

**REGULAR MEETING  
SEPTEMBER 12, 2006  
MINUTES**

The Board of County Commissioners of San Miguel County held a Regular Meeting and a County Finance Meeting on Tuesday September 12, 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. The agenda for the meeting is 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 Susano F. Ortiz, Commissioner David R. Salazar and Commissioner Kenneth C. Medina were present.

The record will show a quorum was present.

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF AGENDA**

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

Chairman LeRoy H. Garcia asked the Commission to have a moment of silence for Marine Lance Corporal Shane Harris and Army Lieutenant Colonel Marshal A. Gutierrez.

**APPROVAL OF MINUTES: SPECIAL MEETING JULY 28, 2006 AND  
REGULAR MEETING AUGUST 15, 2006 \***

County Manager Les Montoya and County Attorney Jesus Lopez had no recommended changes to the minutes of Special Meeting July 28, 2006 and Regular Meeting August 15,

Motion made by Commissioner David Salazar to approve the minutes of the following meetings: Special Meeting held July 28,2006 and Regular Meeting held August 15,2006. Second by Commissioner Susano F. Ortiz. Motion carried.

**INTRODUCTION OF NEW EMPLOYEES**

County Manager Les Montoya introduced the following new County employees:

Joyce Roybal      Financial Specialist II      Finance Division  
(Probationary Employee)

James Marquez      Deputy Clerk County Clerk's Office  
(Probationary Employee)

**DISCUSSION ON SECTION OF ROAD TO EL PORVENIR BY MR. MEL ROOT, WESTERN LIFE CAMP**

**PRESENTATION OF POSTER FROM MUSIC FROM ANGEL FIRE BY GRETCHEN BUSH  
A MUSIC FROM ANGEL FIRE POSTER WAS PRESENTED TO THE COUNTY COMMISSION  
IN APPRECIATION OF THE LODGERS TAX FUNDING RECEIVED BY MUSIC FROM  
ANGEL FIRE.**

**PRESENTATION BY LAW ENFORCEMENT OFFICERS ON HIGHLIGHTS REGARDING  
OVERALL EFFECTIVENESS OF DWI PROGRAMS BY SGT. THEODORE CARR AND SGT.  
ERIC GARCIA, NMSP I. NO ONE SHOWED TO PRESENT TO THE COMMISSION.**

**NEW BUSINESS:**

**1. COUNTY TREASURER'S MONTHLY REPORT\***

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

No action taken, for information only.

**2. PROPOSED ROSTER FOR THE SAN MIGUEL COUNTY FAMILY AND COMMUNITY HEALTH COUNCIL\***

Barbara Perea-Casey of the San Miguel County Family and Community Health Council submitted the roster for the San Miguel County family and Community health Council for review and approval.

Ms. Perea-Casey and Ms. Cruz informed the Commission of the productions and improvements that have happened within the last year, and also introduced this years nominees for members of the Health Council:

Yolanda Carrio  
Jeremy Durant  
Ellen Janine Grassy  
Matt Martinez  
Adam Mcaff  
Regina Mcnelly  
Sigrid Olsen  
Donna Romero  
Tanya Scholts

Motion made by Commissioner Kenneth C. Medina to approve the new members for the Health Council. Second made by Vice-Chairman Hugh h. Ley. Motion carried.

**3. RESOLUTION ESTABLISHING SUPPORT OF THE PROPOSED FUEL REDUCTIONS IN THE GALLINAS WATERSHED\***

County Manager Les Montoya submitted for approval resolution establishing support of the proposed fuel reductions in the Gallinas Watershed.

Mr. Montoya also informed the Commission that this item was brought to them at the last meeting, and that it was asked that it be placed on the agenda at this time.

Mr. Gabe Estrada presented the resolution to the Commission for approval and discussion.

Motion made by Vice-Chairman Hugh H. Ley to approve the Resolution to support the proposed Fuel Reductions in the Gallinas Watershed. Second by Commissioner Susano Ortiz. Motion carried.

