

**REGULAR MEETING
APRIL 10, 2007
MINUTES**

The Board of County Commissioners of San Miguel County held a Regular Meeting and a County Finance Meeting on Tuesday April 10, 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 was 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 asked the Commission that item number 15 be removed from the Agenda; there was not enough information from the Department of Transportation.

Motion made by Vice-Chairman Kenneth C. Medina to approve agenda and removing item no. 15 from the agenda. Second by Commissioner David Salazar. Motion carried.

APPROVAL OF MINUTES: Regular Meeting March 13, 2007, Special Meeting February 28, 2007 and Regular Meeting February 13, 2007.*

Motion made by Commissioner David Salazar to approve the Minutes from Regular Meeting March 13, 2007, Special Meeting February 28, 2007, and Regular Meeting March 13, 2007. Second by Commissioner June Garcia. Motion carried.

SAN MIGUEL COUNTY LOBBYIST LEROY GARCIA WAS NOT ABLE TO ATTEND TO PRESENT THE 2007 LEGISLATIVE UPDATE.

INTRODUCTION OF NEW OWNERS OF SIERRA TRANSIT MIX, MIGUEL MELENDEZ AND FRANCISCO MELENDEZ.

INTRODUCTION OF NEW EMPLOYEES:

Linda Gutierrez
(Probationary Employee)

DWI Office Manager

DWI Planning Council

NEW BUSINESS:

1. COUNTY TREASURER'S MONTHLY REPORT*

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

No action taken; for information only.

2. PRESENTATION BY MR. BRUCE SWINGLE FROM THE NEW MEXICO ASSOCIATION OF COUNTIES ON THE RISK ASSESSMENT PROGRAM (RAP), WHICH ALLOWS CONTINUOUS TRAINING FOR SAN MIGUEL COUNTY EMPLOYEES, AND REQUESTING APPROVAL OF RESOLUTION NO. 04-10-07-SA AUTHORIZING SAN MIGUEL COUNTY TO PARTICIPATE*

Mr. Bruce Swingle, New Mexico Association of Counties informed the Commission that San Miguel County will become the third County to implement this program, throughout the State. Pilot program started with McKingley County. County Supervisors and Safety Committee have committed to participating should the Commission support the proposed resolution.

Mr. Swingle submitted for approval the Risk Assessment Program (RAP), which allows training for San Miguel County employees.

Motion made by Commissioner Albert Padilla to approve Resolution No. 04-10-07-SA. Second by Commissioner David Salazar. Motion carried.

3. PETITION TO NOMINATE THE WATERS OF THE INVENTORIED ROAD LESS AND WILDERNESS AREAS OF THE PECOS RIVER HEADWATERS AS OUTSTANDING NATIONAL RESOURCES WATERS*

County Manager Les Montoya informed the Commission that Mr. Mike Davis of the Forest Guardians Conversation Prevention Organization has requested the opportunity to present this document and issue to the Board of County Commissioners.

Presentation by Mike Davis of the Forest Guardians Conservation Prevention Organization.

Frank Splendor, Secretary of the Water Board in San Miguel County requested that Commission reject this item due to the fact that he feels it will only harm the northern part of New Mexico.

Andres Aragon representing northern New Mexico Stockmen also had a few words objecting to the proposal the Commission in hopes that they would reject a decision on the item.

Mrs. John Carney Rivera also would like the Commission to reject the resolution.

County Commission Chairman Hugh Ley and County Manager Les Montoya wanted the record to show there were 3 e-mails sent to Mr. Montoya regarding this matter. One from Mr. Roger Freeman regarding being against the resolution. One from Mr. Eric Roybal, and the 3rd from Mr. Nelson Ward who is also opposed to the resolution being approved.

