

**REGULAR MEETING
MARCH 13, 2007
MINUTES**

The Board of County Commissioners of San Miguel County held a Regular Meeting and a County Finance Meeting on Tuesday March 13, 2007 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 Hugh H. Ley called the meeting to order at 1: 30 p.m.

ROLL CALL

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

The record will show a quorum was present.

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

County Manager Les Montoya recommended to the Commission that they add a presentation by Sharon Caballero, EDC director.

Motion made by Vice-Chairman Kenneth C. Medina to add presentation to the agenda. Second by Commissioner Albert Padilla. Motion carried.

PRESENTATION BY SHARON CABALLERO, (EDC) EXECUTIVE DIRECTOR.

**UPDATE ON WORK FORCE DEVELOPMENT WORKSHOP APRIL 19, 2007-
UPDATE ON THE WOOD CLUSTER DEVELOPMENT.**

COUNTY ATTORNEY JESUS LOPEZ PRESENTATION REGARDING OPEN MEETINGS ACT AND EXECUTIVE SESSION.

THOMAS SALAZAR PRESENTED TO THE COMMISSION HIS RECOGNITION OF VOLUNTEER FIRE FIGHTERS RESPONDING TO THE BERNAL RANGE FIRE, FEBRUARY 26, 2007.

COUNTY RESIDENT GILBERT CHAVEZ INFORMED THE COMMISSION ON THE CONDITIONS OF OLD COUNTY ROAD B-47 (CAMINO DE LEON) AND REQUEST OF COMMISSION ASSISTANCE ON THE PRIVATE ROAD.

COMMISSIONER SALAZAR INFORMED THE COMMISSION THAT HE WOULD TAKE A LOOK MORE INTO THE SITUATION. THEN DISCUSS IT AT A LATER DATE.

NEW BUSINESS:

1. COUNTY TREASURER'S MONTHLY REPORT*

County Treasurer Alfonso Ortiz went over the monthly report for the month of February 2007 and discussion ensued.

No action taken; for information only.

2. FISCAL YEAR 2007 HOMELAND SECURITY GRANT PROGRAM APPLICATION*

Lt. Eugene Garcia could not make it to the meeting so County Manager Les Montoya informed the Commission the #1 funding request -Established a five County Public Safety Information Center, in the amount of \$486,587.00. The purpose is to coordinate the Law Enforcement, Fire and EMS action throughout the Fire County region. This project will provide Records Management, Computer Aided Dispatch and Jail Management for Public Safety Agencies located in San Miguel, Colfax, Harding, Union and Mora Counties with the ability to share data regionally. This project can provide additional Officer, Fireman, and EMS safety though the regional CAD monitoring and improve conviction rates and protect the agencies using report generation tolls included in the RMS system. Investigative tools available in the system will assist local jurisdictions to prevent, protect, respond to and recover from a terrorist incident, disaster or emergency.

#2-Interoperable Communications Equipment in the amount of \$300,000.00. This project dovetails with the San Miguel/Las Vegas upgrade of Computer Aided Dispatch and Records Management Systems and the implementation of mobile computing purchased with 2004/2005 monies. Provide a wireless network for the County along the I-25 corridor.

Record will show that all Commissioners are in agreement with pursuing the agreement.

No action taken; for information only.

3. HOUSE MEMORIAL 48TH LEGISLATIVE SESSION STATE OF NEW MEXICO FIRST SESSION 2007, ESTABLISHMENT OF A PILOT PROJECT WITHIN SAN MIGUEL COUNTY, FOR AFFORDABLE HEALTH CARE SERVICES FOR UNINSURED PERSONS, WITHOUT INCREASING GOVERNMENT CONTRIBUTIONS*

Rita Torres, CEO of Management Team Solutions, Inc. as well as Lawrence Medina informed the Commission that on October 10, 2006 Ms. Torres provided a presentation to the San Miguel County Commission specific to affordable health care services for uninsured persons within San Miguel County. Ms. Torres shall provide information

specific to the current progress of this pilot program initiative, including a House Memorial Resolution specific to the program.