**4. RESOLUTION NO. 09-12-06- RE NOTICE OF INTENT TO ADOPT GROSS RECEIPTS TAX REFUNDING AND IMPROVEMENT REVENUE BONDS NOT TO EXCEED \$7,500,000.00\***

Mr. Montoya informed the Commission that the County would approximately receive \$500,000.00 (9%) net present value savings by issuing the 2006 Bonds to refund the County's outstanding Series 1997A and B Gross Receipts Tax Revenue Bonds. The Ordinance would also authorize up to \$2,000,000.00 of Gross Receipts Tax Bonds for new projects, if approved by the board.

County Manager Les Montoya submitted Resolution No. 09-12-06 Re Notice of Intent to adopt Gross Receipts Tax Refunding and improvement revenue bonds not to exceed \$7.5 million.

Mr. Robert Strummer and Mr. Kit Caldwell also gave additional information to the Commission that may help in the approval of Resolution No. 09-12-06.

Motion made by Commissioner Kenneth C. Medina to approve Resolution No. 09-12-06 adopting Gross Receipts Tax Refunding and Improvement Revenue Bonds. Second by Commissioner David Salazar. Motion carried.

**Chairman LeRoy H. Garcia requested a 15-minute break at 2:22 P.M.**

**Chairman LeRoy H. Garcia called the meeting back to order at 2:34 P.M.**

**5. GRANT AGREEMENT FROM THE UNITED STATES DEPARTMENT OF AGRICULTURE (USDA) RURAL DEVELOPMENT FOR PECOS AMBULANCE BUILDING\***

Planning and Zoning Supervisor Alex Tafuya informed the Commission that in December of 2005 San Miguel County submitted an application to USDA Rural Development requesting grant funds for the purpose of constructing a new ambulance building to house the Pecos Ambulance Service. San Miguel County has received a grant agreement for the funding from USDA Rural Development in the amount of \$91,960.00.

Mr. Tafuya submitted for review and approval the grant agreement, and to also authorize Chairman LeRoy H. Garcia to sign the agreement.

Motion made by Commissioner Kenneth C. Medina to accept the grant agreement; and to authorize the Commission Chair to sign the agreement Second made by Commissioner David Salazar. Motion carried.

**6. GRANT APPLICATION FOR THE FIRE DEPARTMENTS FOR WILDLAND FIRE VEHICLES FUNDED BY MONEY MADE AVAILABLE BY THE GOVERNOR FROM SEVERANCE TAX BONDS AUTHORIZED BY CHATER 111 LAWS OF 2006\***

Fire Marshal Dan Wright informed the Commission of the grant application for the fire departments for wildland vehicles funded by money made available by Governor Bill Richardson from severance tax bonds, which are authorized by Chapter 111, Laws of 2006, to assist local and tribal government fire departments with the purchase of wildland fire trucks.

Mr. Wright submitted for approval a resolution authorizing the Fire Departments to apply for the grant, depending on available additional funds that may be needed since only \$100,000.00 will be awarded.

Motion made by Commissioner Kenneth C. Medina to authorize the fire departments to apply for the grant for either a tanker or wildland (type 6) truck based on their needs. Second by Commissioner Susano Ortiz. Motion carried.

**7. BID FOR A USED AMBULANCE FOR USE AS A RESCUE UNIT BY THE CABO LUCERO FIRE DEPARTMENT TO BE FUNDED BY LEGISLATIVE APPROPRIATION 06-LG-1822\***

Fire Marshal Dan Wright informed the Commission that a single bid was received for the used ambulance which appears to be in very good shape and will greatly enhance the EMS response to the area.

Mr. Wright submitted for approval to award the bid to The Phoenix Group pending inspection by the Fire Department members who will verify that the vehicle is in the condition advertised prior to acceptance. Fire Chief Larry Frankin informed the Commission that the unit is as 1977 military diesel dodge ambulance, and is acceptable.

Motion made by Commissioner David Salazar to award the bid to the Phoenix Group pending inspection by the Fire Department members who will verify that the vehicle is in working condition. Second by Commissioner Susano Ortiz. Motion carried.

