

**REGULAR MEETING
May 13, 2008
MINUTES**

PUBLIC NOTICE

CALL TO ORDER

The Board of County Commissioners of San Miguel County will hold a Regular Meeting and a County Finance Meeting on Tuesday, May 13, 2008, at 1:30 p.m. at the San Miguel County Commission Chambers, 500 West National, 2nd Floor., Las Vegas, New Mexico 87701. The agenda for the County Commission meeting is as follows:

ROLL CALL

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

The record will show a quorum was present.

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

County Manager request that item #44 be removed from the agenda. And move item #19 up to be introduced sooner as the interested parties of that item need to be in different location at 3:00 P.M. Chairman David Salazar also requested that item #5 be moved in addition to item#19 as County Treasurer Alfonzo Ortiz had a public function to attend.

Motion by Commissioner Albert Padilla to remove item #44 and move up items #19,#5. Second motion by Commissioner Kenneth Medina. Motion carried

APPROVAL OF MINUTES: Regular Meeting April 8, 2008 *

Motion made by Commissioner Kenneth Medina to approve minutes for regular meeting held on April 8, 2008. Second by Commissioner June Garcia. Motion carried

PRESENTATION ON THE STATUS OF THE NM HEALTH SECURITY ACT
THE DIFFERENCES BETWEEN THE HEALTH SECURITY ACT
AND HEALTH SOLUTIONS
BY MARY FELDBLUM, EXECUTIVE DIRECTOR,
HEALTH SECURITY FOR NEW MEXICANS CAMPAIGN

Mary Feldman, Executive Director, Health Security for New Mexicans Campaign presented to the Commission the differences between the Health Security Act and Health Solutions.

Discussion ensued.

No action needed, for information purposes only.

RECOGNITION OF BUSINESS RETENTION AND EXPANSION
TO LAURA BOYDE AND JAKE MARTINEZ
OWNERS OF LA RISA CAFÉ IN RIBERA, NEW MEXICO

Chairman David Salazar informed the Commission of the Business retention and expansion of the La Risa Café in Ribera owned by Laura Boyd and Jake Martinez.

The Commission presented a Certificate of appreciation to Laura Boyd and Jake Martinez.

Discussion ensued.

No action needed, for information purposes only.

RECOGNITION ON APPOINTMENT
TO GOVERNOR BILL RICHARDSON'S TASK FORCE ON PRISON REFORM
TO PATRICK W. SNEDEKER

Chairman David Salazar advised the Commission of the Appointment of Patrick Snedeker to Governor Bill Richardson's task force on Prison reform. The Commission presented a certificate to Major Lujan whom accepted the certificate on behalf of Mr. Snedeker as he was not present.

Discussion ensued.

No action needed, for information purposes only.

NEW BUSINESS:

1. COUNTY TREASURER'S MONTHLY REPORT *

San Miguel County Treasurer Alfonzo Ortiz Jr. presented the Treasurer's monthly report for the month of April 2008.

No action taken; for information purposes only

2. PETITION TO CHANGE PECOS CANYON FIRE STATION NAME *

Fire Chief, Russell Pacheco presented a petition submitted by Diego Quintana and signed by citizens and property owners from the Pecos Canyon area requesting that the San Miguel County Commission name the Pecos Canyon Fire Station after former County Commissioner Eloy Gonzales.

Paul C De Baca, Gabe Estrada, Elizabeth C De Baca and Dolores Gonzales all spoke in favor of the naming the fire station in Eloy Gonzales name.

Kay Rice presented to the Commission some alternative names for the Pecos Canyon Fire Station in the event a persons name is used. But also requested that the Commission reject the petition.

Commissioner Hugh Ley recommended that the Fire Chiefs Association have the opportunity to meet and decide what would be in the best interests of the Pecos Canyon Fire Station.

Discussion ensued.

Motion to table the request and direct Fire Chiefs to develop guidelines and policies for naming of fire stations within San Miguel County and be presented to the Commission for review by Commissioner Hugh Ley. Second by Commissioner Albert Padilla. Motion Carried.

3. APPROVAL OF THE 2008 EL VALLE DE SAN MIGUEL FLYING DIAMOND SCHOLARSHIP RECIPIENTS AND TO PLACE TWO NEW MEMBERS TO THE SCHOLARSHIP COMMITTEE *

County Manager Les Montoya advised the Commission that the El Valle de San Miguel Flying Diamond Scholarship was announced on March 3, 2008 with a deadline of April 11, 2008. Eighteen applications were received. The El Valle de San Miguel Flying Diamond Scholarship committee met on April 22, 2008 to review the applications consistent with the scholarship application guidelines and out of the eighteen applicants thirteen of them are recommended by the Scholarship Committee to be awarded the Scholarship. The amount of the Scholarship will be \$800. The amount will be paid in two payments of \$400 for the fall semester of 2008 and spring semester 2009. Below is the list of names of the recipients being recommended for the 2008 El Valle de San Miguel Flying Diamond Scholarship:

1. Felicia Rael
2. Josephine Martinez
3. Ben Vigil
4. Anayeli Rivera
5. Amanda Padilla
6. Lisa Vigil
7. Anna Padilla
8. Michael Scott Vigil
9. Amanda Gallegos
10. Noel Baca
11. Gerald Ulibarri
12. Leeann Rivera
13. Fabian Montano

The El Valle de San Miguel Flying Diamond Scholarship Committee also is recommending to place Ms. Margaret Bustamante and Ms. Yvonne Gonzales as new members to the Committee and would like to recognize Mr. Eloy Gonzales and Ms. Diane Griego for their years of service to the El Valle de San Miguel Flying Diamond Scholarship Committee.

Mr. Montoya requests that the Commission: approve the recommendation made by the El Valle de San Miguel Flying Diamond Scholarship Foundation Committee to award thirteen applicants the El Valle de San Miguel Flying Diamond Scholarship in the amount of \$800 and also to approve Ms. Margaret Bustamante and Ms. Yvonne Gonzales as new members to the Scholarship Committee. The Commission requested letters of appreciation be provided to past scholarship Committee members.

Scholarships were presented to all applicants.

Ms. Gonzales provided an answer to the question from the audience, as to what was the total amount awarded.

Discussion ensued.

