

**REGULAR MEETING  
SEPTEMBER 11, 2007  
MINUTES**

The Board of County Commissioners of San Miguel County held a Regular Meeting and a County Board of Finance Meeting on Tuesday September 11, 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 suggested that the Commission add as an emergency matter the adoption of the property tax rates for 2007 as mandated by DFA, Local Government Division. The County Manager noted that notice of this matter had been disseminated as required by the County's Open Meetings Resolution.

Motion made by Commissioner David Salazar to add the 2007 tax rates to the agenda as an emergency item for action by the Commission. Second by June Garcia. Motion carried.

County Manager Les Montoya then submitted the Agenda as prepared and amended.

Motion made by Commissioner David Salazar to approve agenda as submitted by the County Manager, and amended. Second by Commissioner June Garcia. Motion carried.

Mr. Jesus Lopez announces that Governor Richardson appointed Mr. Les Montoya to the Municipal Boundary Commission, and administered the oath of office to Mr. Montoya.

**APPROVAL OF MINUTES:** Regular Meeting August 14, 2007.

Motion made by Vice-Chairman Kenneth Medina to approve the minutes for Regular Meeting held on August 14, 2007. Second by Commissioner David Salazar. Motion carried.

**INTRODUCTION OF NEW EMPLOYEES:**

Joe Montoya  
(Probationary Employee)

Appraiser II

County Assessor's Office

**NEW BUSINESS:**

**1. SETTING OF PROPERTY TAX RATES FOR 2007\***

Section 7-38-34 NMSA 1978 requires the Board of County Commissioners to issue and deliver to the County Assessor its own order imposing these rates within five days of its receipt of the order and notice from DFA.

County Assessor Elaine Estrada informed the Commission that San Miguel County received the tax rates for 2007 and they were reviewed by Melinda Gonzales and Elaine Estrada.

Ms. Estrada submitted for approval the tax rates for 2007 taxes.

Motion made by Vice-Chairman Kenneth Medina to approve the 2007 tax rates. Second by Commissioner Albert Padilla. Motion carried.

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

San Miguel County Treasurer Alfonso Ortiz, Jr. went over the Treasurer's monthly report for the month of August 2007.

For information only. Discussion ensued.

**3. RESOLUTION NO SMC-09-11-07-CM NIMS COMPLIANCY/LV/SM OFFICE OF EMERGENCY MANAGEMENT\***

Emergency Manager Eugene Garcia informed the Commission about the National Commission on Terrorist Attacks upon the U.S. (9/11). Commission recommended adoption of a standard incident command system which is vital to the coordinated response to emergencies.

Mr. Garcia submitted for approval Resolution No. SMC-09-11-07-CM. National Incident Management System (NIMS).

Motion made by Vice-Chairman Kenneth Medina to adopt Resolution No. SMC-09-11-07-CM. Second by Commissioner Albert Padilla. Motion carried.

**4. 2008 CDBG PUBLIC COMMENT AND PROJECT SELECTION\***

Planning and Zoning Supervisor Alex Tafoya informed the Commission that public comments are accepted throughout the year in regard to possible Community Development Block Grant projects. At least one public comment session at a County Commission meeting is acceptable under CDBG guidelines.

Mr. Tafoya stated for the record, that he has identified six projects that could be considered for application, based on comments and letters:

- San Miguel County Juvenile Detention Center
- Solid Waste Transfer Facility

- Pecos Solid Waste Center Upgrade
- Tecolote Road and Drainage Project
- San Juan Road and Drainage Project
- El Ancon Water System

Mr. Tafoya requested that public comment be invited on the issue.

Chairman Hugh Ley convened a public hearing for this purpose.

President of Tecolote Land Grant Joe Herrera informed the Commission that problems were incurred to the Tecolote Drainage and Road Paving Project, and funding will be short to complete the Drainage and Paving Project. Mr. Herrera is requesting consideration existing Tecolote Road Paving be considered as top priority.