**8. REVISED JOB DESCRIPTION, DETENTION CENTER, INMATE PROGRAM OFFICER/FACILITY K-9 HANDLER\***

Warden /Facility Administrator Patrick W. Snedeker informed the Commission that the San Miguel County Detention Center job description for the Inmate Program Officer position has been revised. The revised job description does include the K-9 Handler duties and responsibilities.

Mr. Snedeker submitted for approval the revised job duties and responsibilities for the Inmate Program Officer position.

Motion made by Vice-Chairman Hugh H. Ley to approve the revised job description for the Detention Center. Second by Commissioner Kenneth C. Medina. Motion carried.

**9. MONTHLY REPORT FOR THE PUBLIC WORKS DIVISION FOR THE MONTH OF AUGUST 2006\***

Public Works Division Supervisor Harold Garcia submitted the monthly report for the month of May to the County Commission for information on what was addressed by the Public Works Division for August 2006.

No action taken; for information and discussion.

**10. AWARD OF BID FOR CONSTRUCTION OF CONCHAS WESTSIDE DRAINAGE PHASE III ROAD IMPROVEMENT PROJECTS\***

Public Works Division Supervisor Harold Garcia informed the Commission that San Miguel County has recently advertised for the construction of drainage and base course improvements within the west side of the Big Mesa subdivision in Conchas. This project is funded with \$150,000.00 Severance Tax funds through the New Mexico Legislative within the past two years.

Mr. Garcia submitted for approval to award a bid to the lowest bidder based on the recommendation of the County Engineer.

Mr. Montoya then stated that he would like some additional information to be documented, and to be included in the minutes. They have received two bids, one of them from Southwest Construction out of Melrose, in the amount of \$125,109.33. The next bid is from Rocky Road Gravel Products in the amount of \$160,899.90. The engineer's estimated amount for this project is \$ 121,000.00. Recommending to go with the lowest bidder, Southwest Construction Company.

Motion made by Commissioner Kenneth C. Medina to approve a bid to the lowest bidder after review by the County Engineer and recommendation is made to award bid based on budget of this particular project. Second by Vice-Chairman Hugh H. Ley. Motion carried.

**11. RESOLUTION NO. 09-12-2006-PW-CAP-4-07(404) ACKNOWLEDGING THE NEED FOR ROAD IMPROVEMENTS IN SAN MIGUEL COUNTY AND APPROVING THE COOPERATIVE AGREEMENT WITH THE NEW MEXICO DEPARTMENT OF TRANSPORTATION FOR FUNDING ASSISTANCE THROUGH THE 2006-2007 LOCAL GOVERNMENT ROAD FUND COUNTY ARTERIAL PROGRAM\***

Public Works Division Supervisor Harold Garcia informed the Commission that San Miguel County had received an agreement from the Department of Transportation for funding assistance for road projects through the local Government Road County Arterial Program for fiscal year 2006-2007 in the amount of \$159,909.33.

Mr. Garcia submitted for approval, Resolution No. 09-12-2006-PW-CAP-4-07(404)

and the Cooperative Agreement with the New Mexico Department of Transportation for funding assistance through the Local Government Road Fund County Arterial Program.

Motion made by Commissioner David Salazar to approve Resolution No. 09-12-2006-PW-CAP-4-04-(404), and to authorize staff to submit this to the Department of Transportation along with Cooperative Agreement for road improvement funds for County Road B-26 (Blanchard Road). Second by Commissioner Susano Ortiz. Motion carried.

**12. RESOLUTION NO.09-12-2006-PW-SB-7747(925)07 ACKNOWLEDGING THE NEED FOR ROAD IMPROVMENTS IN SAN MIGUEL COUNTY AND APPROVING THE COOPERATIVE AGREEMENT WITH THE NEW MEXICO DEPARTMENT OF TRANSPORTATION FOR FUNDING ASSISTANCE THROUGH THE 2006-2007 LOCAL GOVERNMENT ROAD FUND SCHOOL BUS ROUTE PROGRAM\***

Public Works Division Supervisor Harold Garcia informed the Commission that San Miguel County has received an Agreement from the Department of Transportation for funding assistance for road projects through Local Government Road Fund School Bus Route Program for fiscal year 2006-2007 in the amount of \$112,125.33. This funding is earmarked for Road Improvements for County roads and is funded 75% of the total amount (84,094.00) by the Department of Transportation, with the remaining 25% (28,031.33) funding requirement to be matched by the County.

