

**REGULAR MEETING
SEPTEMBER 11, 2008
MINUTES**

PUBLIC NOTICE

CALL TO ORDER

The Board of County Commissioners of San Miguel County held a Regular Meeting and a County Finance Meeting on Thursday, September 11, 2008, at 1:30 p.m. at the Village of Pecos Municipal Building, 54 South Main St., Pecos, New Mexico 87752. The agenda for the County Commission meeting was 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, Les Montoya submitted the agenda as presented.

Motion to approve agenda as presented by Commissioner Hugh Ley. Second by Commissioner Kenneth Medina. Motion carried.

APPROVAL OF MINUTES: August 12, 2008 *

Motion to approve minutes for August 12, 2008 by Commissioner June Garcia. Second by Commissioner Albert Padilla. Motion carried.

INTRODUCTION OF NEW EMPLOYEES:

Frances Gonzales (Probationary Employee)	Mapping Research Clerk	Assessors Division
John Tate Fernandez (Probationary Employee)	DWI Transit Operator	DWI Division

County Manager Les Montoya introduced new employees Frances Gonzales and John Tate Fernandez who were not present.

***DWI PREVENTION/EDUCATIONAL ACTIVITY POWERPOINT PRESENTATION BY
JENNIFER BELLIN, DWI PREVENTION SPECIALIST***

Ms. Bellin gave a presentation to the Commission on Prevention/Educational activities conducted in rural area Schools within San Miguel County.

Ms. Bellin also advised that she works with grade levels from 1st thru 5th grade.

NEW BUSINESS:

1. COUNTY TREASURER'S MONTHLY REPORT *

Alfonso Ortiz, County Treasurer presented and reviewed the County Treasurer's monthly report with the Commission for the month of August 2008.

No action taken: For information purposes only.

**2. CERTIFICATES OF NOMINATION FOR CANDIDATES WHO WERE
NOMINATED TO THE NOVEMBER 4, 2008 GENERAL ELECTION ***

Melanie Rivera, Bureau of Elections Supervisor advised the Commission of the candidates that received the most votes for the June 2008 Primary Election and have been nominated to be on the ballot for the November 4, 2008 General Election.

Mrs. Rivera requested signatures from the County Commissioners for the Certificates presented.

Motion to approve Nomination certificates for candidates and for Commission signatures by Commissioner Hugh Ley. Second by Commissioner June Garcia. Motion carried.

**3. RESOLUTION NO. 09-11-2008 DC, A RESOLUTION AUTHORIZING AN
ELECTION FOR ADOPTION OF MUNICIPAL DETENTION OFFICER
MEMBER COVERAGE PLAN 1 ***

Patrick W. Snedeker, Warden/Facility Director advised the Commission that the FY 2009 approved Detention Center budget includes funding to implement PERA Municipal Detention officer Member Coverage Plan 1. Under the plan, service credit earned as a Detention Officer employed by the Detention facility is enhanced or increased by 20%.

Mr. Snedeker Introduced Mary Frederick who gave a brief explanation of the coverage plan 1, and who would be required to implement the plan.

Discussion ensued

Mrs. Frederick informed the County Manager, Bernalillo County, Rio Arriba County, Gallup, Eddy County were Counties who have passed the plan to date.

Mr. Snedeker requested the Commission approve Resolution No. 09-11-2008-DC, authorizing an election for adoption of Municipal Detention Officer Members Coverage Plan 1.

Motion to approve Resolution No. 09-11-2008-DC by Commissioner Hugh Ley. Second by Commissioner June Garcia. Motion Carried.

4. HEALTHCARE SERVICES/HEALTHCARE MANAGEMENT SERVICES SAN MIGUEL COUNTY DETENTION CENTER HEALTHCARE PARTNERS SYSTEMS CONTRACT APPROVAL *

Patrick W. Snedeker, Warden/Facility Director advised the Commission competitive Sealed Proposals were sought from qualified contractor(s) specific to the provision of Healthcare Services/Healthcare Management Services for the San Miguel County Detention Center. Negotiations have been completed with Healthcare Partners Systems for contract finalization purposes.

Mr. Snedeker requested the Commission approve the contract with Healthcare Partners Systems for the provision of inmate healthcare services/healthcare management services at the San Miguel County Detention Center as submitted.

Marsha Hefker spoke briefly to the Commission about the healthcare services/healthcare management services.

Motion to approve contract with Healthcare Partners Systems for the provision of inmate healthcare services/healthcare management services at the San Miguel County Detention Center by Commissioner Hugh Ley. Second by Commissioner Albert Padilla. Motion carried.