No action taken; for information only.

4. RESOLUTION EXTENDING FRANCHISE ORDINANCE BETWEEN FARMER'S ELECTRIC COOPERATIVE AND SAN MIGUEL COUNTY*

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

Mr. Tafoya submitted for approval Resolution No. 03-13-07-Farmers' extending the Franchise Ordinance for another year from January 15, 2007 to January 15, 2008.

Motion made by Vice-Chairman Kenneth C. Medina to adopt Resolution No. 03-13-07-Farmers'. Second by Commissioner June Garcia. Motion carried.

5. LAW ENFORCEMENT PROTECTION FUND*

County Sheriff Benjie D. Vigil informed the Commission about the funds that the Sheriff's Department receives each year from the Local Government Division (LGD). The amount of funding is based on the number of certified Deputies and Population in the County.

Mr. Vigil submitted for approval the Funding Agreement as presented by Local Government Division (LGD).

Motion made by Vice-Chairman Kenneth C. Medina to approve the Funding Agreement from Local Government Division. Second by Commissioner Albert Padilla. Motion carried.

6. PROJECT AGREEMENT (07-PT-K4-087), SELECTIVE TRAFFIC ENFORCEMENT*

County Sheriff Benjie Vigil informed the Commission the above agreement provides monies to our Department to for overtime, to enter traffic enforcement. This money comes from the New Mexico Department of Transportation, Safer New Mexico. We have been receiving this grant for the last seven years. Performing this Overtime Project has saved many lives and more awareness to our Community in San Miguel Count.

Mr. Vigil submitted for approval the Project Agreement 07-PT-K4-087, Selective Traffic Enforcement.

Motion made by Vice-Chairman Kenneth C, Medina to approve Project Agreement 07-PT-K4-087. Second by Commissioner David Salazar. Motion carried.

7. EXTENSION AGREEMENT CONTRACT FOR CONFINEMENT, SAN MIGUEL COUNTY NEW MEXICO AND THE CITY OF LAS VEGAS, NEW MEXICO*

Warden/ Facility Administrator Patrick Snedeker informed the Commission of the Extension Agreement/Contract between San Miguel County, New Mexico and the City of Las Vegas at the San Miguel County Detention Center. The cost of detaining an inmate, at a rate of \$53.00 Dollars per inmate for each partial day (less than (12) hours confinement), and other provisions remain pursuant to said contract. The Extension Agreement was approved by the Las Vegas City Council on March 7, 2007.

Mr. Snedeker submitted for approval the Extension Agreement between San Miguel County and the City of Las Vegas.

Motion made by Vice-Chairman Kenneth C. Medina to approve the extension agreement. Second by Commissioner June Garcia. Motion carried.

8. A RESIDENTIAL LAW ENFORCEMENT HOUSING AGREEMENT BETWEEN THE BOARD OF COUNTY COMMISSIONERS OF SAN MIGUEL COUNTY AND JOSEPH R. VIGIL, SAN MIGUEL COUNTY SHERIFF'S DEPUTY*

Section 8 Housing Director Gilbert Almanza informed the Commission that the sole purpose of this agreement is to provide suitable housing to allow the San Miguel County Sheriff's Deputy to reside and provide service to the Western area of San Miguel County.

Mr. Almanza submitted for approval the agreement between San Miguel County and Joseph R. Vigil.

Motion made by Vice-Chairman Kenneth C. Medina to approve the agreement allowing County Commissioners to sign the agreement with Sheriff's Deputy Joseph R. Vigil. Second by Commissioner June Garcia. Motion carried.