No action taken; for information only. Discussion ensued:

4. RESOLUTION NO. 04-10-07-CM RESOLUTION ILLUSTRATING SUPPORT BY THE BOARD OF COUNTY COMMISSIONERS TO SUPPORT THE WATER PLAN DEVELOPED BY THE LAS VEGAS COMMUNITY WATER BOARD AND SUPPORT IMPLEMENTATION OF THE PLAN*

County Manager Les Montoya informed the Commission that the Las Vegas Community Water Board in partnership with the City of Las Vegas has been working on a water plan to address short and long term water supply issues within the community of Las Vegas and San Miguel County. The Commission supported this initiative by adopting Resolution No. 06-14-2005-CM. The Water Board is now presenting the mentioned resolution to establish County support for the adoption of the Water Plan and implantation of the same.

Mr. Montoya submitted for review and approval the support from the Commission per Resolution No. 04-10-07-CM.

Motion made by Vice-Chairman Kenneth C. Medina to support Resolution No. 04-10-07-CM. Second by Commissioner June Garcia. Motion carried.

5. DISASTER DECLARATION RESOLUTION NO. SMC-04-10-07-CM ESTABLISHING A DISASTER DUE TO THE EXCESSIVE SNOW FALL AND SUBSEQUENT SNOW MELT ON/OR ABOUT FEBRUARY 20, 2007*

County Manager Les Montoya informed the Commission of the damage from this event that occurred on the El Cerrito Ditch in San Miguel County. Ditch Parciantes (Trustees) are requiring funding assistance to repair damages through the Disaster Declaration through the New Mexico Civil Emergency Preparedness Division.

Mr. Montoya submitted for approval Disaster Declaration Resolution No. SMC-04-10-07-CM.

Motion made by Commissioner David Salazar to approve Resolution No. SMC-04-10-07-CM. Second by Vice-Chairman Kenneth C. Medina. Motion carried.

6. RESOLUTION NO. 04-10-07-911-09*

Information Specialist Mario Vasquez informed the Commission that the E-911 Rural Addressing Division periodically adds new public and private roads to the Official Road List of San Miguel County at the request of County residents as declared by the E-911 Road Name Ordinance.

Mr. Vasquez submitted for approval Resolution No. 04-10-07-911-09.

Motion made by Commissioner David Salazar to approve Resolution No. 04-10-07-911-09. Second by Vice-Chairman Kenneth C. Medina. Motion carried.

7. AGREEMENT TO LEASE PROPERTY BY AND BETWEEN SAN MIGUEL COUNTY AND THE BOARD OF TRUSTEES OF THE TECOLOTE LAND GRANT*

Planning and Zoning Supervisor Alex Tafoya informed the Commission the CDBG Road and Drainage Project in the Village of Tecolote requires a water retention pond for adequate drainage of rain water during storm events. San Miguel County has discussed with the Board of Trustees of the Tecolote Land Grant the possibility of leasing a parcel of land approximately two (2) acres in size within the village of Tecolote for the purpose of developing such water retention pond. As just compensation for the lease, San Miguel County would construct a six (6) foot chain link fence with gate around the perimeter of the Village of Tecolote community water tank.

Mr. Tafoya submitted for approval the agreement to lease property by and between San Miguel County and the Board of Trustees of the Tecolote Land Grant.

Motion made by Commissioner David Salazar to approve the Lease agreement between San Miguel County and the Tecolote Land Grant. Second by Commissioner Albert Padilla. Motion carried.

8. CDBG PLANNING GRANT AGREEMENT BETWEEN OWNER AND PLANNER FOR ROAD MAINTENANCE PLAN*

Planning and Zoning Supervisor Alex Tafoya informed the Commission that San Miguel County has completed contract negotiations with Consensus Planning for the purpose of preparing a road maintenance plan for the County to include the development of a road maintenance schedule and a capital improvements schedule. Consensus Planning has indicated a cost of \$ 43,000.00 plus applicable gross receipts tax.

Mr. Tafoya submitted for approval the CDBG Planning Grant agreement between Owner and Planner for the Road Maintenance Plan.

Motion made by Vice-Chairman Kenneth C. Medina to approve the standard agreement between Owner and Planner. Second by Commissioner June Garcia. Motion carried.

