission reject the proposal submitted and authorize staff to re-advertise the request for proposals to solicit proposals to determine a qualifying grantee for the use of a housing assistance grant identified as the Ribera Housing Property.

Motion made by Commissioner Susano Ortiz to reject the proposal submitted and to authorize staff to re-advertise the request for proposals to solicit proposals to determine a qualifying grantee for the use of a housing assistance grant identified as the Ribera Housing Property. Second by Commissioner David R. Salazar. Motion carried.

5. RESOLUTION SMC NO. 6-13-2006-S8-1 TO AUTHORIZE THE SAN MIGUEL COUNTY HOUSING AUTHORITY DIRECTOR TO ENTER INTO A MANAGEMENT CONTRACT WITH THE MORA COUNTY HOUSING AUTHORITY TO MANAGE THE MORA COUNTY SECTION 8 HOUSING CHOICE VOUCHER PROGRAM

Floyd Duran, from the Office of Housing Urban and Development from Albuquerque informed the Commission that he was there to give Mr. Almanza and Mr. Montoya support for the proposal before the Commission.

Chairman LeRoy H. Garcia thanked Mr. Duran for all his help throughout the years.

Section 8 Housing Director Gilbert Almanza Jr., informed the Commission that the Mora County Section 8 Housing Choice Voucher Program is in need of

management oversight; and the San Miguel County Housing met with the Mora County Commission chairperson, County Manager and the Albuquerque HUD Public Housing Program Center staff and all parties agreed that the San Miguel County Section 8 Authority should manage the Mora Section 8 Housing Choice Voucher program with all program funds redirected to the San Miguel County Housing Authority.

Mr. Almanza requested the Commission review and approve Resolution SMC No. 6-13-2006-S8-1.

Motion made by Commissioner Kenneth C. Medina to approve Resolution SMC No. 6-13-2006-S8-1 as requested. Second by Vice-Chairman Hugh H. Ley. Motion carried.

6. BID AWARD FOR GALLINAS TANKER

Fire Marshal Dan Wright informed the Commission that the Gallinas Fire District received two (2) bids for a 3000 gallon tanker. One from Founts Brothers for \$204,700.00 and one from Artesia Fire for \$226,696.00, both companies met the specifications provided by the County.

Mr. Wright requested authorization to award the low bid to Founts Brothers Fire Equipment for \$204,700.00

Motion made by Chairman LeRoy H. Garcia to award to Founts Brothers Fire Equipment for \$204,700.00 with the condition reasonable financing is obtained. Second by Vice-Chairman Hugh H. Ley. Motion carried.

7. REQUEST FOR PERMISSION TO APPLY FOR A USDA GRANT FOR THE GALLINAS FIRE DEPARTMENT, USING THE ACQUISITION OF THE TANKER COSTING \$204,000.00 AS THE MATCH FOR A PROJECT TOTALING APPROXIMATELY \$415,000.00 TO INCLUDE RENOVATION OF THE STATION

Fire Marshal Dan Wright informed the Commission that the Gallinas Fire District received bids for a 3000 gallon tanker. Mr. Wright also informed the Commission that Gallinas Fire Department has a good chance of obtaining a grant, using the tanker acquisition as 45% match for the total project and receive the 55% from the grant to perform repairs and additions to the leased fire station.

Chairman LeRoy H. Garcia suggested that County Manager Les Montoya write a letter to Mr. Pete Campos, Superintendent and the Las Vegas City School Board asking them if they would donate the two (2) acres that they own on State Road 65 (Hot Springs Blvd) for the purpose of building a fire station.

County Manager Les Montoya suggested that the fire department personnel look at the site before any other steps are taken, and if the site meets their requirements to write a letter to the County Manager, so he may send a letter to the Las Vegas City Schools.

Vice-Chairman Hugh H. Ley asked for clarifications regarding the process that would be taken to apply for the USDA Grant. Discussion ensued.

Finance Division Supervisor Melinda Gonzales explained the process that would be used. Discussion ensued.