Secretary of the Tecolote Land Grant Ms. Angela Herrera expressed support for the Tecolote Road Paving Project.

Ms. Sharon Caballero expressed her support concerning the Solid Waste Transfer Facility.

Resident of Ojitos Frios Kenny Lujan expressed consideration for the road improvement to A-19-A.m,

Public Works Supervisor Harold Garcia explains reasons for the Solid Waste Facility being a priority.

Mesa area resident Rudy Gallegos expressed his opinion on a road creation. County Manager Les Montoya advised the Commission he had already requested Mr. Gallegos present a petition to request consideration.

Commissioner David Salazar expressed his support on the Tecolote Drainage and Paving Project.

Vice-Chairman Kenneth Medina expressed a willingness to assist Mr. Lujan possibly utilizing road funds such as School Bus Route funding in the future.

Commissioner June Garcia agreed with Commissioner Kenneth Medina.

Motion made by Commissioner Albert Padilla to select Tecolote Road paving project as the Counties 2008, CDBG Project. Second by Commissioner David Salazar. Discussion to apply for School Bus Route funding for County Road A-19-A was also supported. Motion carried.

**5. AGING AND LONG-TERM SERVICES CONTRACT NO. 2008-3671 SAN MIGUEL DEL BADO SENIOR CENTER\***

Planning and Zoning Supervisor Alex Tafoya informed the Commission that San Miguel County serves as fiscal agent/grants administrator for the San Miguel County Senior Citizens programs. Aging and Long-Term Services Contract No. 2008-3671 provides \$14,500 for “renovation to the San Miguel del Bado Senior Center” located in San

Miguel County. In order for the Senior Center to use the funds, it is necessary to approve the Contract between San Miguel County and the New Mexico Aging and Long-Term Services Department.

Mr. Tafoya submitted for approval Contract No. 2008-3671.

Motion made by Commission David Salazar to approve Contract No. 2008-3671. Second by Commissioner June Garcia. Motion carried.

**6. MORA/SAN MIGUEL NOXIOUS WEEDS-MEMORANDUM OF UNDERSTANDING TO PARTICIPATE AS A VOLUNTARY COOPERATION WEED MANAGEMENT AREA \***

Planning and Zoning Supervisor Alex Tafoya informed the Commission that San Miguel County has been participating in the Mora/San Miguel Noxious Weed Taskforce to coordinate the organization of various organizations and public entities to support and voluntarily participate in noxious weed management and control. The Taskforce has developed a Memorandum of Understanding (MOU) which identifies the participating entities that will cooperate as a voluntary weed management area to coordinate, encourage and formalize the cooperative relationship necessary for the effective weed management system. By approving the MOU, San Miguel County agrees to participate in the Voluntary Invasive Weed Control Interagency Working Group. This project is currently funded under a Energy, Minerals and Natural Resources State Forestry Grant.

Coordinator of Adelante, RC&D, Clarence Montoya, informed the Commission with a short presentation on the elimination of weeds in the Mora/San Miguel County areas.

Mr. Tafoya submitted for approval the Memorandum of Understanding and authorizing the Commission Chairman to sign on behalf of San Miguel County.

Motion made by Vice-Chairman Kenneth Medina. Second by Commissioner Albert Padilla. Motion carried.

**7. SAN MIGUEL COUNTY ADMINISTRATIVE REGULATION ADM-R-09-11-07-SA SAFETY & LOSS CONTROL MANUAL \***

Interim Fire Chief Dennis English informed the Commission this will replace Administrative Regulation ADM-R-11-12-02-R-01-12-04-TAG Lockout/Tag out Program.

Commissioner June Garcia inquired about the Safety Review Committee.

Mr. English informed Commissioner Garcia that there is a Safety Review Committee comprised of any member from the County.

Mr. English submitted for approval the Safety & Loss Control Manual.