Mr. Garcia submitted for approval Resolution No. 09-12-2006-PW-SB-7747(925)07 and the Cooperative Agreement with the New Mexico Department of Transportation for funding assistance through the Local Government Road Fund School Bus Program.

Motion made by Commissioner Kenneth C. Medina to approve Resolution No.09-12-2006-PW-SB-7747(925)07 and to authorize staff to submit this to the Department of Transportation along with the Cooperative Agreement for Road Improvement Funds for County Road C-33-C (Storrie Project Road). Second by Vice-Chairman Hugh H. Ley. Motion carried.

**13. RESOLUTION NO. 09-12-2006-PW-SP-4-07(952) ACKNOWLEDGING THE NEED FOR ROAD IMPROVEMENTS IN SAN MIGUEL COUNTY AND APPROVING THE COOPERATIVE AGREEMENT WITH THE NEW MEXICO DEPARTMENT OF TRANSPORTATION FOR FUNDING ASSISTANCE THROUGH THE 2006-2007 LOCAL GOVERNMENT ROAD FUND CO-OP ASSISTANCE PROGRAM\***

Public Works Division Supervisor Harold Garcia informed the Commission that San Miguel County received an agreement from the Department of Transportation for funding assistance for road projects through the Local Government Road Coop ogram for fiscal year 2006-2007 in the amount of \$ 96,498.67. This funding is earmarked for Road Improvements for County roads and is funded by 75% of the total amount (72,374.00) by the Department of Transportation, with the remaining 25% (24,124.97) funding requirement to matched by the County.

Mr. Garcia submitted for approval Resolution No. 09-12-2006-PW-SP-4-07(952) and the Cooperative Agreement with the New Mexico Department of Transportation for funding assistance through the Local Government Road Fund Cooperative Assistance Program.

Motion made by Chairman LeRoy Garcia to approve Resolution No. 09-12-2006-PW-SP-4-07-(952) and authorize staff to submit this to the Department of Transportation along with the Cooperative Agreement for road improvement funds for County Road Fund Cooperative Assistance Program. Second by Commissioner David Salazar. Motion carried

**14. AWARD/REJECT BID(S) FOR PURCHASE, DELIVERY, AND PLACEMENT OF BASE COURSE ON VARIOUS COUNTY ROADS WITHIN SAN MIGUEL COUNTY\***

Public Works Division Supervisor Harold Garcia informed the Commission that San Miguel County recently advertised for the purchase, delivery and placement of base course on several County roads. Two bids were submitted from the following Contractors: Duran's Sand and Gravel and Rocky Road Gravel Products.

Mr. Garcia submitted for approval a bid on County Roads B-36, B-31-A and B-52 to Duran's Sand & Gravel in the amount of 36 dollars per cubic yard, and award bid for County Road A-30 to Rocky Road Gravel Products in the amount of 28 dollars per cubic yard. Staff requested rejection for bid on County Road B-27.

Motion made by Commissioner David Salazar to Award and/ or reject bids as recommended by the County Public Works Division Supervisor. Second by Vice-Chairman Hugh H. Ley. Motion carried.

**15. RESOLUTION NUMBER 09-12-06PW-GRIP II FUNDING DESIGNATING USE OF GRIP II FUNDING FOR VARIOUS COUNTY ROAD IMPROVEMENTS IN SAN MIGUEL COUNTY IN ANTICIPATION OF FUNDING BY THE NEW MEXICO DEPARTMENT OF TRANSPORTATION GRIP II FUNDING PROGRAM\***

Public Works Division Supervisor Harold Garcia informed the Commission that the New Mexico Legislature and New Mexico Department of Transportation, along with Governor Bill Richardson introduced Legislation through the 2006 Legislature for the GRIP II Funding Program for statewide Road Improvement Projects. The County of San Miguel through the Northeastern New Mexico Regional Planning Organization has been asked to adopt this resolution if we plan to support the GRIP II Funding proposal.