9. REVISED MEMORANDUM OF UNDERSTANDING-ECONOMIC DEVELOPMENT DEPARTMENT APPROPRIATION FOR WOOD HARVESTING PROJECT IN SAN MIGUEL COUNTY*

Planning and Zoning Supervisor Alex Tafoya informed the Commission of the Joint Powers Agreement (JPA) approved by the Board of County Commissioners on February 13, 2007 for the purpose of the County obtaining a \$500,000.00 Legislative Appropriation was returned to the Economic Development Department (EDD) for signatures. Legal counsel for EDD reviewed the JPA and made revisions to include:

changing the JPA to a Memorandum of Understanding; a revision to the scope of work indicating reasonable and customary expenses; and general project administrative responsibilities of the County. County staff requested that Commission Chairman Hugh H. Ley sign the Memorandum of Understanding so that it could be returned to the Economic Development Department.

Mr. Tafoya submitted for approval the revised memorandum of understanding-economic development department appropriation for the wood harvesting project in San Miguel County.

Motion made by Vice-Chairman Kenneth C. Medina to approve the Memorandum and to ratify Chairman Ley's signature. Second by Commissioner David Salazar. Motion carried.

10. TAOS COUNTY, NEW MEXICO, JUVENILE DETENTION CENTER AGREEMENT*

Warden/ Facility Administrator Patrick Snedeker informed the Commission that Taos County, New Mexico Juvenile Detention Center Agreement to house San Miguel County, New Mexico Juvenile Detainees is presented. The cost per day per juvenile detained held shall be one hundred twenty one dollars and fifty six (\$121.56). The agreement was approved by the Taos County, New Mexico Board of Commissioners on April 3, 2007.

Mr. Snedeker submitted for approval the agreement between Taos County and the San Miguel County Juvenile Detention Center.

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

11. EXTENSION OF AGREEMENT/ CONTRACT FOR INMATE CONFINEMENT SAN MIGUEL COUNTY, NEW MEXICO AND HARDING COUNTY, NEW MEXICO*

Warden/ Facility Administrator Patrick Snedeker informed the Commission of the Extension Agreement/ Contract for inmate confinement by and between San Miguel County, New Mexico and Harding County, New Mexico for the care and confinement of Harding County inmates at the San Miguel County Detention Center is presented. The cost of detaining and inmate at rate of \$45.00/ a day per inmate and other provisions shall remain pursuant to said contract.

Mr. Snedeker submitted for approval the Extension Agreement for inmate confinement between San Miguel County, and Harding County.

Motion made by Commissioner Albert Padilla to approve the Extension Agreement. Second by Vice-Chairman Kenneth C. Medina. Motion carried.

12. APPROVE PURCHASE OF TRANSPORT CAPABLE RESCUE UNIT WITH GRANT FUNDS RECEIVED FROM THE EMS BUREAU AND A LOAN FROM THE FIRE EMERGENCY FUND FOR THE MATCHING TO BE PARD BACK OUT OF EXCISE TAX FUNDS ALLOCATED TO

**GALLINAS FIRE DEPARTMENT OVER THE NEXT FEW YEARS
UNTIL PAID IN FULL***

Fire Chief Dan Wright informed the Commission that the Gallinas Fire Department applied for a grant from the EMS Bureau for the purchase of a Transport capable rescue unit and have been selected to receive the grant which was previously approved by the Board of County Commissioners. The vehicle is available on the same contract as the one purchased for Pecos Valley Ambulance.

Mr. Wright submitted for approval the purchase of Transport Capable Rescue unit with Grant funds received from the EMS Bureau and a loan from the Fire Emergency Fund.

Motion made by Vice-Chairman Kenneth C. Medina to approve the Purchase of the Transport Capable Rescue unit. Second by Commissioner Albert Padilla. Motion carried.

**13. ACCEPT GRANT FROM ENERGY MINERALS AND NATURAL
RESOURCES DIVISION (NMNRD)***

Fire Chief Dan Wright informed the Commission that the County of San Miguel has received a grant in the amount of \$30,000.00 from State Forestry to complete the Community Wildfire Protection which has been started but only the Pecos Canyon and Gallinas Canyon have been done with a previous grant dealing with endangered communities.