Motion made by Commissioner Albert Padilla to award thirteen applicants the El Valle de San Miguel Flying Diamond Scholarship in the amount of \$800 and also to approve Ms. Margaret Bustamante and Ms. Yvonne Gonzales as new members to the Scholarship Committee. Second by Commissioner Kenneth Medina. Motion Carried.

4. ADOPTION OF ORDINANCE NO. SMC-05-13-09, APPROVING THE LAS VEGAS/SAN MIGUEL COUNTY ECONOMIC DEVELOPMENT, INC. PROPOSAL FOR AN ECONOMIC DEVELOPMENT PROJECT, APPROVING THE PROJECT PARTICIPATION AGREEMENT, AND RATIFYING AND APPROVING THE ACTIONS OF SAN MIGUEL IN FURTHERANCE OF SUCH PROJECT, ALL PURSUANT TO THE REQUIREMENTS OF THE NEW MEXICO LOCAL ECONOMIC DEVELOPMENT ACT, NMSA 1978*

San Miguel County Attorney, Jesus Lopez advised the Commission that this matter relates to the County's Wood Cluster Plan, Medite Purchase, Partnership with EDC, and all matters incident thereto. The NM Economic Development Department has determined the County needs to complete one more step for compliance with the Local Economic Development Act, and release of monies to the County. Therefore, the NM Economic Development Department requires the County adopt a final ordinance concerning the economic development project, approving the project participation agreement, and ratifying and approving all actions therefore taken by the County relating to these matters. At the last regular monthly meeting on April 8, 2008, the Commission approved Resolution No. 04-08-08-LEDA, proposing adoption of the ordinance, and direction the County Manager to do all things necessary to bring the ordinance before the Board of Commissioners for final passage and adoption. (Notice of the title and general summary of the ordinance, and of today's meeting, was published in the OPTIC on April 18 and 25, 2008, at least two weeks in advance of today's meeting, as required by law).

Mr. Lopez Requested from that Commission that a public hearing be held on the matter, approve, adopt and ordain Ordinance no. SMC-05-13-08.

Public hearing was held. No public comment was provided for or against.

Motion made to adopt Ordinance No. SMC-05-13-08 by Commissioner Albert Padilla. Second by Commissioner June Garcia. Motion carried.

5. PUBLIC HEARING ON RURAL BUSINESS ENTERPRISE GRANT APPLICATION (RBEG) *

Alex Tafoya, Planning and Zoning Supervisor advised to the Commission that the Rural Business Enterprise Grant Application (RBEG) provides for a method of public awareness of the proposed application for grant funds. Evidence of the community's awareness of the project and objections, if any, to the project and the application is required as part of the application.

Mr. Tafoya requested that the Board of County Commissioners conduct a public hearing and request public comment on the proposed project and on the Rural Business Enterprise Grant application and proposed resolution.

Public hearing was held on the proposed project/ Rural Business Enterprise Grant Application.

Sharon Caballero from the San Miguel Economic Development Corporation presented to Mr. Tafoya a letter of support for the (RBEG) application.

No other comment was obtained.

Motion made by Commissioner Hugh Ley to authorize submittal of (RBEG). Second by Commissioner June Garcia. Motion carried.

6. PUBLIC MEETING FOR THE SECTION 8 HOUSING 2008/09 ANNUAL PLAN *

Gilbert Almanza Jr., Executive Director Section 8 Housing requested a public meeting for the Section 8 Housing 2008/09 Agency Plan as required by HUD before submittal.

Public hearing was held. No comments were obtained.

Motion to approve the Section 8 Housing 2008/09 Annual Plan by Commissioner June Garcia. Second by Albert Padilla. Motion carried.

7. APPROVAL OF AMENDMENT TO THE SAN MIGUEL COUNTY SHERIFF'S DEPARTMENT STANDARD OPERATION PROCEDURES MANUAL.

AMENDMENT TO INCLUDE USE OF THE HOLLOW SPIKE BELT & STOP STICK *

San Miguel County Sheriff, Benjie Vigil advised the Commission the Sheriff's Department did not have a policy for the Hollow Spike Belt, so at this time an amendment is being proposed for the operation of Sheriff's Department vehicles Number 2-9 policies. This procedure and equipment will be used in pursuits that warrant this type of enforcement measures.

Mr. Vigil requested that the Commission approve the amendment to include use of hollow spike belt & stop sticks.

Motion made to approve amendment to include use of hollow spike & stop sticks by Commissioner Kenneth Medina. Second by Commissioner Albert Padilla. Motion carried.

8. PRESENTATION BY SAN MIGUEL DEL BADO LAND GRANT AND CONSIDERATION OF PROPOSED RESOLUTION NO. 05-13-08-BLM *

Alex Tafoya, Planning and Zoning Supervisor advised the Commission that the Bureau of Land Management (Taos Office) is planning to dispose of various parcels of land within San Miguel County by public sale or other method. One (1) such parcel is an 800 acre parcel, more or less, situated within Tract 8 of the San Miguel Del Bado Land Grant and is identified as Allotment 904 Apache Canyon, located near the vicinity of the village of South San Ysidro.

Representatives of the San Miguel Del Bado Land Grant, the Santa Fe Conservation Trust, and the Mexican Land Education and Conservation Trust are beginning efforts to ask the Bureau of Land Management (BLM) to consider conveying ownership of Allotment 904 Apache Canyon to the San Miguel Del Bado Land Grant and have started communication with the Taos Office of the BLM.

In anticipation BLM not be interested in doing so, these organizations have also started efforts to request of the New Mexico Congressional Delegation that disposal of BLM lands cease until such time that appropriate legislation be created which would give land grants the right of first refusal of any public lands that are being sold or otherwise disposed of.

Mr. Tafoya requested that the Commission hear a presentation from representatives of the San Miguel Del Bado Land Grant in regard to such disposal of BLM land and consider adoption of proposed Resolution No. 05-13-08-BLM.

Presentation speakers were Ramon Lucero, Oliver Perea and Christopher Thompson.

Commissioner Hugh Ley asked County Attorney Jesus Lopez if the County can entertain an agreement with BLM to obtain the property to retain ownership if the Land Grant cannot obtain or purchase.

Mr. Lopez responded that about 5 years ago the law changed to where the land Grants no longer need a Fiscal agent and the Legislature would award monies to purchase.

Discussion ensued.