Mr. Garcia submitted for approval the adoption of Resolution No. 09-12-06-PW-GRIP II and outlining the proposed County Road to be funded through the proposed GRIP II Funding Proposal.

Motion made by Commissioner David Salazar to adopt Resolution Number 09-12-06-PW-GRIP II. Second by Commissioner Susano Ortiz. Motion carried.

**16. ADMINISTRATIVE REGULATION NO. 09-12-2006 RE REQUIREMENTS FOR SAN MIGUEL COUNTY EMPLOYEES' EDUCATIONAL ASSISTANCE AND TRAINING, PROPOSING AN EDUCATIONAL ASSISTANCE AND TRAINING REGULATION FOR COUNTY EMPLOYEES. THE EDUCATION AND TRAINING POLICY IS INTENDED TO EXTEND THE KNOWLEDGE BASE FOR ALL COUNTY EMPLOYEES INTRODUCING THEM TO NEW TECHNOLOGY AND**

**PROVIDE OPPORTUNITY FOR GROWTH IN THE COMMUNITY\***

County Manager Les Montoya informed the Commission that the Board of County Commissioners set up an education fund with proceeds generated from property tax donations. These funds were set aside by the Commission to be used solely for county employees to further their education. This policy will set procedures for use of the funds on a fair and consistent basis.

Mr. Montoya submitted to the Commission for approval and review that the policy be an administrative regulation.

Motion made by Vice-Chairman Hugh H. Ley to approve the policy as an administrative regulation. Second by Commissioner David Salazar. Motion carried.

**17. LEASE AGREEMENT TO LEASE THE NEW MEXICO PUBLIC REGULATION COMMISSION CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 21611 AUTHORIZING THE EMERGENCY AND NON-EMERGENCY AMBULANCE AND MEDICAL TRANSPORTATION OF SICK AND INJURED PERSONS IN SAN MIGUEL COUNTY TO SOUTHWEST AMBULANCE INC\***

Chairman LeRoy H. Garcia directed that this item to be discussed in executive session before formal action is taken.

**18 CONTRACT FOR EMERGENCY AMBULANCE SERVICES FOR THE COUNTY OF SAN MIGUEL WITH SOUTHWEST AMBULANCE OF NEW MEXICO\***

Chairman LeRoy H. Garcia directed that this item to be discussed in executive session before formal action is taken.

**19 REVISION OF JOB DESCRIPTION FOR PUBLIC WORKS SUPERVISOR, BASED ON COUNTY COMMISSION DIRECTION TO ESTABLISH A ROAD FOREMAN POSITION RESPONSIBLE FOR MAINTAINING AND IMPROVING COUNTY ROADS AND INFRASTRUCTURE\***

County Manager Les Montoya informed the Commission that upon developing the Road Foreman Job Description, certain responsibilities of the Public Works Supervisor were deleted, and therefore, a revision of the job description is required.

Mr. Montoya submitted for review and approval the job description for Road Foreman as prepared .

Motion made by Vice-Chairman Hugh H. Ley to adopt the Road Foreman job description. Second by Commissioner David Salazar. Motion carried.

**20. JOB DESCRIPTION FOR COUNTY ROAD FOREMAN WITHIN THE PUBLIC WORKS DIVISION\***

County Manager Les Montoya informed the Commission that they have



directed County Manager to establish a position for a Road Foreman. This position is to be established for the sole purpose of supervising road maintenance and improvement projects for San Miguel County.

Mr. Montoya submitted for review and approval the job description as prepared by the County Manager, and authorizing the advertisement of said position.

Motion made by Vice-Chairman Hugh H. Ley to approve the job description.. Second by Commissioner Kenneth C. Medina. Motion carried.