Motion made by Chairman LeRoy H. Garcia to approve the Gallinas Fire Department and the County Fire Marshal to prepare the application for the grant. Second by Commissioner David R. Salazar. Motion carried.

8. COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PLANNING GRANT AGREEMENT

County Manager Les Montoya reminded the Commission that the County submitted an application for funding from the Community Development Block Grant (CDBG) for a planning grant to address the Comprehensive Plan elements of land use and transportation issues to address a county road maintenance program. The County received a grant agreement from DFA-Local Government Division for CDBG planning grant in the amount of \$45,000.00. The County will be required to contribute a 10% cash match of \$4,500.00

Mr. Montoya requested the Commission accept and approve the Community Development Block Grant (CDBG) Planning Grant Agreement.

Motion made by Vice-Chairman Hugh H. Ley to approve the Community Development Block Grant (CDBG) Planning Grant Agreement as requested. Second by Commissioner Kenneth C. Medina. Motion carried.

9. REQUEST FOR PROFESSIONAL SERVICES-PLANNING GRANT

County Manager Les Montoya informed the Commission the County had received Community Development Block Grant funds in the amount \$45,000.00 for planning purposes. In order to proceed with the planning project it is necessary to obtain professional planning services from a qualified planning firm.

Mr. Montoya requested authorization to issue a Request for Proposals for Professional Planning Services.

Motion made by Commissioner David R. Salazar to authorize staff to issue a Request for Proposals for Professional Planning Services. Second by Commissioner Susano Ortiz. Motion carried.

Mr. Montoya asked the Commission if they would like to be involved in the evaluation of the proposals that will be submitted for the planning grant.

Commissioner Garcia and Commissioner Ley stated that they would like to be involved in the evaluation of the proposals that will be submitted for the planning grant.

10. PROFESSIONAL DESIGN SERVICES FOR TECOLOTE ROAD AND DRAINAGE CDBG PROJECT

County Manager Les Montoya informed the Commission that the County issued a request for proposal for professional design services to include final design and engineering services for the Tecolote Road and Drainage CDBG Project. The County received proposals from the following four (4) companies:

- **LarkinGroup, 8500 Menaul Blvd. Albuquerque, New Mexico.**
- **Engineer's Inc., P.O. Box 826, Tucumcari, New Mexico**
- **Smith Engineering, 2201 San Pedro NE, Albuquerque, New Mexico**
- **Miller Engineering Consultants, P.O. Box 520, Edgewood, New Mexico**

Mr. Montoya informed the Commission the review committee determined Miller Engineering scored the highest number of points and met the requirements of the request for proposals.

Mr. Montoya requested the Commission allow him to enter into contract negotiations with Miller Engineering Consultants.

Motion made by Commissioner David R. Salazar to allow the County Manger to enter into contract negotiations with Miller Engineering Consultants as requested. Second by Commissioner Susano Ortiz. Motion carried.

11. REQUEST FOR OUT OF STATE TRAVEL TO LAS VEGAS NEVADA FOR GILBERT ALMANZA JR. EXECUTIVE DIRECTOR AND INCA CRESPIN, FINANCE SPECIALIST II TO ATTEND A CONFERENCE ON SECTION 8 HCV RENT CALCULATION

Section 8 Housing Director Gilbert Almanza Jr. requested out of state travel for he and Inca Crespín to attend a conference on Section 8 HCV Rent Calculation in Las Vegas, Nevada.

Motion made by Commissioner Susano Ortiz to approve out of state travel for Gilbert Almanza and Inca Crespín to attend a conference on Section 8 HCV Rent Calculation in Las Vegas, Nevada. Second by Commissioner Kenneth C. Medina. Motion carried.

12. PROJECT AGREEMENT (CLICK IT OR TICKET) 06-OP-05-087, \$1520.00

County Manager Les Montoya submitted Project Agreement (Click it or Ticket) 06-OP-05-087 for approval.

Motion made by Vice-Chairman Hugh H. Ley to approve Project Agreement (Click it or Ticket) 06-OP-05-087, as requested. Second by Commissioner Kenneth C. Medina. Motion carried.