Mr. Wright submitted for approval, the Grant from Energy Minerals and Natural Resources (NMNRD), and allow staff to advertise and RFP to hire a contractor to complete the plan.

Motion made by Commissioner David Salazar to approve the Grant and let staff advertise for a contractor to complete the plan. Second by Vice-Chairman Kenneth C. Medina. Motion carried.

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

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

No action taken; for information only.

**15. ACCEPTANCE OF BID FOR PURCHASE OF NEW CURRENT YEAR
STANDARD PRODUCTION TRACTOR***

Public Works Division Supervisor Harold Garcia informed the Commission that San Miguel County recently advertised for the purchase of one or more current year, standard production Tractor and Boom Mower. The County received a legislative appropriation in the amount of \$ 50,000.00 for the purchase of the tractor. Additional funds have been set aside from the General Fund for the purchase of this unit also. There were 2 bids

submitted, one from Ellen Equipment Company in Albuquerque for the following amounts:

- John Deere 6415 2WD Tractor Orop's (without cab) in the amount of \$51,792.00
- John Deere 6415 2WD Tractor with Cab and Air Conditioner in the amount of \$59,214.00
- A-Boom Mower w/cables and Rotary Head in the amount of \$21,404.00
- A-Boom Mower w/cables and 60" Flail in the amount of \$21,969.00
- A-Boom Mower w/Joy Stick Controls and Rotary Head in the amount of \$26,879.00
- A-Boom Mower w/ Joy Stick Controls w/ Flail Rotary Mower in amount of \$27,444.00

Wagner Equipment Company in Albuquerque submitted the following bid(s):

- MT 525 BRM/Rotary in the amount of \$122,800.00
- MT 525 BRM/Flail in the amount of \$120,000.00

Mr. Garcia submitted for approval the bid award is made to the lowest bid Ellen Equipment for the amount of \$86,658.00.

Motion made by Commissioner David Salazar to approve the bid to Ellen Equipment. Second by Commissioner June Garcia. Motion carried.

16. AWARD/ REJECT BID(S) FOR CONSTRUCTION PROJECT WITHIN COUNTY ROAD A-3 IN LAS DISPENSAS*

Public Works Division Supervisor Harold Garcia informed the Commission that San Miguel County recently advertised for Drainage and Road Improvements within County Road A-3 in Las Dispensas. Improvements include installation of culverts and adding of base course material that will provide for bar ditches and a smooth driving surface along this road.

Mr. Garcia submitted for approval the bid for the road project based on the recommendation by the County Engineer to Duran's Sand and Gravel in the amount of \$78,770.56.

Motion made by Commissioner Albert Padilla to award the bid to Duran's Sand and Gravel. Second by Vice-Chairman Kenneth C. Medina. Motion carried.

17. AWARD/ REJECT BID(S) FOR CONSTRUCTION PROJECT WITHIN EL LLANO ROAD AND LOS VIGILES ROAD*

Public Works Division Supervisor Harold Garcia informed the Commission that San Miguel County recently advertised for the construction of headwalls and an asphalt overlay on El Llano Road. We also advertised for the construction of a storm drain system in the Village of Los Vigiles. Bids were opened on Thursday, March 29, 2007. Mr. Garcia submitted for approval the bid for these projects based on recommendation by the County Engineer be awarded to Sierra Transit Mix in the amount of \$179,742.06.

Motion made by Commissioner Albert Padilla to award bid to Sierra Transit Mix. Second by Commissioner June Garcia. Motion carried.

18. DWI GRANT AGREEMENT AMENDMENT NO. 1*

DWI Coordinator Wendy Armijo informed the Commission that on behalf of the San Miguel County DWI Planning Council financial changes have been made to the FY 06-07 DWI Grant Agreement. Changes have been made to adequately equip and insure the implementation of a DWI prevention Specialist position. Under the County employee policy, the DWI Program is responsible for the financial costs associated with the requirements and accommodations needed for the DWI prevention Specialist position.