5. INMATE TELEPHONE SERVICES(S)/JAIL MANAGEMENT SYSTEM(S) SAN MIGUEL COUNTY DETENTION CENTER SECURUS TECHNOLOGIES CONTRACT APPROVAL *

Patrick W. Snedeker, Warden/Facility Director advised the Commission competitive Sealed Proposals were sought from qualified contractor(s) specific to the provision of inmate telephone service(s) jail management system(s) for the San Miguel County Detention Center. Negotiations have been completed with Securus Technologies for contract finalization purposes.

Mr. Snedeker requested the Commission approve the contract with Securus Technologies for the provision of inmate telephone services(s) jail management system(s) at the San Miguel County Detention Center.

Motion to approve contract with Securus Technologies for the provision of inmate telephone services(s) jail management system(s) at the San Miguel County Detention Center by Commissioner Hugh Ley. Second by Commissioner Kenneth Medina. Motion carried.

6. CONTROL CENTER TECHNICIAN JOB DESCRIPTION AT THE SAN MIGUEL COUNTY DETENTION CENTER *

Major Johnny Lujan, Chief of Security for San Miguel County Detention Center advised the Commission the Control Center Technician position(s) are utilized at the Detention Center to staff the facility master control center and facility housing control center security post(s). Salaries for selected personnel are provided by HELP NM, Inc. These are initial work experience/OJT/skills development positions, within Detention Officer Development and retention, cooperative program between the San Miguel County Detention Center and HELP NM, Inc. Control Center Technician(s) received orientation on the job training and attended/completed the detention officer training academy program.

Major Lujan requested the Commission Review and approve the Control Center Technician Job Description as presented.

Discussion ensued

Motion to approve Control Center Technician Job Description by Commissioner Albert Padilla. Second by Commissioner Kenneth Medina. Motion carried.

County Manager, Les Montoya requested to move Item #26 to Item #7, and Chairman Salazar concurred.

7. APPROVE RESOLUTION AUTHORIZING AMENDMENT BETWEEN TAXATION AND REVENUE DEPARTMENT AND SAN MIGUEL COUNTY AMENDING THE AGREEMENT TO EXTINGUISH INTEREST RATES APPLIED TO OUTSTANDING BALANCES ON THE LOAN TOTAL FOR LOAN PAID BALANCES OF SEPTEMBER 16, 2008 *

Amy Chavez, staff Attorney with the Taxation & Revenue Department advised the Commission that a loan was obtained to comply with mapping requirements and to meet the requirements of NMSA 1978, 7-36-16. Under the existing contract, a one percent interest rate is imposed on late installment payments. Due to the imposition of that rate, an outstanding balance of \$14,568 is owed to the Property Valuation Fund. Proposed amendment to the contract would eliminate the interest provisions and extinguish the balance owed to the Property Valuation Fund.

Mrs. Chavez requested that the Commission review the amendment and consider approving Resolution and ratify the amendment to the agreement approved by the Commission.

Motion to approve Resolution, and authorize ratifying appeal of the amendment, extinguishing the late interest amount of \$14,658.00 to the agreement entered in February 11, 1994 by Commissioner Hugh Ley. Second by Commissioner Albert Padilla. Motion carried.

8. PETITION TO ESTABLISH PUBLIC ROAD, U.S. FOREST SERVICE *

Mr. Steve Romero, District Ranger for the Pecos/Las Vegas district for the Santa Fe National Forrest advised the Commission that San Miguel County has received a petition from the U.S. Forest Service Pecos/Las Vegas Ranger District to establish Forest Road 223 as a public road. Forest Road 223 is located in the vicinity of Pecos, New Mexico and provides access to National Forest lands, the Iron Gate Campground, the Pecos Wilderness and several properties owned by private landowners.

Mr. Romero also introduced his staff that was present: Mr. Patrick Leyba, Forrest Engineer, Mr. James Munoz with the recreation staff and Mr. Mike Frazier, Forrest Recreation/Land/Minerals/Engineering staff.

Prior to presentation by Mr. Romero, Commissioner Ley advised the Commission that he does own property that would be affected by this road in question and, therefore would recuse himself from voting on this issue.

Mr. Romero presented a large map of the areas in question to the Commission as a visual aide

Discussion ensued

Mr. Mike Frazier spoke of the willingness to work with San Miguel County in any way possible in the upkeep and maintenance of this road

County Attorney, Jesus Lopez advised the Commission of its responsibilities and what process will need to be undertaken in this matter.

Mr. Lopez suggested the Commission not make any decisions but to schedule a public road viewing and receive recommendations from the County road viewers.

Mr. Florentino Gonzales commented of the importance of a public hearing due to the fact that some of the land owners may not be around during the road viewing. Mr. Gonzales also commented on the safety issues of this road.

At the request of County Attorney Jesus Lopez, Alex Tafoya, Planning and Zoning Supervisor spoke briefly of his findings and his recommendations for a road viewing for this project.

Motion to Schedule a public road viewing and receive recommendations from County road viewers by Commissioner Kenneth Medina. Second by Commissioner Albert Padilla. Motion carried.