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

**8. CANCELLATION OF REQUEST FOR PROPOSALS SUBMITTED FOR AMBULANCE SERVICE AND APPROVAL TO RE-ISSUE REQUEST FOR PROPOSALS FOR AMBULANCE SERVICES WITHIN SAN MIGUEL COUNTY\***

Interim Fire Chief Dennis English informed the Commission the request for Proposals were advertised on July 2<sup>nd</sup> in the Daily Optic, July 9<sup>th</sup> in the Santa Fe New Mexican and in the Albuquerque Journal. Sealed Proposals were opened on August 3, 2007 at 3:00 p.m. Only one proposal was received and reviewed and because of this English would like to ask for rejection of the one proposal and ask for approval to re-advertise Request for Proposals for Ambulance Services as being in the best interest for San Miguel County.

Mr. English submitted for approval the cancellation of RFP for Ambulance Service and Approval to issue the RFP.

Motion made by Commissioner David Salazar to cancel the previous RFP for Ambulance Service and approve a second issuance of the RFP. Second by Commissioner June Garcia. Motion carried.

**9. AUTHORIZATION TO INTERVIEW AND THEN NEGOTIATE TO SELECT A FIRM FOR A COUNTY WILDFIRE PROTECTION PLAN (CWPP)\***

Interim Fire Chief Dennis English informed the Commission the two firms selected by the Evaluation Committee are Walsh Environment Scientists and Engineers, LLC and Anchor Point Group & the Placitas Group.

Mr. English submitted for approval to authorize to interview and then negotiate to select a firm for a County Wildfire Protection Plan (CWPP).

Motion made by Commissioner June Garcia to authorize to interview and then negotiate to select a firm for a County Wildfire Protection Plan (CWPP). Second by Vice-Chairman Kenneth Medina. Motion carried.

**10. DWI TRANSIT OPERATOR JOB DESCRIPTION (SAFE-RIDE-HOME SERVICE)\***

DWI Coordinator Wendy Armijo informed the Commission the San Miguel County DWI Planning Council in its endless efforts to reduce the incidence of DWI-related crashes and fatalities will work in collaboration with the San Miguel County Detention Center, to provide citizens with a Safe-Ride-Home service.

Community DWI Grant funds have awarded the funds needed to employ two part-time transit operators (drivers) whose primary responsibility is to operate vehicles that will provide these services. The service will be made available Thursday, Friday and Saturday nights, from 7:00 p.m. and during all Holidays.

Commissioner David Salazar inquired about the requirement for a CDL License to operate passenger transportation.

San Miguel County Detention Center Warden Patrick Snedeker informs the Commission no CDL License will be required to drive the transport vans from the Detention Center.

San Miguel County Manager Les Montoya advised to strike the salary from the job description. Decision of salary would depend on what Ms. Armijo has to work with.

Motion made by Commissioner David Salazar to approve the Transit Operator Job Description without the salary. Second by Commissioner June Garcia. Motion carried.

**11. RESOLUTION IN SUPPORT OF RAISING AWARENESS OF UNDERAGE DRINKING IN NEW MEXICO THROUGH MEDIA CAMPAIGNS AND PREVENTION ACTIVITIES\***

DWI Prevention Specialist Alicia K. Rodriguez informed the Commission the Acting Surgeon General has issued a call to action to prevent and reduce underage drinking. The Acting Surgeon General will be visiting New Mexico September 25 and 26, 2007. "Underage Drinking Awareness Week" endorses and provides support of a local media campaign to reduce and prevent Underage Drinking.

Ms. Rodriguez submitted for approval of DWI Prevention/Educational Contract.

Motion made by Commissioner Albert Padilla to approve DWI Prevention/Educational Contract. Second by Commissioner David Salazar. Motion carried.

**12. DWI PREVENTION/EDUCATION CONTRACT, CRUZ FLOREZ CONTRACTOR\***

DWI Coordinator Wendy Armijo informed the Commission that prevention is an active process of creating healthier conditions and environments that promote the well being of everyone (individuals, communities, families), including reducing high risk behaviors and increasing protective factors.