Motion made to adopt Resolution No. 05-13-08-BLM by Commissioner Hugh Ley. Second by Commissioner Kenneth Medina. Motion carried.

9. FAIR HOUSING POLICY *

Alex Tafoya, Planning and Zoning Supervisor advised the Commission that San Miguel County's current Fair Housing Policy was last reviewed and approved in 2006 and are now two (2) years old. DFA-Local Government Division recommends that such policies be reviewed and approved every two or three years. Such review and approval ensures that the County is in compliance with the various grant funding sources that are administered by DFA-Local Government Division. The language of the Fair Housing Policy has not been changed.

Mr. Tafoya requested that the Commission Review and approve the attached Fair Housing Policy.

Motion made to approve Fair Housing Policy by Commissioner Hugh Ley. Second by Commissioner June Garcia. Motion carried.

10. COMMUNITY WILDFIRE PROTECTION PLAN *

Russell Pacheco, Fire Chief advised the Commission that La Placitas Group/Anchor Point was the company chosen to create the San Miguel County Community Wildfire Protection Plan (CWPP). The Placitas Group/Anchor Point personnel have spent several months in the field researching, past fire behavior in our County and identifying areas of concern. They have done extensive research studying our landscapes, vegetation and weather condition. Working with New Mexico State Forestry, United States Forestry and many other agencies to obtain accurate information pertaining to fire and fuel loads in our County. Utilizing past fire and weather history they have categorized zones as severe or moderate fire potentials, therefore creating a plan that pertains to the County and the needs within. The County Community Wildfire Protection Plan has been completed and as soon as it is adopted by Commission we will begin utilizing this plan to create guidelines and standards for new existing developments, firefighter and community training, firefighting equipment needs for fire suppression, and create preparedness and evacuation plans for each community and public gathering locations. The plan will be available to all organizations as a tool to develop strategies to reach out and meet our objectives.

Mr. Pacheco requested that the Commission Approve/Ratify the San Miguel County Community Wildfire Protection Plan.

Motion made to approve the San Miguel County Community Wildfire Protection Plan by Commissioner Albert Padilla. Second by Commissioner Hugh Ley. Motion carried.

Background presentation given by Fred Rossback of La Placitas Group, Affiliate of Anchorpoint, who performed the work to complete the Document.

Discussion ensued.

11. CITY OF LAS VEGAS RESOLUTION NO. 08-13, ALLOWING SAN MIGUEL COUNTY TO UTILIZE EXISTING WATER SERVICE AT THE NEW MEXICO WOOD BUSINESS PARK (NMWBP) FOR INDUSTRIAL DEVELOPMENT AND CORRESPONDING WATER USE *

Les Montoya, County Manager and George Dufour, Utility Director, advised the Commission that a resolution was prepared by the City of Las Vegas and approved by the County staff. County staff is requesting to inform the Commission of the resolution and obtain approval of corresponding agreement.

Mr. Montoya and Mr. Dufour request that the Commission concur with resolution and approve the corresponding Water Use Agreement for water use at the NMWBP.

Motion made to approve the Water Use Agreement by Commissioner Hugh Ley. Second by Commissioner June Garcia. Motion carried.

12. RESOLUTION NO. 05-13-08-CITIZEN PARTICIPATION PLAN COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM REQUIREMENTS *

Alex Tafoya, Planning and Zoning advised the Commission that applicants and grantees of Community Development Block Grant (CDBG) funds are required to adopt and maintain a Citizen Participation Plan. Such plan should be adopted by resolution. The current Citizen Participation Plan is now two (2) years old and should be re-adopted.

Mr. Tafoya requested that the Commission adopt Resolution No. 05-13-08 Citizen Participation Plan.

Motion made to adopt Resolution No. 05-13-08 Citizen Participation Plan by Commissioner Hugh Ley. Second by Commissioner Albert Padilla. Motion carried.

13. ADOPTION OF EXHIBIT A, AMENDING ARTICLE 7, SECTION 7-1, PARAGRAPH D OF ORDINANCE NO. SMC-10-10OR-(B)-95 (ANIMAL CONTROL ORDINANCE) *

Alex Tafoya, Planning and Zoning advised the Commission that the Animal Control Ordinance, San Miguel County Ordinance No. SMC-10-10OR(B)-95 provides for wolf hybrids to be banned from San Miguel County. The Ordinance does not address wolves as being banned from San Miguel County. Resolution No. 04-08-08-WILD ANIMALS direct the County Manager to amend the Ordinance and do all things necessary and proper for its amendment.

Mr. Tafoya requested from that Commission to (1) Conduct a public hearing and accept public comment to consider the proposed adoption of Exhibit A, which Exhibit reads “all wolves and wolf hybrids, wild or domestic, shall be banned from San Miguel County.” (2) Approve and adopt Exhibit A.

Public Hearing was held. No comments for or against were made..

Motion made to adopt Exhibit A , Amending Article 7, Section 7-1, Paragraph D of Ordinance No. SMC -1010OR-(B)-95 (Animal Control Ordinance) by Commissioner Hugh Ley. Second by Commissioner June Garcia. Motion carried.

14. SECOND PUBLIC HEARING TO OBTAIN INPUT ON COUNTY INFRASTRUCTURE CAPITAL IMPROVEMENT PLAN (ICIP) 2010-2014 *

Alex Tafoya, Planning and Zoning advised the Commission that the DFA-Local Government Division has advised all counties and municipalities that it is time to begin the process of updating their respective Infrastructure Capital Improvement Plan (ICIP) for 2010-2014. Various agencies involved in funding local projects use the ICIP to determine if a project should be funded.

Mr. Tafoya requested the Commission Begin the process of updating the ICIP by conducting a public hearing to gather suggestions from the public on projects to be included in the ICIP; and to ask the County Commission for suggestions on projects to be included in the ICIP.

Mr. Tafoya also requested to come before the Commission in the June Meeting and ask the Commission to pick the top 5 projects for legislative priority.

Public hearing was held for any projects to be added to the ICIP. No comments were obtained.

Discussion ensued.

Motion to authorize submittal of ICIP application by Commissioner Hugh Ley. Second by Commissioner Albert Padilla. Motion carried.