9. A RESIDENTIAL LAW ENFORCEMENT HOUSING AGREEMENT BETWEEN THE BOARD OF COUNTY COMMISSIONERS OF SAN MIGUEL COUNTY AND JOHN T. HARTIGAN, SAN MIGUEL COUNTY SHERIFF'S DEPUTY*

Section 8 Housing Director Gilbert Almanza informed the Commission that the sole purpose of this agreement is to provide suitable housing to allow the San Miguel County Sheriff's Deputy to reside and provide service to the Eastern area of San Miguel County.

Mr. Almanza submitted for approval the agreement between San Miguel County and Sheriff's Deputy John T. Hartigan.

Motion made by Commissioner David Salazar to approve the agreement allowing the County Commissioner to sign the agreement with Sheriff's Deputy John T. Hartigan. Second by Vice-Chairman Kenneth C. Medina. Motion carried.

10. THE SAN MIGUEL COUNTY HOUSING AUTHORITY'S ADMINISTRATIVE PLAN, THIS PLAN HAS BEEN UPDATED WITH THE HELP OF THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT'S CONTRACTORS ASSIGNED TO AID IN HELPING THE HOUSING DEPARTMENT*

Section 8 Housing Director Gilbert Almanza informed the Commission of the Administrative Plan outlines, the policies and procedures that give the San Miguel County Housing authority guidance to provide the best possible service to its participants.

Mr. Almanza submitted for review and approval the updated Administrative Plan.

Motion made by Commissioner David Salazar to approve the Administrative Plan. Second by Vice-Chairman Kenneth C. Medina. Motion carried.

11. REVISE SAN MIGUEL COUNTY VEHICLE USE POLICY AMD-R-03-13-07*

Safety Coordinator Dennis English informed the Commission that the new San Miguel County Vehicle Use Policy ADM-R-03-13-07 changed from the old Administrative Regulation ADM-R-1-9-06.

Mr. English submitted for approval the new San Miguel County Vehicle Use Policy ADM-R-03-13-07.

Motion made by Vice-Chairman Kenneth C. Medina to approve the San Miguel County Vehicle Use Policy ADM-R-03-13-07. Second by Commissioner David Salazar. Motion carried.

12. SAN MIGUEL COUNTY INSPECTION (S) REPORTING AND FILING PROCEDURES ADM-R-11-12-02-2*

Safety Coordinator Dennis English informed the Commission of the San Miguel County Inspection (s) Reporting and Filing Procedures ADM-R-11-12-02-2 which is an addition to the San Miguel County Safety and Health Policy ADM-R-11-12-02.

Mr. English submitted for approval and signing the San Miguel County Inspection (s) Reporting and Filing Procedures ADM-R-11-12-02-2.

Motion made by Commissioner David Salazar to approve the Inspection (s) and Reporting and Filing Procedures ADM-R-11-12-02-2. Second by Vice-Chairman Kenneth C. Medina. Motion carried.

13. AGREEMENT TO PURCHASE A COMMUNICATION SITE LOCATED ON MR. BENJAMIN MARTINEZ PROPERTY IN TRUJILLO TO COMPLETE THE COUNTY COMMUNICATIONS SYSTEM*

Fire Chief Dan Wright informed the Commission that this mountain top site is required to cover the Eastern end of the County. To avoid excessive recurring costs it is more logical to purchase the tower and structure. Tower and building space can also be rented out to

create a revenue source for the County. Purchase is to be made using Fire Excise Tax as approved by the San Miguel County Fire and EMS Association.

Mr. Wright submitted for approval the purchase of the repeater site.

Motion made by Vice-Chairman Kenneth C. Medina to approve the purchase of the repeater site. Second by Commissioner David Salazar. Motion carried.

14. MONTHLY REPORT FOR THE PUBLIC WORKS DIVISION FOR THE MONTH OF FEBRUARY 2007*

Public Works Division Supervisor Harold Garcia presented to the Commission information on issues addressed within the Public Works Division for the month of February 2007.

No action taken; for information only.