The San Miguel County DWI Planning Council in its Strategic Planning process acknowledges the need to provide preventive and educational services that will positively impact the many factors associated with High-Risk Behaviors that often contribute to Underage Drinking, Drinking and Driving and other substance abuse related issues.

The DWI Planning Council proposes to hire a Contractual Services Provider, Cruz Florez, who will provide the following prevention/educational services to West Las Vegas Middle School students' grades 6-8: Services will include the implementation and operation of the "Dare to be You Substance Abuse Prevention Program. Noches de Familia and Arts as a Tool Program." The service will commence September 11, 2007 through June 30, 2008.

Commissioner June Garcia inquired how it will be determined which twenty students will attend the prevention services.

Ms. Armijo explained the referrals will be received from the principal.

Commissioner June Garcia inquired what would happen if more than twenty were at risk. Ms. Armijo explained Mr. Florez agreed to provide service to any additional students.

Ms. Armijo submitted for approval the DWI Prevention/Educational Contract.

Motion made by Commissioner David Salazar to approve DWI Prevention/Educational Contract. Second by Commissioner June Garcia. Motion carried

**13 DWI PREVENTION SPECIALIST (CONTRACT SERVICES)\***

DWI Coordinator Wendy Armijo informed the Commission the San Miguel County DWI Planning Council in its Strategic Planning process acknowledges the need to provide preventive and educational services that will positively impact the many factors associated with Underage Drinking, Drinking and Driving and other substance abuse related issues.

As such, the DWI Planning Council proposes to hire a Contractual DWI Prevention Specialist to implement programs and services that will educate on the dangers associated with substance abuse and/or DWI.

The Contractor will provide educational services for students grade 2-5 in the following Elementary Schools: Valley, Pecos and Sapello. The Contractor will also be responsible for the implementation of the e-Chug program to be administered to students grade 11 at Pecos High School. Additional responsibilities will include participation in Red Ribbon Week and participation in local community and school events.

Ms. Armijo asked for approval to hire Contractual DWI Prevention Specialist Jennifer Bellin.

Motion made by Vice-Chairman Kenneth Medina to hire Contractual DWI Prevention Specialist Jennifer Bellin. Second by Commissioner June Garcia. Motion carried.

**14. MONTHLY REPORT IN THE PUBLIC WORKS DIVISION FOR THE MONTH OF AUGUST 2007\***

Public Works Division Supervisor Harold Garcia informed the Commission on issues dealt with in the Public Works Division for the month of August 2007.

No action taken; for information only.

**15 REJECTION OF BID FOR CONSTRUCTION OF NORTH SIDE PARKING LOT AT THE COUNTY COURTHOUSE, COUNTY MANAGER'S OFFICE, AND INSTALLATION OF PRE-FABRICATED SMOKING STRUCTURE\***

Public Works Division Supervisor Harold Garcia informed the Commission the San Miguel County Public Works Division recently advertised for the construction of the County Courthouse North Side Parking Lot, County Manager's Office Parking Lot, and the installation of a Pre-Fabricated Smoking Structure at the County Courthouse. Bids were opened on Thursday, August 30, 2007.

Mr. Garcia advised the Commission that only one bid, from Sangre De Cristo, was submitted, asking \$250,000.00 for the project which was above the anticipated budget for the project of \$150,000.00

County Manager Les Montoya asked to add to the motion to authorize staff to negotiate with a contractor to complete the project at the best obtainable price.

Mr. Garcia submitted that the Commission reject the sole bid submitted by Sangre de Cristo.

Motion made by Vice-Chairman Kenneth Medina to reject bid based on recommendation from Public Works Division Supervisor and County Manager. Second by Commissioner June Garcia. Motion carried.

Chairman Hugh Ley called a ten minute break at 3:12 p.m.

Meeting was reconvened at 3:35 p.m.