15. GRANT APPLICATION-LAND PARCEL MANAGEMENT SERIES *

Alex Tafoya, Planning and Zoning advised the Commission the San Miguel County Assessor's Office is preparing to submit an application to the Land Parcel Management Grant Series to obtain funding to aid in the development of digital tax parcel data. The Land Parcel Management Grant Series supports the construction and maintenance of digital tax parcel data nationwide. Applications are due by May 30, 2008. Grant recipients will be notified of award status beginning in November 2008.

Mr. Tafoya Requested authorization to submit an application for funding from the Land Parcel Management Grant Series.

Motion made to approve submittal of application for finding from the Land Parcel Management Grant Series by Commissioner Hugh Ley. Second by Commissioner Albert Padilla. Motion carried.

16. RESOLUTION NO. 05-13-08 AUTHORIZING APPLICATION FOR A RURAL BUSINESS ENTERPRISE GRANT APPLICATION (RBEG) TO ACQUIRE FUNDS TO BUILD A 20,000 SQ. FT. BUILDING AT THE WOOD BUSINESS PARK (BUSINESS EXPANSION) *

Alex Tafoya, Planning and Zoning advised the Commission that San Miguel County is preparing to submit a Rural Business Enterprise Grant application for funding to assist with the development of the Business Enterprise Grant Application for funding to assist with the development of the Wood Business Park.

Mr. Tafoya requested that the board of County Commissioners authorize Commission Chairman David R. Salazar and County Manager Les Montoya to sign the required application documents as needed and approve Resolution No. 05-13-08-RBEG authorizing the application.

Motion made to Authorize Commission Chairman David R. Salazar and County Manager Les Montoya to sign the application documents by Commissioner June Garcia. Second by Commissioner Albert Padilla. Motion carried.

17. BID AWARD FOR SENIOR CITIZEN HOT MEAL VEHICLES *

Alex Tafoya, Planning and Zoning advised the Commission that San Miguel County serves as fiscal agent for the Senior Centers in regard to contracts issued by the Aging and Long-Term Services Department. Contract No. 2007-0747 provides \$70,000 for the purchase of hot meal delivery vehicles. Invitation to bid was issued by the County and the Senior Citizens Center for two (2) Hot Meal Delivery 4X4 Vehicles. One (1) bid was submitted by Don Chalmers Ford of Rio Rancho as follows:

- One (1) 2008 Ford Ranger XL 4X4 Regular Cab No. A75063:
Net Price on Ranger Truck: \$17,529.00
Add: Hot/Cold Body: \$16,476.00
Total Price: \$33,995.00

- One (1) 2008 Ford Ranger XL 4X4 Regular Cab No, A01796:
Net Price on Ranger Truck: \$18,835.00
Add: Hot/Cold Body: \$16,476.00
Total Price: \$35,311.00

Both vehicles meet all specifications indicated in the invitation to bid with the exception of the engine size (3.0 liter vs 3.7 liter); power windows and power locks not available on this model; CD player not available on this model; and daytime running lamps not available on this model. The bid spec items not available on the vehicle model are not substantial and will not have a negative impact on the use and purpose of the vehicles, which use and purpose is to deliver hot and cold meals to home bound senior citizens.

Mr. Tafoya requested the Commission accept the only bid submitted by Don Chalmers Ford of Rio Rancho, New Mexico, for two (2) Hot Meal Delivery 4X4 Vehicles, 2008 Ford Ranger XL Models in the amount of \$33,995.00 and \$35,311.00 respectively for a total bid award of **\$69,306.00**.

Motion to accept the only bid submitted by Don Chalmers Ford of Rio Rancho, New Mexico, for two (2) Hot Meal Deliver 4X4 Vehicles, 2008 Ford Ranger XL Models for a total bid award of **\$69,306.00** by Commissioner Hugh Ley. Second by Commissioner Albert Padilla. Motion carried.

18. ACCEPT PROPOSAL AND AUTHORIZE THE COUNTY MANAGER TO PROCEED ON NEGOTIATIONS TO PURCHASE THE BUILDING TO HOUSE THE FAMILY JUSTICE CENTER *

Alex Tafoya, Planning and Zoning advised the Commission that San Miguel County received one (1) proposal in response to the request for proposal issued by the County for Location, Design and Construction and purchase of a San Miguel County Family Justice Center. Northern Builders, LLC, submitted its proposal on April 30, 2008. Review of the proposal indicates that Northern Builders, LLC, meets all required specifications for acquisitions of said building.

Mr. Tafoya requested from the Commission to review the proposal submitted and authorize County Manager to proceed on negotiations to purchase building upon completion of construction.

Motion made to accept proposal, and authorize County Manager to negotiate purchase of building upon completion of construction by provider Northern Builders LLC by Commissioner Albert Padilla. Second by Commissioner Hugh Ley. Motion carried.

19. 2008 GENERAL FUND APPROPRIATIONS AGREEMENT *

Alex Tafoya, Planning and Zoning advised the Commission that the DFA-Local Government Division has submitted to San Miguel County for acceptance and approval the 2008 General Fund Appropriations Agreement for eleven (11) capital projects totaling \$229,597.00.

Mr. Tafoya requested the Commission accept and approve the 2008 General Fund Appropriations Agreement and authorize Commission Chairman David R. Salazar to sign the agreement.

Motion made to accept and approve the 2008 General Fund Appropriations Agreement and authorize Commission Chairman David R. Salazar to sign the agreement. By Commissioner Hugh Ley. Second by Commissioner June Garcia. Motion carried.

20. APPROVAL OF CONTRACT FOR PARKING SPACE AGREEMENT WITH OUR LADY OF SORROWS CHURCH *

Amber M. Trujillo, Safety Coordinator advised the Commission that the Courthouse and the County Manager's Office parking lots will be paved. The project will take 45-60 days. We have received verbal permission from their Finance Council to utilize their Parking Area off of Valencia Street. We have drawn up an agreement for County Vehicles to be able to utilize that Parking Area. The agreement is just basically stating that the County will be responsible for basic maintenance and striping of the Parking Area.

Ms. Trujillo requested that the Commission approve the parking agreement between San Miguel County and Our Lady of Sorrows Parish.

Motion to approve Parking Agreement between San Miguel County and Our Lady of Sorrows Parish by Commissioner Kenneth Medina. Second by Commissioner Albert Padilla. Motion carried.