Ms. Armijo submitted for approval the DWI Grant Agreement Amendment No. 1.

Motion made by Vice-Chairman Kenneth C. Medina to approve the DWI Grant Agreement Amendment No. 1. Second by Commissioner David Salazar. Motion carried.

19. DWI PREVENTION SPECIALIST JOB DESCRIPTION*

DWI Coordinator Wendy Armijo informed the Commission of the Prevention Definition: Prevention is an active process of creating healthier condition and environments that promotes the well being of everyone (individuals, communities, families), including reducing risk behaviors and increasing protective factors.

Ms. Armijo submitted for approval the DWI Prevention Specialist Job Description.

Motion made by Commissioner David Salazar to approve the DWI Prevention Specialist job description. Second by Commissioner June Garcia. Motion carried.

20. MANAGER'S PERSONNEL RECOMMENDATION TO HIRE THE FOLLOWING INDIVIDUALS TO FILL THE POSITION OF ADMINISTRATIVE ASSISTANT TO THE SAN MIGUEL COUNTY FIRE CHIEF AND SAFETY COORDINATOR AS PER THE RECOMMENDATION OF DAN WRIGHT, SAN MIGUEL COUNTY FIRE CHIEF*

RECOMMENDATION TO HIRE:

PROBATIONARY EMPLOYEE

April Varela	Administrative Assistant
Salary:	\$ 18,200.00 Annually

Effective Date of Hire: April 23, 2007

County Manager Les Montoya informed the Commission that interviews were held on March 22, 2007 and Ms. April Varela was the most interested and the most qualified to fill the position of Administrative Assistant.

Motion made by Commissioner David Salazar to hire April Varela as the Administrative Assistant to the San Miguel County Fire Chief and Safety Coordinator. Second by Commissioner June Garcia. Motion carried.

21. COUNTY MANAGER'S PERSONNEL RECOMMENDATION TO HIRE THE FOLLOWING INDIVIDUALS TO FILL THE POSITION OF PART TIME CLASSIFIED POSITION OF DWI OFFICE MANAGER WITH THE SAN MIGUEL COUNTY DWI PLANNING COUNCIL AS PER THE RECOMMENDATION OF WENDY ARMIJO, SAN MIGUEL COUNTY DWI COORDINATOR*

RECOMMENDATION TO HIRE:

PART TIME CLASSIFIED EMPLOYEE

Linda Gutierrez	DWI Office Manager
Salary:	\$10.00 Hourly
Effective Date of Hire:	March 26, 2007

County Manager Les Montoya informed the Commission that the position needs to be filled immediately due to the resignation of Julia Andrada. Ms Gutierrez will be working approximately twenty hours a week.

Motion made by Commissioner Albert Padilla to hire Linda Gutierrez to fill the position of DWI Office Manager with the San Miguel County DWI Planning Council. Second by Commissioner David Salazar. Motion carried.

22. COUNTY MANAGER'S PERSONNEL RECOMMENDATION TO HIRE/PROMOTE THE FOLLOWING INDIVIDUALS TO FILL THE POSITION OF GIS SYSTEMS OPERATOR WITH THE SAN MIGUEL COUNTY ASSESSOR'S DIVISION AS PER THE RECOMMENDATION OF ELAINE ESTRADA, COUNTY ASSESSOR*

RECOMMENDATION TO HIRE:

FULL TIME CLASSIFIED EMPLOYEE

James Phillips	GIS Systems Operator
Salary:	\$ 31,200.00 Annually
Effective Date of Hire:	April 23, 2007

County Manager Les Montoya informed the Commission after recent interviews for the position of GIS Systems Operator, Mr. Phillips was the best qualified to fill this position. James Phillips is currently the E-911 Field Technician with the Finance Division.

Motion made by Commissioner June Garcia to hire/promote James Phillips as the new GIS Systems Operator with the San Miguel County Assessor's Division. Second by Commissioner Albert Padilla. Motion carried.