**16 OUT OF STATE TRAVEL, SAN MIGUEL COUNTY DETENTION CENTER PHYSICAL/MAINTENANCE TECHNICIAN MR. JOHN MONTANO\***

Warden/Facility Administrator Patrick W. Snedeker informed the Commission that Mr. John Montano, Physical Plant/Maintenance Technician at the San Miguel County Detention Center shall attend the Folger Adams, Southern Steel, Locksmithing course of instruction, September 24-28, 2007 in San Antonio, Texas. Locksmithing skill shall be obtained consistent with the upkeep requirements of Detention Center lock and door mechanisms currently being installed as part of the facility remodel/refurbishment project.

Mr. Snedeker submitted the approval of the out of state travel request.

Motion made by Commissioner David Salazar to approve the out of state travel as submitted. Second by Commissioner June Garcia. Motion carried.

**17. ARCHITECTURAL PROFESSIONAL SERVICES AGREEMENT TO PLAN, DESIGN AND CONSTRUCTION OBSERVATION TO RENOVATE THE COUNTY COURTHOUSE BUILDING WITH SOLEIL WEST ARCHITECTURAL FIRM\***

County Manager Les Montoya informed the Commission that proposals were solicited and rated. Soleil West received the highest ranking. The County Commission authorized negotiation with Soleil West. A professional Services Agreement is now provided for review, and Mr. Montoya asked that it be approved.

Motion by Commissioner David Salazar to approve the Agreement with Soleil West. Second by Commissioner Albert Padilla. Motion carried.

**18. GRANT APPLICATION REQUESTING \$49,270 TO PURCHASE EQUIPMENT USED TO ENHANCE SAN MIGUEL COUNTY'S DWI PREVENTION AND ENFORCEMENT EFFORTS\***

County Manager Les Montoya informed the Commission of the grant application to Traffic Safety Bureau for equipment to enhance DWI prevention and enforcement efforts in San Miguel County.

Mr. Montoya asked that the Grant Application be ratified.

Motion made by Vice-Chairman Kenneth Medina to ratify Grant Application and be informed of funding and equipment. Second by Commissioner June Garcia. Motion carried.

**19. RECOMMENDATION TO HIRE SAN MIGUEL COUNTY FIRE CHIEF AS AN EXEMPT POSITION BEGINNING AT \$35,000 ANNUALLY**

County Manager Les Montoya informed the Commission that the evaluation Committee interviewed four applicants for the position. The Committee decided to recommend Russell Pacheco.

Motion made by Commissioner David Salazar to employ Russell Pacheco as San Miguel County Fire Chief, at \$35,000 annually. Second by Commissioner June Garcia. Motion carried.

**20. GRAVEL AND CRUSHER FEASIBILITY REPORT AS PROVIDED BY G.L. ENVIRONMENTAL\***

County Manager Les Montoya informed the Commission that it requested additional information to determine if the County should purchase and operate a County owned crusher facility.

Denise Gallegos informed the Commission G. L Environmental is contracted to conduct the feasibility study of phase II. The conclusion of the study in a one year period will be cost effective for the County. Should the plant be on a piece of land with no other crushing screening plant, it would eliminate the \$35,000.00 general permitting cost. The cost would be under a million dollars.

Mr. Montoya explained to the Commission a million dollar budget would be set up to finance the plant.

Chairman Ley inquired if the crusher would be operating 50% of the time.

Mr. Montoya explained with the least man power the estimated time will be six months of production.

Ms. Gallegos advised the Commission the overall maintenance cost of the plant would be less in six months, as opposed to a 15 month period.

Commissioner David Salazar expressed to the Commission his concerns on the project.

Motion made by Commissioner Albert Padilla to determine if the commission should move to finance the purchase of a crusher facility and operation costs. Second by Commissioner David Salazar. Motion carried.

**21. THE APPROVAL OF THE PROFESSIONAL SERVICES AGREEMENT FOR MR. NICK MICHALSKI TO PERFORM TRAINING OF NEW AND CURRENT APPRAISAL PERSONNEL WITHIN THE SAN MIGUEL COUNTY ASSESSOR'S OFFICE, AS PER THE RECOMMENDATION OF ELAINE ESTRADA, COUNTY ASSESSOR\***

County Manager Les Montoya informed the Commission the County Assessor is contracting with Mr. Michalski based on his knowledge in this field.