21. FIRE PROTECTION FUND DISTRIBUTION APPLICATIONS *

Russell Pacheco, Fire Chief Advised the Commission that every year San Miguel County Fire Districts must apply for State funding for the upcoming Fiscal Year and request rollover of funds not expended in 07/08 for planned projects for this fiscal year 08/09. This funding is used to maintain their fire fighting capabilities, improve and maintain equipment, educate and prepare volunteer fire fighters and for upkeep of their buildings including utility costs and operational expenses. The applicants are San Miguel County Fire, Rowe, La Placita, Pecos Canyon, Tecolote, Trementina, Sheridan, Cabo Lucero, Ilfeld, El Pueblo, Conchas Dam, Sapello/Rociada, and Gallinas Fire Departments. Total amount of funding requested is approximately \$728,736.

Mr. Pacheco requested the Commission approve and ratify Fire Fund Distribution Applications for all 13 departments in San Miguel County.

Motion made to approve and ratify applications for fire fund distribution applications for all 13 departments in San Miguel County by Commissioner Kenneth Medina. Second by Commissioner Hugh Ley. Motion carried.

22. APPROVAL OF \$30,000 EMERGENCY OPERATION PLANS, ANNEXES, AND APPENDIXES GRANT FROM THE DEPARTMENT OF HOMELAND SECURITY/EMERGENCY MANAGEMENT (DHSEM) TO SAN MIGUEL COUNTY/LAS VEGAS OFFICE OF EMERGENCY MANAGEMENT. REQUEST APPROVAL OF GRANT AND TO PROCEED WITH ADVERTISING FOR REQUEST FOR PROPOSALS SERVICES (RFP) AND SELECTION PROCESS FOR A CONTRACTOR TO PROCEED WITH THE DESIGNING, DEVELOPING, AND ORGANIZING OF PLANS *

Dennis English, Emergency Manager for the San Miguel County/Las Vegas Office of Emergency Management advised the Commission that his is a grant received through DHSEM. It was requested to revise and up-date the San Miguel County/Las Vegas Office of Emergency Management Emergency Operation Plan procedures. This is a requirement through the National Homeland Security in order to meet requirements.

Mr. English requested discussion, approval and signature of the Commission.

Motion made for approval and signature of grant and authorization to proceed with advertising for proposal services. by Commissioner Albert Padilla. Second by Kenneth Medina. Motion carried.

23. REQUEST FOR OUT-OF STATE TRAVEL FOR EMERGENCY MANAGER DENNIS ENGLISH TO ATTEND THE FEMA'S CENTER OF DOMESTIC PREPAREDNESS IN ANNISTON ALABAMA ON JUNE 16, 2008 THROUGH JUNE 20, 2008 *

Dennis English, Emergency Manager for the San Miguel County/Las Vegas Office of Emergency Management requested from the Commission to attend a course for Pandemic Influenza Planning and Preparedness that is required for the 3 year exercise planning grant. The cost of travel, meals and lodging are handled and financed by FEMS's Center of Domestic Preparedness.

Motion made to allow Mr. English to attend course by Commissioner Kenneth Medina. Second by Commissioner Hugh Ley. Motion carried.

24. REQUESTING TO REJECT SOLE PROPOSAL SUBMITTED FOR THE 3-YEAR EMERGENCY EXERCISE PLAN AND RE-ADVERTISE FOR A CONTRACTOR *

Dennis English, Emergency Manager for the San Miguel County/Las Vegas Office of Emergency Management. advised the Commission that the 3-Year Emergency Exercise Plan is a \$162,000 grant received from the Department of Home Land Security/Emergency Management to be able to hire a contractor to develop, design and organize the plan. The Committee is requesting to reject the only bid received, and requesting to re-advertise to obtain other competitive bids, and also to add additional requirements to the proposal that are required by FEMA.

Mr. English requested approval to reject the sole bid that was submitted and requesting approval to re-advertise for a contractor for the 3-Year emergency Exercise Plan.

Motion made for approval to reject the sole bid and authorize to re-advertise for the 3-Year Emergency Exercise Plan to select a contractor by Commissioner Albert Padilla. Second by Commissioner Kenneth Medina. Motion carried.

25. REQUEST FOR OUT-OF-STATE TRAVEL FOR EMERGENCY MANAGER DENNIS ENGLISH TO EMMITSBERG, MARYLAND TO ATTEND THE EMERGENCY MANAGEMENT INSTITUTE WITH REPRESENTATIVES OF THE WEST LAS VEGAS SCHOOL DISTRICT AND LOCAL LAW ENFORCEMENT PERSONNEL *

Dennis English, Emergency Manager for the San Miguel County/Las Vegas Office of Emergency Management. advised the Commission that this is a course for All-Hazard Emergency Planning for Schools. This will assist the Office of Emergency Management to assist in developing and implementing emergency planning with the school districts in the San Miguel County/Las Vegas area. The cost is stipend by FEMA's National Emergency Training Center.

Mr. English requested approval to attend.

Mr. English advised he will be attending with Representatives from West Las Vegas School District and local Law Enforcement personnel.

Motion made to Approve and attend the Emergency Management Institute by Commissioner Albert Padilla. Second by Commissioner Hugh Ley. Motion carried

26. RESOLUTION NO. 05-13-08, AUTHORIZING THE COUNTY TO SUBMIT AN APPLICATION TO THE NEW MEXICO DEPARTMENT OF TRANSPORTATION, TRAFFIC SAFETY BUREAU TO PARTICIPATE IN THE COMMUNITY DWI PROGRAM *

Wendy Armijo, DWI Coordinator advised the Commission that the City of Las Vegas, the County of San Miguel, agree to combine our funds and resources in achieving a common goal of removing the DWI from the streets and highways of San Miguel County in effort to reduce highway traffic accidents that are alcohol related.

In doing so, a joint application is to be provided to New Mexico State Highway and Transportation Department. Traffic Safety Bureau for the funding of the Comprehensive Community DWI Program that reflects an integrated approach to our mutual problem of driving while intoxicated.

The San Miguel County DWI Planning Council continues to receive Community DWI Grant Funds. The identified funding is a result of court fees collected from DWI convictions within the San Miguel County. Its purpose is to undertake activities that will impact the DWI problem in our County through the use of prevention/education. A total of \$15,368 has been appropriated in CDWI funds for FY 08-09.

The San Miguel County DWI Planning Council in its strategic planning process has identified the need for the implementation of a transportation system that would allow citizens of the community and others an alternative to driving drunk.