13. RESOLUTION 6-13-06- E-911-06 ADD NEW NAMED ROADS TO THE OFFICIAL ROAD LIST OF SAN MIGUEL COUNTY, NEW MEXICO

Finance Division Supervisor Melinda Gonzales requested approval to add new private roads to the Official Road List of San Miguel County at the request of county resident as declared by the E-911 Road Name Ordinance.

The following roads are hereby designated to be private roads and shall be formally added to the official road list of San Miguel County:

**Agua Caliente Road - San Jose, New Mexico
Calle Lomita, Calle Largo, Paseo Laredo – Flying Diamond**

Commissioner Ley stated that there is a road named Calle Lomita in Pecos, New Mexico.

Motion made by Commissioner Kenneth C. Medina to approve Resolution No. 6-13-06-E-911-06 with the condition that Calle Lomita be renamed. Second by Commissioner Kenneth C. Medina. Motion carried.

14. USDA GRANT APPLICATION FOR LA PLACITA FIRE DEPARTMENT

Fire Marshal Dan Wright informed the Commission the Placita Fire Department received \$160,000.00 in Legislative appropriation to purchase a fire truck.

Mr. Wright requested authorization to prepare a grant for a project totaling approximately \$350,000.00 to include all required equipment for the truck to lower their ISO rating and increase funding for the department and enhance fire fighting capabilities in their district.

Motion made by Vice-Chairman Hugh H. Ley to authorize the County Fire Marshal to prepare the grant application and submit it using the Legislative appropriation as the 45% match for the project. Second by Commissioner David R. Salazar. Motion carried.

15. RESOLUTION RAISING FIRE RESTRICTIONS TO LEVEL III

Fire Marshal Dan Wright informed the Commission at the April meeting the fire restriction was imposed at Level II. In May the ordinance was amended and updated to include chain saw use and incorporate requirements requested by the Governor. Conditions have worsened since then and the July 4th holiday is approaching, bringing fireworks with it.

Mr. Wright submitted for approval resolution raising fire restrictions to level three (3).

Commissioner Ley requested clarification on what types of grills and stoves could be used for camping purposes.

Commissioner Ley requested to amend the resolution to include liquid gas and propane gas and Coleman stoves.

Motion made by Commissioner Susano Ortiz to approve resolution raising fire restrictions to level three (3) and make amendments as requested by Commissioner Ley. Second by Vice-Chairman Hugh H. Ley. Motion carried.

16. MONTHLY REPORT FOR THE PUBLIC WORKS DIVISION FOR THE MONTH OF MAY 2006

Public Works Supervisor Harold Garcia submitted the monthly report for the month of May 2006, and answered any questions from the Commissioners.

No action taken; for information only.

17. EXTENSION OF AGREEMENT WITH GREER'S REPAIR AND WELDING, INC. FOR HEAVY EQUIPMENT DIESEL MECHANICAL SERVICES

Public Works Supervisor Harold Garcia submitted for approval an extension of agreement with Greer's Repair and Welding, Inc. for heavy equipment diesel mechanical services.

Mr. Garcia informed the Commission that a contract was entered into in December 2005, which was retroactive from July 1, 2005 through July 31, 2006. An extension of this contract is needed to continue to do business with Greer's repair and Welding, Inc. for heavy equipment diesel mechanical services. Motion made by Commissioner Kenneth C. Medina to approve extension of agreement with Greer's Repair and Welding, Inc. for heavy equipment diesel mechanical services. Second by Vice-Chairman Hugh H. Ley. Motion carried.

18. ELECTRONIC MONITORING SYSTEMS(S) AND SERVICES(S) PARTICIPATING CONTRACT/AGREEMENT BY AND BETWEEN SAN MIGUEL COUNTY, NEW MEXICO AND THE WESTERN STATES CONTRACTING ALLIANCE (WITH PRO TECH MONITORING, INC.)