Motion made by Commissioner Albert Padilla to approve contracting with Mr. Michalski based on his knowledge in this field. Second by Commissioner June Garcia. Motion carried.

**22. COUNTY MANAGER'S PERSONNEL RECOMMENDATIONS TO HIRE AND TO RATIFY THE FOLLOWING EMPLOYEES TO FILL THE POSITIONS AT THE SAN MIGUEL COUNTY DETENTION CENTER\***

**RECOMMENDATION TO HIRE:**

**PROBATIONARY EMPLOYEES**

Eian Griego	Detention Officer	Salary: \$19,950.00 Annually
Donna Salas	Detention Officer	Salary: \$19,950.00 Annually
Victor Baca	Detention Officer	Salary: \$19,950.00 Annually
Joseph Mager III	Detention Officer	Salary: \$19,950.00 Annually
Jennifer Chavez	Detention Officer	Salary: \$19,950.00 Annually
Valerie Martinez	Detention Officer	Salary: \$19,950.00 Annually
Gilbert Lopez	Detention Officer	Salary: \$19,950.00 Annually

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

Motion made by Vice-Chairman Kenneth Medina to hire and ratify the above employees to fill positions at the San Miguel County Detention Center. Second by Commissioner June Garcia. Motion carried.

**23. PERSONNEL ACTIONS\***

County Manager Les Montoya informed the Commission of personnel actions in the month of August 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 Vice-Chairman Kenneth Medina to approve Personnel Actions. Second by Commissioner Albert Padilla. Motion carried.

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

**25. FINANCIAL RESOLUTION 2007-09-11-F1; APPROVING THE SOLE COMMUNITY SUPPLEMENTAL/UPPER PAYMENT LIMIT IN THE AMOUNT OF \$142,920.82\***

Finance Division Supervisor Melinda Gonzales informed the Commission that Alta Vista Hospital has requested the County approve a supplemental sole community provider payment in the amount of \$142,920.82. This amount represents a 28.06% match. The total amount the hospital should receive as a result of this supplemental is \$509,158.61.

Ms. Gonzales submitted for approved the Sole Community Supplement payment with the condition that the Department of Finance and Administration (DFA) approves Financial Resolution 2007-09-11-F3. Once this is approved there will be sufficient resources within the indigent fund to cover all cost proposed.

Motion made by Commissioner Albert Padilla for approving the Sole Community Supplement payment. Second by Commissioner David Salazar. Motion carried.

**26. FINANCIAL RESOLUTION 2007-09-11-F2; APPROVING A SOLE COMMUNITY SUPPLEMENTAL/UPPER PAYMENT LIMIT\***

Finance Division Supervisor Melinda Gonzales informed the Commission that St. Vincent's Hospital has requested the County approve a supplemental sole community provider payment in the amount of \$500,000. This amount represents a 28.06% match. However, upon review of the County budget, staff is recommending the Commission approve a lower match in the amount of \$50,000. The total amount the Hospital should receive as a result of this supplemental is \$178,189.57

Commissioner Hugh Ley expressed his opinions on the indigent funds.

Ms. Gonzales submitted for approval the Supplemental payment with the condition that DFA approves Financial Resolution 2006-09-11-F3

Motion made by Vice-Chairman Kenneth Medina to approve the Supplemental payment with the condition that DFA approves Financial Resolution 2006-09-11-F3. Second by Commissioner David Salazar. Motion carried.

**27. BUDGET RESOLUTION 2007-09-11-3\***

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

Ms. Gonzales submitted for approval Budget Resolution 2007-09-11-3.

Motion made by Commissioner David Salazar to approve Budget Resolution 2007-09-11-3. Second by Commissioner June Garcia. Motion carried.