The service referred to as the FREE Safe-Ride-Home service will be available year-round every Thursday, Friday and Saturday and will be in operation during most recognized governed holidays.

Ms. Armijo requested approval of Resolution No. 05-13-08-CDWI.

Motion made to approve Resolution No. 05-13-08-CDWI by Commissioner Albert Padilla. Second by Commissioner Hugh Ley. Motion carried.

27. (FY 08-09) NM DEPARTMENT OF TRANSPORTATION, COMMUNITY DWI(CDWI) GRANT APPLICATION *

Wendy Armijo, DWI Coordinator advised the Commission that the San Miguel County DWI Planning Council continues to receive Community DWI Grant funds. The identified funding is a result of court fees collected from DWI convictions within the San Miguel County. Its purpose is to undertake activities that will impact the DWI Problem in our County through the use of prevention/education and enforcement. A total of \$15,368 has been appropriated in CDWI funds for the upcoming FY 08-09.

The San Miguel County DWI Planning Council has unanimously agreed to continue requesting the funds needed to support the present transportation service. The service referred to, as the Safe-Ride-Home service allows citizens/visitors/tourists etc. with an alternative to driving drunk. The DWI program is fortunate to have received a vehicle (van) from the County to operate such a service. The proposed CDWI application includes the majority of costs associated with the overall operation of the service.

Discussion ensued.

Services will be available year-round, every Thursday, Friday and Saturday nights and during most recognized governed holidays.

Ms. Armijo requested approval to submit for application of FY 08-09 Community DWI CDWI Grant funds.

Motion made to submit the Community DWI (CDWI) Grant Application for FY 08-09 by Commissioner Kenneth Medina. Second by Commissioner June Garcia. Motion carried.

28. RESOLUTION IN SUPPORT OF U.S. HOUSE OF REPRESENTATIVES BILL HR 5698, ENTITLED “RESTORING THE PARTNERSHIP OF COUNTY HEALTH CARE COSTS ACT OF 2008” *

Major Lujan, SMC Detention Center advised the Commission that the U.S. House of Representatives Bill HR 5698, entitled “Restoring the Partnership of County Health Care Costs Act of 2008”, was introduced in the 110th Congress, 2nd session, on April 3, 2008. The Bipartisan Bill would prohibit the federal government from stripping individuals of their Medicare, Medicaid, and SSI benefits prior to being convicted. As a result, local government Counties would not be required to cover the medical expenses of jailed individuals who have not yet been convicted of any wrong doing. The issue is a legislative priority for NACO. More than 157 Counties and State Associations have passed Resolution(s) in support of this legislation.

Major Lujan spoke on behalf of Mr. Snedeker as he was attending a meeting in Las Cruces, NM.

Major Lujan requested that the Commission review and approve the resolution in support of Bill HR 5698, “Restoring the Partnership of County Health Care Costs Act of 2008”, as presented.

Motion made to approve support of Bill HR 5698 entitled restoring the partnership of County Health Care cost Act of 2008, by Commissioner Hugh Ley. Second by Commissioner June Garcia. Motion carried.

29. SAN MIGUEL COUNTY, NM AND QUAY COUNTY, NM JOINT POWERS AGREEMENT CONTRACT HOUSING OF PRISONERS (MALE JUVENILE AND MALE-FEMALE ADULT) AT THE QUAY COUNTY FACILITY IN TUCUMCARI, NM IS \$125 PER DAY *

Major Lujan advised the Commission that the Joint Powers Agreement/Contract, by and between San Miguel County, NM and Quay County, NM for the housing of prisoners (male juvenile and male and female adult) at the Quay County Detention Center, is presented. The cost per day to house detainees, at the Quay County facility in Tucumcari, NM is \$125 per day.

Major Lujan requested that the Commission review and approve of the agreement/contract as presented.

Motion made to approve of the agreement/contract by Commissioner Hugh Ley. Second by Commissioner Albert Padilla. Motion carried.

Sheriff Benji Vigil requested that any information regarding transportation of inmates be submitted to his office.

30. SAN MIGUEL COUNTY, NM AND SANTA FE COUNTY, NM AGREEMENT FOR INMATE CONFINEMENT SANTA FE COUNTY ADULT DETENTION FACILITY *

Major Lujan advised the Commission the agreement for Inmate Confinement, by and between San Miguel County, NM and Santa Fe County, NM is presented. The Agreement ensures and \$85 per day (plus \$25 booking fee) cost of incarceration rate, at the Santa Fe County Adult Detention Facility for San Miguel County residents arrested on San Miguel County charges, within Santa Fe County, NM.

Discussion ensued

Major Lujan requested that the Commission review and approve the agreement as presented.

Motion made to approve agreement for inmate confinement Santa Fe County Adult Detention facility by Commissioner Albert Padilla. Second by Commissioner Kenneth Medina. Motion carried.

31. MONTHLY REPORT IN THE PUBLIC WORKS DIVISION FOR THE MONTH OF APRIL 2008 *

Mr. Encinias presented information on issues dealt with in the Public Works Division for the month of April 2008.

No action taken; for information purposes only.

Mr. Encinias spoke on behalf of Mr. Harold Garcia as he was not present.

32. DISCUSSION OF SOLID WASTE ORDINANCE NO. SMC-02-10-04-OR AND ALLOW FOR PUBLIC DISCUSSION ON THIS ORDINANCE FOR RECOMMENDED CHANGES FOR ADOPTION OF ORDINANCE NO. 07-08-08-SOLID WASTE AT THE JULY COUNTY COMMISSION MEETING *

Mr. Encinias advised the Commission that the Solid Waste Ordinance Number SMC-02-10-04-OR was adopted in February 10, 2004. There have been some recommendations made about possible changes to the Ordinance, Staff is requesting input from the County Commission and will be requesting Public Input on possible changes and/or additions to the ordinance over the next few months for adoption of Ordinance Number 07-08-08-SOLID WASTE at the July County Commission meeting.

Mr. Encinias requested that the Commission allow public input or recommendations for changes and/or additions to the existing Solid Waste Ordinance.

Discussion ensued.

San Miguel County Attorney Jesus Lopez explained to the Commission that the Discussion is pertaining to the charges and land liens on delinquent accounts.

The Commission provided direction to include language on the matters discussed and they be included in the next draft of the Ordinance.