Warden/Facility Administrator Patrick W. Snedeker informed the Commission that a review and assessment was completed, specific to electronic monitoring systems(s) services(s) for San Miguel County. Negotiations were entered into with Pro Tech Monitoring, Inc. through the Western States Contracting Alliance.

Mr. Snedeker submitted for approval contract/agreement for electronic monitoring systems(s) services(s) between San Miguel County and the Western States Contracting Alliance (with Pro Tech Monitoring, Inc.)

Motion made by Vice-Chairman Hugh H. Ley to approve contract/agreement for electronic monitoring systems(s) services(s) between San Miguel County and the Western States Contracting Alliance (with Pro Tech Monitoring, Inc.) Second by Commissioner Kenneth C. Medina. Motion carried.

19. JUVENILE DETENTION AGREEMENT/CONTRACT-BERNALILLO COUNTY, NEW MEXICO AND SAN MIGUEL COUNTY, NEW MEXICO

Warden/Facility Administrator Patrick W. Snedeker submitted for review and approval the Juvenile Detention Agreement/Contract by and between Bernalillo County and San Miguel County for housing of juvenile offenders. The agreement shall provide an additional approved location for the housing of juvenile offenders. The rate is \$125.00 per juvenile per day. This item was previously submitted/approved at the December 21, 2005 meeting. County Attorney change at Bernalillo County resulted in format change of contract(s) and this is the reason for re-submission.

Motion made by Commissioner Kenneth C. Medina to approve Juvenile Detention Agreement/Contract by and between Bernalillo County and San Miguel County for housing of juvenile offenders as presented. Second by Vice-Chairman Hugh H. Ley. Motion carried.

20. AGREEMENT FOR JUVENILE CONFINEMENT COUNTY OF SANTA FE, NEW MEXICO AND COUNTY OF SAN MIGUEL, NEW MEXICO

Warden/Facility Administrator Patrick W. Snedeker informed the Commission that Santa Fe County notified San Miguel County that the current contract for housing of San Miguel County Juvenile detainees was being terminated effective July 1, 2006. A new agreement was offered reflecting a per-diem rate of \$140.00 per juvenile detainee.

Motion made by Vice-Chairman Hugh H. Ley to approve agreement for juvenile confinement between Santa Fe County and San Miguel County as presented. Second by Commissioner David R. Salazar. Motion carried.

21. INMATE TELEPHONE SERVICE, WINDOWS BASED JAIL MANAGEMENT SYSTEM, CONTRACT AND AGREEMENT BY AND BETWEEN SAN MIGUEL COUNTY, NEW MEXICO AND SECURUS TECHNOLOGIES

This item will be discussed in executive session before action is taken.

22. 2006-2007 DEPARTMENT OF FINANCE AND ADMINISTRATION (DFA) LOCAL GOVERNMENT GRANT AGREEMENT

DWI Coordinator Wendy Armijo informed the Commission the San Miguel County DWI Planning Council receives its majority of operational funding from DFA-Local Government Distribution and Grant Funds are generated from county liquor excise tax.

Ms. Armijo requested approval to administer and implement the DFA Local Government Distribution and Grant funds for FY 2006-07

Motion made by Commissioner David R. Salazar to authorize staff to administer and implement the DFA Local Government Distribution and Grant funds for FY 2006-07 as requested. Second by Commissioner Kenneth C. Medina. Motion carried.

23. RESOLUTION NO. 06-13-06-CM RECOMMENDING MATIE MARTINEZ ROBINSON VILES TO THE NEW MEXICO HISTORIC WOMEN MARKER INITIATIVE

County Manager Les Montoya submitted for approval Resolution No. 06-13-06-CM Recommending Matie Martinez Robinson Viles to the New Mexico Historic Women Marker Initiative.

Vice-Chairman Hugh H. Ley gave a brief biography on Matie Martinez Robinson Viles. Discussion ensued.

Chairman LeRoy H. Garcia recommended that Commissioner Ley designate a state road in her honor Matie Martinez Robinson Viles.

County Attorney Jesus Lopez gave also gave a biography on Matie Martinez.