**28. FINANCIAL ADVISORY SERVICES AGREEMENT BETWEEN SAN MIGUEL COUNTY AND RBC CAPITAL MARKETS\***

Finance Division Supervisor Melinda Gonzales informed the Commission that staff is recommending that the County enter into a financial advisory service Agreement. The scope of services are detailed within the agreement and include but are not limited to analyzing, recommending, advising and organizing work related to the issuance of financial obligation for San Miguel County.

Financial Advisor Paul Cassidy was available to answer any questions the Commission had.

Ms. Gonzales submitted for approval the Financial Advisory Services Agreement.

Motion made by Commissioner Albert Padilla to approve Financial Advisory Services Agreement. Second by Commissioner David Salazar. Motion carried.

**29. RESOLUTION 2007-09-11-F4; AUTHORIZING AND APPROVING SUBMISSION OF A COMPLETED APPLICATION FOR FINANCIAL ASSISTANCE AND PROJECT APPROVAL TO THE NEW MEXICO FINANCE AUTHORITY (NMFA)\***

Finance Division Supervisor Melinda Gonzales informed the Commission that staff is requesting permission to submit an application in the amount of \$4,500,000. There are four purposes for the funding request. The first purpose would be to refinance the existing 2003 Zion Bond. The Zion Bond has provisions for interest rate increases in 2008 and 2013. It has been advised to refinance this issue in order to lock into a set interest rate. The second purpose is to obtain approximately \$1,200,000 to construct and/or renovate the new public works area at the Northern New Mexico Wood Cluster. The third purpose is to obtain approximately \$1,000,000 to purchase and/or equip a crusher site. The fourth and final purpose is to obtain \$800,000 for the San Miguel County Courthouse renovations. The average debt service increase per year is approximately \$197,000.

Financial Advisor Paul Cassidy expressed his opinions.

Ms. Gonzales submitted for approval the resolution and the application.

Motion made by Vice-Chairman Kenneth Medina to approve resolution and application. Second by Commissioner David Salazar. Motion carried.

**30. LETTER FROM THE DEPARTMENT OF FINANCE AND ADMINISTRATION APPROVING THE FY07/08 BUDGET SUBMITTED ON JULY 31, 2007\***

Finance Division Supervisor Melinda Gonzales informed the Commission that on August 23, 2007, the Department of Finance and Administration/Local Government Division (DFA/LGD) submitted a letter to the County approving the FY07/08 budget with an adjustment to the Law Enforcement Fund. Budgets approved by LGD are required to be made part of the minutes of the governing body according to Section 6-6-5-New Mexico Statutes Annotated 1978.

No motion was made. For information only.

**31. INDIGENT CLAIMS\***

Finance Division Supervisor Melinda Gonzales informed the Commission of Indigent Claims submitted and reviewed by the Finance Office.

Ms. Gonzales submitted for approval of Indigent Fund payments to Alta Vista Hospital in the amount of \$58,527.24.

Motion made by Commissioner David Salazar for approval for Alta Vista Hospital in the amount of \$58,527.24. Second by Commissioner June Garcia. Motion carried.

**32. CASH BALANCE REPORT\***

Finance Division Supervisor Melinda Gonzales informed the Commission of the August 30, 2007 cash balances.

No action taken; for information only;

**33. ACCOUNTS PAYABLE LISTING\***

Finance Division Supervisor Melinda Gonzales submitted Accounts Payable Listing for payments since the last regular meeting.

Ms. Gonzales submitted for approval the Accounts Payable Listings.

Motion made by Vice-Chairman Kenneth Medina to approve Accounts Payable. 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/ 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 4:10 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 4:10 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

Motion made by Vice-Chairman Kenneth C. Medina to return from Executive Session. Second by Commissioner June Garcia. Motion carried.

The Commission returned to public session at 4:55 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 David Salazar to adjourn. Second by Vice-Chairman Kenneth C. Medina. Motion carried.

The record will show the time is 4:56 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: Michelle J. Padilla