**21. COUNTY MANAGER'S PERSONNEL RECOMMENDATION TO HIRE THE FOLLOWING INDIVIDUALS TO FILL THE TWO POSITIONS OF APPRAISER II WITH THE SAN MIGUEL COUNTY ASSESSOR'S OFFICE AS PER THE RECOMMENDATION OF ALBERT PADILLA, SAN MIGUEL COUNTY ASSESSOR\***

County Manager Les Montoya submitted the following recommendations for hire:

**PROBATIONARY EMPLOYEE:**

Leo Armijo	Appraiser II	Salary: \$ 18,720.00 Annually
Date of Hire	September 18,2006	
Maria Schneider	Appraiser II	Salary: \$ 18,720.00 Annually
Date of Hire	September 18,2006	

The vacant positions need to be filled immediately due to vacant positions following the resignations of William Sedillo and Margie Saiz.

Motion made by Commissioner Kenneth C. Medina to approve persons for hire. Second by Commissioner David Salazar. Motion carried.

**22. COUNTY MANAGER'S PERSONNEL RECOMMENDATION TO HIRE AND RATIFY THE FOLLWING EMPLOYEE TO FILL THE POSITIONS AT THE SAN MIGUEL COUNTY DETENTION CENTER\***

County Manager Les Montoya submitted the following recommendations for hire:

**PROBATIONARY EMPLOYEE:**

Christopher Duran	Detention Officer	Salary: \$ 17,843.28 Annually
Aaron Montoya	Detention Officer	Salary: \$ 17,843.28 Annually
Toni Beth Yara	Detention Officer	Salary: \$ 17,843.28 Annually
Valerie Valencia	Detention Officer	Salary: \$ 17,843.28 Annually

The vacant positions need to be filled immediately due to vacant positions due to employees resigning their positions at the San Miguel County Detention Center.

Motion made by Vice-Chairman Hugh H. Ley to approve recommendations of hire as requested. Second by David Salazar. Motion carried.

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

**24. SAN MIGUEL COUNTY BOARD OF FINANCE MEETING**

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

Finance Division Supervisor Melinda Gonzales informed the Commission that this 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 submitted the memorandum of agreement for review and approval.

Motion made by Commissioner Susano Ortiz to approve memorandum of agreement. Second by Vice-Chairman Hugh H. Ley. Motion carried.

**26. FINANCIAL RESOLUTION 2006-9-12 MISCELLANEOUS BUDGET ADJUSTMENTS\***

Finance Division Supervisor Melinda Gonzales informed the Commission that on August 17, 2006 we received approval from the New Mexico Public Regulation Commission to carry over funds for the purpose if purchasing equipment for the respective fire departments.

Ms. Gonzales submitted for review and approval that the donation exceeds the amount budgeted and that a request is being made to adjust the budget accordingly.

Motion made by Commissioner David Salazar to approve the budget adjustment.

Second by Vice-Chairman Hugh H. Ley. Motion carried.

**27. FINANCIAL RESOLUTION NO. 2006-09-12-F2; APPROVING THE SOLE COMMUNITY SUPPLEMENTAL/UPPER PAYMENT LIMIT IN THE AMOUNT OF \$130,242.67\***

Finance Division Supervisor Melinda Gonzales informed the Commission that Alta Vista Hospital has requested that the County approve a supplemental sole community provider request in the amount of \$130,242.67. The total amount the hospital should receive as a result of this supplemental is \$455,712.63. The donation Alta Vista Hospital is making to the County for ambulance care, makes the available gross receipts taxes a source in which to pay this supplemental.

Ms. Gonzales submitted for approval the Sole Community Supplemental payment with the condition that the Department of Finance and Administration (DFA) approves the Financial Resolution 2006-09-12-F1.

Motion made by Vice-Chairman Hugh H. Ley to approve the Supplemental payments with the condition that the DFA approves the Financial Resolution 2006-09-12-F1. Second by Commissioner Kenneth C. Medina. Motion carried.