9. REVISION OF PLANNING AND ZONING ADMINISTRATIVE ASSISTANT JOB DESCRIPTION *

Alex Tafoya, Planning and Zoning Supervisor advised the Commission that the Planning and Zoning Office has taken over the duties and responsibilities of issuing and processing County

business license registrations. Duties of this task have been assigned to the Planning and Zoning Administrative Assistant. The P & Z Administrative Assistant job description is no longer accurate and does not reflect the job duties as pertaining to issuing and processing of County business license registrations.

Mr. Tafoya requested³ the Commission review and approve the new job description for the Planning and Zoning Assistant.

Motion to approve new job description for the Planning and Zoning Assistant by Commissioner Albert Padilla. Second by Commissioner Kenneth Medina. Motion carried.

County Manager Les Montoya requested a short break in celebration of Commissioners Albert Padilla and Kenneth Medina's birthday.

Chairman David Salazar called meeting back to order.

10. RESOLUTION 9-11-2008-WATER FUNDING-CM SUPPORTING REGIONAL WATER PLANNING *

Mr. Frank Splendoria from the North San Miguel, Guadalupe representative water and planning Committee advised the Commission of the resolution establishing the County Commission's attempt to support legislative funding to support the up dating and/or expanding Regional Water Planning for the purposes of insuring adequate planning and water supplies.

Discussion ensued.

Mr. Splendoria requested Commission review of the Resolution and consider supporting, thereby authorizing Commissioners to execute.

Motion to Approve Resolution 9-11-2008 water funding-CM and submit to State Legislators illustrating San Miguel County Commission support by Commissioner Albert Padilla. Second by Commissioner Kenneth Medina. Motion carried.

11. DEPARTMENT OF TRANSPORTATION CAPITAL COOPERATIVE AGREEMENT FOR 2008 AND RESOLUTION NO. 09-11-08-PW *

Alex Tafoya, Planning and Zoning Supervisor advised the Commission San Miguel County has received a Capital Cooperative Agreement for 2008 Legislative Appropriations from the New

Mexico Department of Transportation. Agreement provided general funds in the amount of \$500,403 for eleven (11) road projects within San Miguel County. Approval of the Agreement and adoption of a Resolution in support of the projects is required in order to access the funding.

Mr. Tafoya requested the Commission (1) Accept and approve the Capital Cooperative Agreement and authorize Commission Chairman David R. Salazar to sign the Agreement and (2) approve and adopt Resolution No. 09-11-08-PW.

Motion to approve the agreement and adopt Resolution 09-11-08-PW by Commissioner Kenneth Medina. Second by Commissioner June Garcia. Motion carried.

12. REQUEST TO CLOSE ROAD, AS COUNTY ROAD-HARDING COUNTY *

Alex Tafoya, Planning and Zoning Supervisor advised the Commission that Harding County has submitted a request to close a road that provides access to the Trigg Ranch residences near the boundary of San Miguel and Harding Counties. The road is identified on the Harding County road map as being a San Miguel County road, possibly County Road C-10-A approximately 35.0 miles in length. The portion of the road that is the subject of this request is approximately one (1) mile in length and appears to be two smaller roads that are off the main County road.

Mr. Tafoya requested the Commission direct County staff to conduct a road viewing and return recommendation from the County road viewers to Board of County Commissioners as to what action should be taken in regard to this request.

Motion to conduct a road viewing and have County road viewers return a recommendation to the Board of County Commissioners by Commissioner Kenneth Medina. Second by Commissioner Albert Padilla. Motion carried.

13. 2009 COMMUNITY BLOCK GRANT APPLICATION, TECOLOTE ROAD PROJECT PHASE II *

Alex Tafoya, Planning and Zoning Supervisor advised the Commission that at the August 2008 County Commission meeting, after conducting a public hearing and accepting public comment in regard to a 2009 Community Development Block Grant application, the Village of Tecolote Road Improvement Project Phase II was selected for a 2009 Community Development Block

Grant application. A resolution authorizing an application to be submitted is needed as part of the application packet.

Mr. Tafoya requested the Commission approve Resolution No. 09-11-08-CDBG authorizing the Chairman of the County Commission to sign and submit a 2009 Community Development Block Grant application.

Motion to approve Resolution No. 09-11-08-CDBG by Commissioner Kenneth Medina. Second by Commissioner June Garcia. Motion carried.