Motion made by Vice-Chairman Hugh H. Ley to approve Resolution No. 06-13-06-CM recommending Matie Martinez Robinson Viles to the New Mexico

Historic Women Marker Initiative. Second by Commissioner Susano Ortiz. Motion carried.

24. JOINT POWERS AGREEMENT FOR AMBULANCE SERVICE TO PROVIDE EMERGENCY MEDICAL SERVICES TO THE CITIZENS OF LAS VEGAS AND SAN MIGUEL COUNTY THROUGH A SERVICE AGREEMENT WITH A QUALIFIED PROVIDER

County Manager Les Montoya informed the Commission that the County and the City advertised to solicit proposals for the purpose of providing emergency medical services to the citizens of Las Vegas and San Miguel County under one service agreement.

Mr. Montoya requested the Commission review the joint powers agreement and consider approval.

Motion made by Commissioner David R. Salazar to approve the Joint Powers Agreement for Ambulance Service to provide Emergency Medical Services to the Citizens of Las Vegas and San Miguel County through a service agreement with a qualified provider as requested. Second by Commissioner Susano Ortiz. Motion carried.

25. CONSULTING SERVICES AGREEMENT WITH G. L. ENVIRONMENTAL TO PERFORM CONSULTING SERVICES TO PREPARE A CLOSURE AND POST CLOSURE PLAN ON THE TECOLOTE LANDFILL.

County Manager Les Montoya informed the Commission that the New Mexico Environment Department Solid Waste Bureau is requiring San Miguel County to complete a closure and post closure plan for the landfill site located in the Tecolote area. Consulting services to complete this work has been obtained through the RFP process.

Mr. Montoya requested the Commission review the contract and consider approving the Consulting Services Agreement with G. L. Environmental to perform consulting services to prepare a closure and post closure plan for the Tecolote landfill.

Motion made by Vice-Chairman Hugh H. Ley to approve Consulting Services Agreement with G. L. Environmental to perform consulting services to prepare a closure and post closure plan for the Tecolote landfill. Second by Commissioner Kenneth C. Medina. Motion carried.

26. OWNER AND CONTRACTOR AGREEMENT BETWEEN SAN MIGUEL COUNTY AND LA CUEVA CONSTRUCTION TO COMPLETE SAN MIGUEL COUNTY, PECOS EMS PHASE II AND BID LOT # 2, # 6” WATER LINE

County Manager Les Montoya submitted for approval an agreement between San Miguel County and La Cueva Construction to complete San Miguel County, Pecos EMS Phase II and Bid Lot # 2, 6” water line.

Mr. Montoya requested the Commission review the agreement between San Miguel County and La Cueva Construction to complete San Miguel County, Pecos EMS Phase II and Bid Lot # 2 6” water line.

Motion made by Vice-Chairman Hugh H. Ley to approve agreement between San Miguel County and La Cueva Construction to complete San Miguel County, Pecos EMS Phase II and Bid Lot # 2, 6” water line as requested. Second by Commissioner David R. Salazar. Motion carried.

27. MEMORANDUM OF UNDERSTANDING BETWEEN SAN MIGUEL COUNTY, CITY OF LAS VEGAS AND MORA COUNTY TO UTILIZE THE VARIOUS ENTITIES SOLID WASTE FACILITIES TO STORE, COLLECT TRANSPORT AND DISPOSE SOLID WASTE

County Manager Les Montoya informed the Commission that the Solid Waste Authority is prepared to acquire equipment necessary to allow the mentioned entities to share resources and provide storage, collection, transportation and disposal of solid waste services and thereby provide savings in operational costs.

Mr. Montoya submitted for approval the Memorandum of Understanding between San Miguel County, City of Las Vegas and Mora County for the transportation and disposal of solid waste.

Motion made by Commissioner Kenneth C. Medina to approve Memorandum of Understanding between San Miguel County, City of Las Vegas and Mora County for transportation and disposal of solid waste. Second by Commissioner David R. Salazar. Motion carried.