15. RATIFICATION OF 60-MONTH LEASE ON A NEW STANDARD PRODUCTION MODEL 4X4 BACKHOE*

Public Works Division Supervisor Harold Garcia informed the Commission that at the last meeting they had accepted a 60-month lease on a new Standard Production Model 4x4 Backhoe with an option to purchase at the end of the 60-month lease. The sole bidder was Wagner Equipment with an amount of \$1,035.00 per month lease. The lease agreement has been executed and submitted to Wagner Equipment for their approval.

Mr. Garcia submitted for approval the lease agreement between San Miguel County and Wagner Equipment for the 60-month lease on the 4x4 Backhoe.

Motion made by Commissioner David Salazar to approve the lease agreement. Second by Commissioner June Garcia. Motion carried.

16. JOB DESCRIPTION FOR A PART-TIME SOLID WASTE ACCOUNTING SPECIALIST*

Finance Division Supervisor Melinda Gonzales informed the Commission that during the February 13, 2007 Commission Meeting a new position was funded. The main focus of this position will be to ensure we have an accurate customer listing, accounts receivable will be reviewed and adjusted accordingly, past due accounts will be forwarded to collection agencies and other related duties as assigned.

Mr. Gonzales submitted for approval the job description for the new Solid Waste Accounting Specialist.

Motion made by Vice-Chairman Kenneth C. Medina to approve the job description. Second by Commissioner David Salazar. Motion carried.

17. COUNTY MANAGER'S PERSONNEL RECOMMENDATION TO HIRE THE FOLLOWING INDIVIDUALS TO FILL THE POSITION OF CASUAL EMPLOYEES AS FILING CLERKS WITH THE SAN MIGUEL

COUNTY CLERK'S DIVISION AS PER THE RECOMMENDATION OF PAUL MAEZ, COUNTY CLERK*

RECOMMENDATION TO HIRE:

CASUAL EMPLOYEES

Pauline Trujillo Filing clerk
Salary: \$10.00 hourly
Effective Date of Hire: March 26, 2007

Angela Sanchez Filing clerk
Salary: \$10.00 hourly
Effective Date of Hire: March 26, 2007

Gloria Ortiz Filing clerk
Salary: \$10.00 hourly
Effective Date of Hire: March 26, 2007

Mr. Montoya informed the Commission that the individuals listed above will be hired for three months in order to update files for the Voter Registration Electronic Maintenance System Project (VREMS).

Motion made by Commissioner David Salazar to approve the hiring of the Casual employees as filing clerks in the San Miguel County Clerks Office. Second by Vice-Chairman Kenneth C. Medina. Motion carried.

18. COUNTY MANAGER'S PERSONNEL RECOMMENDATION TO HIRE AND RATIFY THE FOLLOWING INDIVIDUAL TO FILL THE VACANT POSITION OF DETENTION OFFICER AT THE SAN MIGUEL COUNTY DETENTION CENTER AS PER THE RECOMMENDATION OF PATRICK SNEDEKER, WARDEN/FACILITY ADMINISTRATOR*

RECOMMENDATION TO HIRE:

PROBATIONARY EMPLOYEE

Levi Martinez Detention Officer Salary:\$17,843.28 Annually
Effective Date of Hire: February 26, 2007

County Manager Les Montoya informed the Commission of the vacant positions needing to be filled immediately due to employees resigning their positions.

Motion made by Commissioner June Garcia to hire Levi Martinez as Detention Officer at the San Miguel County Detention Center. Second by Vice-Chairman Kenneth C. Medina. Motion carried.

19. PERSONNEL ACTIONS*

County Manager Les Montoya informed the Commission of personnel actions in the month of February that have taken place in San Miguel County, for ratification and approval.

Mr. Montoya submitted for approval the personnel actions that have taken place within San Miguel County.

Motion made by Vice-Chairman Kenneth C. Medina to approve the personnel actions. Second by Commissioner David Salazar. Motion carried.