No action taken: Discussion only

33. PROFESSIONAL SERVICES AGREEMENT WITH MILLER ENGINEERING INC. (MEC) TO PROVIDE BASIC CIVIL ENGINEERING SERVICES FOR DEVELOPMENT OF PHASE I (11 LOTS) OF THE NORTHERN NEW MEXICO WOOD BUSINESS PARK *

Les Montoya, County Manager advised the Commission that RFP's were solicited and MEC was selected as the firm to negotiate with. A contract to perform work was formulated, to complete aerial mapping, soils investigations, preliminary and final subdivision platting and construction drawings and specifications.

Mr. Montoya requests that the Commission ratify Professional Service Agreement with MEC.

Motion made to ratify, Professional Service Agreement with MEC by Commissioner Albert Padilla. Second by Commissioner Kenneth Medina. Motion carried.

34. BID AWARD OF PROJECT TO COMPLETE REMODEL OF THE DISTRICT ATTORNEY OFFICE *

Les Montoya, County Manager advised the Commission that bids were received on April 15, 2008. Three bidders submitted bids. The low bid was disqualified; the next low bid was Franken Construction Company.

Mr. Montoya requested that the Commission Award bid to remodel District Attorney Office to Franken Construction to include base bid of \$263,000, bid alternate #1 \$4,700 and bid alternate #2 \$8,400, total \$276,100 plus GRT \$21,225.19 for a total Bid Award of \$297,325.19.

Motion made to award bid to Franken Construction Co. to include alternate #1 and #2, total \$297,325.19 by Commissioner Albert Padilla. Second by Commissioner Kenneth Medina. Motion carried.

35. RESOLUTION 5-13-08-POLICIES AND PROCEDURES, FOR THE EVALUATION OF PROPOSED INDUSTRIAL REVENUE BOND PROJECTS BY SAN MIGUEL COUNTY *

Les Montoya, County Manager requested that the Commission provided direction to adopt the policy and continue to work with Invenergy on this initiative.

Mr. Montoya also requested that the Commission consider approving said resolution establishing and providing Policies and Procedures for the evaluation for the proposed Industrial Revenue Bond projects by San Miguel County.

Motion made to approve said Resolution establishing and providing Policies and Procedures for the evaluation for the proposed Industrial Revenue Bond projects by San Miguel County by Commissioner Hugh Ley. Second by Commissioner Albert Padilla. Motion carried.

36. REQUEST FOR EDUCATION REIMBURSEMENT AS PER SAN MIGUEL COUNTY POLICIES FOR ADMINISTRATIVE ASSISTANT KIKI ARELLANO *

Les Montoya, County Manager requested reimbursement to attend Classes (Computer Fundamentals and Excel online in the evenings) at Luna Community College beginning June 2, 2008 and ending on August 11, 2008.

Mr. Montoya recommends approval in accordance with the San Miguel County Employees Educational and Assistance Training policy.

Motion made for education reimbursement by Commissioner Albert Padilla. Second by Commissioner Hugh Ley. Motion carried.

37. AMENDMENT TO ADD SEVEN JOB CLASSIFICATIONS TO THE ADMINISTRATIVE REGULATION 8-12-2007-CM SAN MIGUEL COUNTY CLASSIFICATION PAY PLAN *

Les Montoya, County Manager advised that the San Miguel County Board of Commissioners approved the San Miguel County Classification Pay Plan on August 14, 2007. The Classification Pay Plan needs to be revised as needed in order to keep it updated with any new job classifications that need to be placed on the Classification Pay Plan and also to make sure they fall under the correct range of pay. The following classifications will be added to Administrative Regulation 8-12-2007-CM.

1. SUPERVISORY POSITIONS:

A. RANGE III \$35,000.00 - \$67,500.00

OFFICE OF EMERGENCY MANAGEMENT EMERGENCY MANAGER

2. ADMINISTRATIVE ASSISTANTS POSITIONS:

B. RANGE II \$25,000.00 - \$34,000.00

ADMINISTRATIVE ASSISTANT OFFICE EMERGENCY
MANAGEMENT & FIRE CHIEF

C. RANGE I \$18,000.00 - \$26,000.00

DWI ADMINISTRATIVE ASSISTANT /SCREENER
SHERIFF'S OFFICE SECRETARY

3. CORRECTIONS POSITIONS:

A. RANGE III \$25,000.00 - \$40,000.00

DWI COMPLIANCE MONITOR & TRACKER

C. RANGE I \$21,000.00 - \$28,000.00

DWI TRACKER
TRANSIT OPERATOR

Mr. Montoya requested that the Commission approve amendment to include the recently approved Job Classifications;

Motion made to approve job classifications by Commissioner Hugh Ley. Second by Commissioner June Garcia. Motion carried.

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

RECOMMENDATION TO HIRE:

PROBATIONARY EMPLOYEE

Paul Barela	Correctional Medical Officer	Salary: \$22,800.00 Annually
April Romero	Detention Center Officer	Salary: \$19,950.00 Annually
Leonard Marquez	Detention Center Officer	Salary: \$19,950.00 Annually
Victoria Ortega	Detention Center Officer	Salary: \$19,950.00 Annually
Marvin Salazar	Detention Center Officer	Salary: \$19,950.00 Annually
Alejandro Barreras	Detention Center Officer	Salary: \$19,950.00 Annually
Justin Martinez	Detention Center Officer	Salary: \$19,950.00 Annually
Shawn Ulibarri	Detention Center Officer	Salary: \$19,950.00 Annually

Mr. Montoya requested approval to fill vacant positions at the San Miguel County Detention center as per recommendation of Patrick Snedeker, Warden/Facility Administrator.

Motion made to approve and fill vacant positions at the San Miguel County Detention Center by Commissioner Albert Padilla. Second by Commissioner Hugh Ley. Motion carried.