28. RECOMMENDATION TO BID AWARD FOR CONSTRUCTION OF ROAD WORK ON VISTA DE VEGAS BID LOT # 1 AND LUNA DRIVE, BID LOT # 2 AND REJECT MAXIMILLIANO BID LOT # 3

Public Works Supervisor Harold Garcia informed the Commission that bids were opened on May 11, 2006 and two contractors submitted bids: Sierra Transit and Crespin’s Paving. Low bidder on all three bid lots was Sierra Transit. Project budgets for Bid Lot # 1, Vista de Vegas and Bid Lot # 2, Luna Drive are adequate. Bid Lot # 3 is over budget.

Mr. Montoya requested approval from the Commission to award Bid Lot # 1 and Bid Lot # 2 Vista de Vegas for the amount of \$31,972.75, Bid Lot # 2, Luna Drive \$57,330.38 and reject Bid Lot # 3 Maximillano due to insufficient funding.

Motion made by Commissioner David R. Salazar to award Bid Lot # 1 and Bid Lot # 2 Vista de Vegas for the amount of \$31,972.75, Bid Lot # 2, Luna Drive \$57,330.38 to Sierra Transit and reject Bid Lot # 3 (Maximillano) due to insufficient funding. Second by Commissioner Kenneth C. Medina. Motion carried.

29. OWNER-CONTRACTOR CONSTRUCTION AGREEMENT BETWEEN SAN MIGUEL COUNTY AND FRANKEN CONSTRUCTION COMPANY TO REMODEL AND ADDITION TO THE COUNTY DETENTION CENTER FOR THE AMOUNT OF \$1,411,764.70 EXCLUDING GROSS RECEIPTS TAX

County Manager Les Montoya reminded the Commission that they had authorized staff to negotiate with Franken Construction Company as the low bidder for the Detention Center Renovation project. Negotiations took place and the intent of the project remains the same. The contractor and county negotiated a project construction cost of \$1,411,764.70.

Mr. Montoya requested the Commission review and approve the owner, contractor agreement.

Motion made by Commissioner Susano Ortiz to approve the Owner-Contractor Construction Agreement between San Miguel County and Franken Construction Company as requested in the amount of \$1,397,786.84. Second by Vice-Chairman Hugh H. Ley and Commissioner Kenneth C. Medina. Motion carried.

30. CONTRACT EMPLOYMENT JAIL ADMINISTRATION/SAN MIGUEL COUNTY DETENTION CENTER

County Manager Les Montoya submitted for approval of the contract of employment for jail administrator/San Miguel County Detention Center

Mr. Montoya informed the Commission that the contract for Jail Administrator expires on June 21, 2006.

Mr. Montoya recommended renewing Patrick Snedeker's contract for an additional two (2) years through June 21, 2008 with an annual salary of \$67,500.00.

Motion made by Vice-Chairman Hugh H. Ley to approve renewing Patrick Snedeker's employment contract for and additional two (2) years through June 21, 2008 with an annual salary of \$67,500.00. Second by Commissioner Susano Ortiz. Motion carried.

31. 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:

Benito Lemos	Detention Officer	Salary: \$17,848.28 Annually
David Lucero	Detention Officer	Salary: \$17,843.28 Annually
Gina Marie Medina	Detention Officer	Salary: \$17,843.28 Annually
Ramon Montoya	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 David R. Salazar. to approve recommendations of hire as requested. Second by Commissioner Kenneth C. Medina. Motion carried.

32. PERSONNEL ACTIONS

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

Motion made by Commissioner David R. Salazar to approve and ratify Personnel Actions as requested. Second by Commissioner Kenneth C. Medina. Motion carried.

33. 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.

34. FINANCIAL RESOLUTION 2006-06-13-F1 MISCELLANEOUS BUDGET ADJUSTMENTS

Finance Division Supervisor Melinda Gonzales submitted for approval Resolution No. 2006-06-13-F1 Miscellaneous Budget Adjustments.

Ms. Gonzales went over the budget adjustments. Discussion ensued. Motion made by Commissioner David R. Salazar to approve Resolution No. 2006-06-13- F1 Miscellaneous Budget Adjustments as requested. Second by Commissioner Kenneth C. Medina. Motion carried.