**28. LETTER FROM THE DEPARTMENT OF FINANCE AND ADMINISTRATION APPROVING THE FY06/07 BUDGET SUBMITTED ON JULY 31,2006\***

Finance Division Supervisor Melinda Gonzales informed the Commission that on August 23,2006, the Department of Finance and Administration/ Local Government Division (DFA/LGD) submitted a letter to the County approving the FY06/07 budget. Budgets approved by LGD are required to be made a part of the minutes of the governing body according to Section 6-6-5-New Mexico Statutes Annotated, 1978.

Ms. Gonzales submitted for approval that the LGD FY06/07 budget approved and that it is included in the minutes for the September 12, 2006 Commission meeting.

Motion made by Commissioner Susano Ortiz to approve the LGD FY06/07 budget approval and that it be included in the minutes for the September 12, 2006 Commission meeting. Second by Vice-Chairman Hugh H. Ley. Motion carried.

**29. INDIGENT CLAIMS\***

Finance division Supervisor Melinda Gonzales informed the Commission about the Indigent claims submitted and reviewed by the Finance Department regarding a claim for Alta Vista Regional Hospital in the amount Of \$40,168.52 and another claim for St. Vincent's Hospital in the amount of \$17,160.90.

Ms. Gonzales submitted for approval of payment on both Alta Vista Regional and for St. Vincent's for the Indigent Claims.

Motion made By Commissioner David Salazar to approve Indigent Claims submitted by the Finance Department. Second by Commissioner Kenneth C. Medina. Motion carried.

**30. CASH BALANCE REPORT\***

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

No action taken; for information only.

**31. 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 Kenneth C. Medina to approve Accounts Payable Listing as presented. Second by Commissioner David Salazar. Motion carried.

**32. MILL LEVY FOR TAX YEAR 2006 AS CALCULATED BY THE DEPARTMENT OF FINANCE AND ADMINISTRATION (DFA)\***

Finance Division Supervisor Melinda Gonzales informed the Commission that DFA calculates the mill levies based on a yield control formula as set by State Statute. The Finance Office has reviewed the calculation along with the property valuations reported to Taxation and Revenue by the Assessor's Office. The Finance Office agrees with the San Miguel County Mill Levies as computed by DFA.

Ms. Gonzales submitted for approval the DFA calculations of the mill levies for tax year 2006 based on a yield control formula as set by State Statute.

Motion made by Commissioner Kenneth C. Medina to approve the calculations of the mill levies for tax year 2006. Second by Commissioner David Salazar. 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 Commissioner David Salazar to retire into Executive Session at 3:32 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.

Chairman LeRoy H. Garcia called the meeting back into public session at 5:20 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.

**17. LEASE AGREEMENT TO LEASE THE NEW MEXICO PUBLIC REGULATION COMMISSION CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 21611 AUTHORIZING THE EMERGENCY AND NON-EMERGENCY AMBULANCE AND MEDICAL TRANSPORTATION OF SICK AND INJURED PERSONS IN SAN MIGUEL COUNTY TO SOUTHWEST AMBULANCE INC\***

Motion made by Commissioner David Salazar to approve the lease agreement to lease Certificate of Public Convenience No. 21611 to Southwest Ambulance, and require Southwest Ambulance to obtain PRC approval of lease, and authority to use Certificate No. 21611, before undertaking ambulance service in San Miguel County. Second by Commissioner Susano Ortiz. Motion carried.

**18. CONTRACT FOR EMERGENCY AMBULANCE SERVICES FOR THE COUNTY OF SAN MIGUEL WITH SOUTHWEST AMBULANCE OF NEW MEXICO\***

Motion made by Commissioner Kenneth C. Medina to award and approve the contract for ambulance services to Southwest Ambulance of New Mexico, Inc., contingent upon approval by the PRC of lease of certificate of public convenience and necessity No. 21611 from San Miguel County to Southwest, and contingent upon approval by the PRC for Southwest to operate under the contract, as explained by County Attorney Jesus L. Lopez. Second by Vice-Chairman Hugh H. Ley. Motion carried.

**ADJOURNMENT**

Motion made by Commissioner David Salazar to adjourn. Second by Commissioner Susano Ortiz. Motion carried.

The record will show the time is 5:25 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: James J. Marquez