20. SAN MIGUEL COUNTY BOARD OF FINANCE MEETING*

21. MODIFICATIONS TO BUDGET RESOLUTION 2007-02-13-F1*

Finance Division Supervisor Melinda Gonzales informed the Commission that at the last regularly held Commission Meeting she had presented a budget adjustment to account for the proceeds of the 2007 bond. After the meeting Ms. Gonzales noticed that she made an error on the document and notified DFA to adjust the resolution accordingly. The Change was made and she resubmitted the resolution for the Commissions concurrence.

Ms. Gonzales submitted for approval modification of Budget Resolution 2007-02-13-F1.

Motion made by Commissioner David Salazar to approve the modification to the budget adjustments. Second by Commissioner Albert Padilla. Motion carried.

22. RESOLUTION 2007-03-13-F1*

Finance Division Supervisor Melinda Gonzales informed the Commission that the fund 992 is currently entitled the 1997 Series A Bond Issue and was established to account for the revenues and expenditures of the 1997 A Revenue Bond Issue. The Finance Department is requesting that the name and use of the fund be modified to include the accounting of the Gross Receipts Tax Refunding and Improvement Revenue Bond Series 2007. The activity related to the 1997 series will cease this fiscal year since the issue has been refinanced with the 2007 series.

Ms. Gonzales submitted for approval Resolution No. 2007-03-13-F1.

Motion made by Commissioner June Garcia to approve Resolution No. 2007-03-13-F1. Second by Vice-Chairman Kenneth C. Medina. Motion carried.

23. RESOLUTION 2007-03-13-F2*

Finance Division Supervisor Melinda Gonzales informed the Commission on miscellaneous budget adjustments.

Motion made by Vice-Chairman Kenneth C. Medina to approve the miscellaneous budget adjustments. Second by Commissioner David Salazar. Motion carried.

24. INDIGENT CLAIMS*

Finance Division Supervisor Melinda Gonzales presented to the Commission the Indigent Claims submitted and reviewed by the Finance Department from Alta Vista Regional Hospital for \$91,359.64.

Motion made by Commissioner David Salazar to approve the Indigent Claims as noted above. Second by Commissioner June Garcia. Motion carried.

25. CASH BALANCE REPORT*

Finance Division Supervisor Melinda Gonzales informed the Commission of the February 28, 2007 cash balances.

No action taken; for information only;

26. 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, since the last regular meeting.

Motion made by Vice-Chairman Kenneth C. Medina to approve Accounts Payable Listing as presented. Second by Commissioner June Garcia. 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/ Closed Session to discuss Personnel Matters, as permitted by Section 10-15-1(H) (2) of the New Mexico Open Meetings Act, NMSA 1978, matters subject to the attorney-client privilege pertaining to threatened or pending litigation in which SMC is or may become a participant, as permitted by Section 10-15-1(H) (7) of the New Mexico Open Meetings Act, NMSA 1978 and matters pertaining to the discussion of the acquisition of real property, as permitted by Section 10-15-1-(H)(8) of the Open Meetings Act, NMSA 1978. Motion made by Commissioner David Salazar to retire into Executive/ Closed Session at 3:51 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 Vice-Chairman Kenneth C. Medina. Motion carried.

Roll call was taken before County Commission retired into Executive Session at 3:51 P.M.

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

The Commission returned to public session at 4:30 P.M. and Chairman Hugh H. Ley noted for the record that only those matters specified in the motion for closure were discussed in executive session.

ADJOURNMENT

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

The record will show the time is 4:32 p.m.

Approved this _____ day of _____, 2007 as the Official Minutes of the Board of County Commissioners of San Miguel County, New Mexico.

Hugh H. Ley, Chairman

Kenneth C. Medina, Vice-Chairman

David R. Salazar Commissioner

June J. Garcia, Commissioner

Albert J. Padilla, Commissioner

ATTEST

Paul Maez, County Clerk

Minutes Submitted by: James J. Marquez