35. RESOLUTION 2006-06-13-F2 ESTABLISHING THE CREATION OF FUND 208 (PROFESSIONAL DEVELOPMENT) AND FUND 906 (CDBG TECOLOTE ROAD IMPROVEMENTS)

Finance Division Supervisor Melinda Gonzales submitted for approval RESOLUTION NO. 2006-06-13-F2 ESTABLISHING THE CREATION OF FUND 208 (PROFESSIONAL DEVELOPMENT) AND FUND 906 (CDBG TECOLOTE ROAD IMPROVEMENTS)

Ms. Gonzales informed the Commission the primary purpose for creating the Professional Development Fund is to account for donations made by Don Imus of the Imus Ranch. The donations will be made on an annual basis per a Voluntary Donation Agreement between the Imus Ranch and San Miguel County. This fund can also be used to account for any other funds earmarked for educational purposes. Discussion ensued.

Motion made by Commissioner David R. Salazar to approve Resolution No. 2006-06-13-F2 RESOLUTION NO-06-13-F2 ESTABLISHING THE CREATION OF FUND 208 (PROFESSIONAL DEVELOPMENT) AND FUND 906 (CDBG TECOLOTE ROAD IMPROVEMENTS). Second by Commissioner Kenneth C. Medina. Motion carried.

37. AWARD CONTRACT FOR THE INSTALLATION/SERVICE A FULL T1 LINE AT THE DETENTION CENTER. THE T1 LINE WILL PROVIDE HIGH SPEED INTERNET ACCESS TO THE FACILITY AND IS A NECESSARY COMPONENT TO HAVE IN PLACE PRIOR TO IMPLEMENTING THE NEW FACILITY MANAGEMENT SYSTEM

Finance Division Supervisor Melinda Gonzales informed the Commission the Finance Department solicited bids for the T1 line for an initial one year period and three one year renewals. The County received two bids, one from Cyber Mesa and the other from Zianet. The successful offeror being Cyber Mesa.

Ms. Gonzales submitted for approval contract for the installation/service a full T1 line at the Detention Center.

Ms. Gonzales requested the Commission approve a one year contract with Cyber Mesa with option to renew three (3) additional years.

Motion made by Commissioner David R. Salazar to approve a one year contract with Cyber Mesa with option to renew for three (3) additional years as requested. Second by Commissioner Kenneth C. Medina. Motion carried.

38. INDIGENT CLAIMS

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

Motion made by Commissioner Kenneth C. Medina to approve Indigent Claims as requested. Second by Commissioner David R. Salazar. Motion carried.

39. CASH BALANCE REPORT

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

No action taken; for information only.

40. ACCOUNTS PAYABLE LISTING

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

Motion made by Commissioner David R. Salazar to approve Accounts Payable Listing as presented. Second by Commissioner Susano Ortiz. 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 4:50 p.m. to discuss Personnel Matters, as permitted by Section 10-15-1(H) (2) of the New Mexico Open Meetings Act, NMSA 1978, matters subject to the attorney-client privilege pertaining to threatened or pending litigation in which SMC is or may become a participant, as permitted by Section 10-15-1(H) (7) of the New Mexico Open Meetings Act, NMSA 1978 and matters pertaining to the discussion of the acquisition of real property, as permitted by Section 10-15-1(H)(8) of the Open Meetings Act, NMSA 1978. Second by Commissioner Susano Ortiz. Motion carried.

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

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

Unanimous vote to retire into executive session.

Vice-Chairman Hugh H. Ley called the meeting back into public session at 5:53 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.

Motion made by Vice Chairman Hugh H. Ley to award Inmate Telephone Service, Windows Based Jail Management System Contract and Agreement to Securus Technologies. Second by Commissioner Susano Ortiz. Motion carried.

ADJOURNMENT

Motion made by Vice-Chairman Hugh H. Ley to adjourn. Second by Commissioner Susano Ortiz. Motion carried.

The record will show the time is 5:55 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