23. COUNTY MANAGER'S PERSONNEL RECOMMENDATION TO HIRE THE FOLLOWING INDIVIDUALS TO FILL THE CASUAL POSITION AS OFFICE ASSISTANT AS PER THE RECOMMENDATION OF ELAINE ESTRADA, SAN MIGUEL COUNTY ASSESSOR*

RECOMMENDATION TO HIRE:

CASUAL EMPLOYEE

Albert T. Padilla	Office Assistant
Salary:	\$15.00 Hourly
Effective Date of Hire:	April 23, 2007 until June 22, 2007

County Manager Les Montoya informed the Commission that Albert T. Padilla, the previous San Miguel County Assessor, will be employed as a casual employee. He will be working for a two month period and will be doing certification reports and the notice of values and livestock.

Motion made by Vice-Chairman Kenneth C. Medina to hire Albert Padilla as Office Assistant with the San Miguel County's Assessor's Office. Second by Commissioner Albert Padilla. Motion carried.

24. COUNTY MANAGER'S PERSONNEL RECOMMENDATION TO HIRE AND RATIFY THE FOLLOWING INDIVIDUALS TO FILL THE VACANCY POSITIONS 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

Joelynn Sena	Detention Officer
Salary:	\$17,843.28 Annually
Effective Date of Hire:	April 9, 2007
Jesse Gallegos	Detention Officer
Salary:	\$17,843.28 Annually
Effective Date of Hire:	April 9, 2007

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

Mr. Montoya submitted for approval the above-named hires to fill the vacant positions of the Detention Officers at the SMC Detention Center.

Motion made by Vice-Chairman Kenneth C. Medina to hire Joelynn Sena and Jesse Gallegos as Detention Officer's with the San Miguel County Detention Center. Second by Commissioner David Salazar. Motion carried.

25. PERSONNEL ACTIONS*

County Manager Les Montoya informed the Commission of personnel actions in the month of March, 2007 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 Commissioner David Salazar to approve the Personnel Actions that have taken place in San Miguel County. Second by Commissioner Albert Padilla. Motion carried.

26. SAN MIGUEL COUNTY BOARD OF FINANCE MEETING*

27. RESOLUTION 2007-04-10-F1, THE FY 05/06 FISCAL YEAR AUDIT REPORT*

Finance Division Supervisor Melinda Gonzales informed the Commission the County received a letter dated February 21, 2007 stating that this Fiscal Year 2005/2006 audit has been completed. The County received an unqualified opinion.

Ms. Gonzales submitted for approval Resolution No. 2007-04-10-F1, the FY 05/06 Fiscal Year Audit Report.

Motion made by Commissioner David Salazar to approve the FY 05/06 Fiscal Year Audit Report. Second by Vice-Chairman Kenneth C. Medina. Motion carried.

28. BUDGET RESOLUTION 2007-04-10-F2*

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

Ms. Gonzales submitted for approval Budget Resolution 2007-04-10-F2.

Motion made by Vice-Chairman Kenneth C. Medina to approve Budget Resolution 2007-04-10-F2. Second by Commissioner June Garcia. Motion carried.

29 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 in the amount of \$67,150.79, and another from St. Vincent's Hospital in the amount of \$16,264.72.

Ms. Gonzales submitted for approval the Indigent Claims from Alta Vista Regional Hospital and St. Vincent's Hospital.

Motion made by Commissioner David Salazar to approve the Indigent Claims. Second by Commissioner David Salazar. Motion carried.

30. CASH BALANCE REPORT*

Finance Division Supervisor Melinda Gonzales informed the Commission of the March 29, 2007 cash balances.

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, since the last regular meeting.

Ms. Gonzales submitted for approval the Accounts Payable Listings.

Motion made by Vice-Chairman Kenneth C. Medina to approve Accounts Payable. 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 4:15 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 Albert Padilla. Motion carried.

Roll call was taken before County Commission retired into Executive Session at 4:16 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 5:00 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 Commissioner June Garcia. Second by Commissioner Albert Padilla Motion carried.

The record will show the time is 5:01 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