39. COUNTY MANAGER'S PERSONNEL RECOMMENDATION TO HIRE & RATIFY THE EARLY VOTING/ABSENTEE BOARD AS PER THE RECOMMENDATION PAUL MAEZ SAN MIGUEL COUNTY CLERK *

RECOMMENDATION TO HIRE:

CASUAL EMPLOYEE

Pauline Trujillo – Effective Date of Hire: May 5, 2008 through June 2, 2008 – Hourly Salary - \$10.00

JoAnn Gonzales – Effective Date of Hire: May 5, 2008 through June 2, 2008 – Hourly Salary: \$10.00

Barbara Romero – Effective Date of Hire: May 5, 2008 through June 2, 2008 – Hourly Salary: \$10.00

Angela Sanchez – Effective Date of Hire: May 5, 2008 through June 2, 2008 – Hourly Salary: \$10.00

Bertha Archuleta – Effective Date of Hire: May 5, 2008 through June 2, 2008 – Hourly Salary: \$10.00

Alex Gonzales – Effective Date of Hire: May 17, 2008 through May 31, 2008 – Hourly Salary: \$10.00

Deborah Chavez – Effective Date of Hire: May 17, 2008 through May 31, 2008 – Hourly Salary: \$10.00

Mary Griego – Effective Date of Hire: May 17, 2008 through May 31, 2008 – Hourly Salary: \$10.00

Victoria Gallegos – Effective Date of Hire: May 17, 2008 through May 31, 2008 - Hourly Salary: \$10.00

Mr. Montoya requested that the Commission ratify and hire early voting/absentee board as per recommendation of County Clerk Paul Maez.

Motion made to approve and hire and ratify early voting/absentee board by Commissioner Kenneth Medina. Second by Commissioner Hugh Ley. Motion carried.

40. COUNTY MANAGER'S PERSONNEL RECOMMENDATIONS TO HIRE THE FOLLOWING INDIVIDUAL TO FILL THE POSITION OF ADDRESSING TECHNICIAN WITH THE SAN MIGUEL COUNTY FINANCE DIVISION AS PER THE RECOMMENDATION OF MELINDA GONZALES, SAN MIGUEL COUNTY FINANCE DIVISION SUPERVISOR *

RECOMMENDATION TO HIRE:

TEMPORARY PART TIME EMPLOYEE

Alex Aragon Addressing Technician
Salary: \$ 10.00 Hourly
Effective Date of Hire: May 19, 2008 though December 31, 2008

Les Montoya, County Manager advised the Commission that this individual will be providing assistance with the Rural Addressing Project.

Motion made to hire Addressing Technician as per recommendation of Melinda Gonzales by Commissioner Hugh Ley. Second by Commissioner Albert Padilla. Motion carried.

41. COUNTY MANAGER'S PERSONNEL RECOMMENDATIONS TO HIRE THE FOLLOWING INDIVIDUAL TO FILL THE POSITION OF FINANCE SPECIALIST II WITH THE SAN MIGUEL COUNTY FINANCE DIVISION AS PER THE RECOMMENDATION OF MELINDA GONZALES, SAN MIGUEL COUNTY FINANCE DIVISION SUPERVISOR *

RECOMMENDATION TO HIRE:

PROBATIONARY EMPLOYEE

Kenneth Abeyta Finance Specialist II Salary: \$29,450.00 Annually

Les Montoya, County Manager advised the Commission that the Finance Specialist II position is vacant due to Ms. Melanie Montoya resigning her position as the Financial Specialist III and Ms. Marie Kavanaugh was promoted to that position which left the Finance Specialist II position vacant.

Mr. Montoya requested that the Commission approve the position of Financial Specialist II

Motion made to approve Position of Finance Specialist II to Kenneth Abeyta by Commissioner Albert Padilla. Second by Commissioner Hugh Ley. Motion carried.

42. PERSONNEL ACTIONS *

Les Montoya, County Manager requested that the personnel actions that have taken place in San Miguel County are submitted for ratification and approval by the San Miguel County Board of Commissioners.

Motion made to approve Personnel actions by Commissioner Hugh Ley. Second by Commissioner Albert Padilla. Motion carried.

SAN MIGUEL COUNTY BOARD OF FINANCE MEETING

43. FINANCIAL STATEMENT FOR FY 06/07 WITH THE INDEPENDENT AUDITORS REPORT *

Melinda Gonzales, Finance Division Supervisor advised the Commission that the County received a letter dated April 7, 2008 stating that the Fiscal Year 2006/2007 audit has been completed. The County received an unqualified opinion. The audit is being presented to the County Commission, for approval per Section 2.2.10.J(3)(d) of 2.2. NMAC Requirements for Contracting and Conducting Audits of Agencies.

Ms. Gonzales requested approval of Fiscal year 2006/2007 Audit with the Auditors Report.

Discussion ensued.

County Attorney Jesus Lopez gave legal interpretation for an unqualified opinion. Indicating this was a good audit report

Motion made to approve 2006/2007 Audit by Commissioner Hugh Ley. Second by Commissioner June Garcia. Motion carried.

44. BUDGET RESOLUTION 2008-05-13-F1 *

Removed from agenda as per request of County Manager Les Montoya.

Background Information: Miscellaneous budget adjustments.

Action Requested of Commission: Review and consider approval.

Staff Recommendation: Approval.

Presenter: Melinda Gonzales, Finance Division Supervisor

45. INDIGENT CLAIMS *

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

Ms. Gonzales Requested approval of the Indigent Claims from the Commission.

Motion made to approve Indigent Claims by Commissioner June Garcia. Second by Commissioner Kenneth Medina. Motion carried.

46. CASH BALANCE REPORT *

Melinda Gonzales, Finance Division Supervisor informed the County Commissioners of the April 30, 2008 cash balances.

No action taken, for information purposes only.

47. ACCOUNTS PAYABLE LISTING *

Melinda Gonzales, Finance Division Supervisor presented the report to the County Commission payments since the last regular meeting.

Ms. Gonzales requested approval of accounts payable.

Motion made to approve accounts payable by Commissioner Hugh Ley. Second by Commissioner Kenneth Medina. 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) 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 Hugh Ley to retire into Executive/ Closed Session at 3:22 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 June Garcia. Motion carried.

ADJOURNMENT

***Documentation included in Agenda Binder**

Published: Las Vegas Daily Optic

Record will show the time is 4:40 P.M.

Approved this _____ day of _____, 2008 as the Official Minutes of
The Board of County Commissioners of San Miguel County, New Mexico.

David R. Salazar, Chairman

June J. Garcia, Vice-Chairman

Hugh H. Ley, Commissioner

Kenneth C. Medina, Commissioner

Albert J. Padilla, Commissioner

ATTEST

Paul Maez, County Clerk

Minutes Submitted by: Javier L. Lopez