14. MEMORANDUM OF UNDERSTANDING – U.S. FISH & WILDLIFE SERVICE *

Alex Tafoya, Planning and Zoning Supervisor advised the Commission that the U.S. Fish & Wildlife Service proposes to prepare appropriate National Environmental Policy Act documentation analyzing alternatives to a proposed rule for altering the Mexican Wolf Experimental Population Area. An Environmental Impact Statement will be used by U.S. Fish & Wildlife Service to analyze options for the writing of a new rule in regard to Mexican Wolf Reintroduction in Arizona and New Mexico, and to also consider the impacts of proposed actions on the physical, biological, social and economic aspects of the human environment. Under the Memorandum of Understanding, San Miguel County becomes authorized as a cooperating agency to participate in the National Environmental Policy Act process and assist in the development of alternatives. The Memorandum of Understanding also provides for San Miguel County to designate one or more individuals to represent the County on the Interdisciplinary Team with the U.S. Fish & Wildlife Service.

Mr. Tafoya requested the Commission review the proposed Memorandum of Understanding and approve the Memorandum of Understanding; and designate one or more individuals to represent San Miguel County on the Interdisciplinary Team with the Fish & Wildlife Service.

Discussion ensued.

County Manager Les Montoya requested the MOU be approved and he be given authorization to act administratively to deal with this issue in the best interest of the County as it pertains to the amount of resources needed to commit on behalf of the County.

Motion to approve MOU and authorize County Manager Les Montoya to act administratively in the best interests of San Miguel County by Commissioner Hugh Ley. Second by Commissioner Albert Padilla. Motion carried.

15. GRANT AWARD FOR THE GALLINAS VOLUNTEER FIRE DEPARTMENT *

Russell Pacheco, Fire Chief advised the Commission that on March 11, 2008 he requested ratification and approval of grant applications submitted to the New Mexico Energy and Minerals and Natural Resources Department, Forestry Division, (EMNRS Forestry) by 7 fire

districts from San Miguel County. The Gallinas Volunteer Fire Department was awarded a grant of \$8,100 with a match of \$9,000 required by the fire district. Upon acceptance of the Energy, Minerals and Natural Resources Department, Forestry Division, (EMND-Forestry) grant by the Commission the Gallinas Volunteer Fire Department will be investing \$9,000 toward purchasing fire hose, Personal Protective Equipment (PP's) and New Generation fire shelters as part of the grant agreement.

Mr. Pacheco requested the Commission accept grant and sign grant documents.

Motion to accept grant and sign documents by Commissioner Kenneth Medina. Second by Commissioner Hugh Ley. Motion carried.

16. JOB DESCRIPTION FOR SAN MIGUEL COUNTY URBAN INTERFACE MANAGEMENT TECHNICIAN REQUESTING AUTHORIZATION TO PUBLICIZE NEED TO HIRE A QUALIFIED INDIVIDUAL TO WORK FOR SAN MIGUEL COUNTY TO IMPLEMENT THE COMMUNITY WILDFIRE PROTECTION PLAN *

Russell Pacheco, Fire Chief advised the Commission that the San Miguel County Urban Interface Management Technician job description for the individual that will be implementing the San Miguel County Wildfire Protection Plan was finalized this year. This was developed through state and federal specifications. San Miguel County Urban Interface Management Technician will also work with state, federal, community, and volunteer organizations to address treatment needs, identify threats, and risks, create ordinances, rules and regulation, for new and existing development, develop training programs related to wildfire risk and address public awareness.

Mr. Pacheco requested the Commission approve the job description for the position of San Miguel County Urban Interface Management Technician. The Urban Interface Management Technician will also work with state, federal, community, and volunteer organizations to address treatment needs, identify threats, and risks, creating ordinances, rules and regulations, for new and existing development, develop training programs related to wildfire risk and address public awareness.

Motion to approve job description for the position of San Miguel County Urban Interface Management Technician and direct Fire Chief to publish the San Miguel County Urban Interface Management Technician position by Commissioner Albert Padilla. Second by Commissioner Hugh Ley. Motion carried.

17. GRANT AWARD TO EL PUEBLO FIRE DEPARTMENT *

Russell Pacheco, Fire Chief advised the Commission that in the month of April of 2008 ENMR offered to all public safety entities located within their service area the opportunity to apply for

funding through their grant program. This funding is for the improvement of Public safety in the communities ENME from ENMR for needs related to fire funding.

Mr. Pacheco requested the Commission approve and ratify and accept Grant Check for \$5,000 for the El Pueblo Fire Department.

Motion to approve, ratify and accept check for \$5,000 by Commissioner Kenneth Medina. Second by Commissioner Hugh Ley. Motion carried.

18. 2004 SPRINTER AMBULANCE RFP COUNTY FIRE DEPARTMENTS *

Russell Pacheco, Fire Chief advised the Commission that on April 8, 2008 San Miguel County took possession of the 2004 Sprinter Ambulance purchased to provide quality medical transport services in San Miguel County, through Rocky Mountain Ambulance. This unit is currently in storage and San Miguel County would like to place it back in service. San Miguel County will be publishing in the local newspaper asking for request for proposal for San Miguel County Fire Districts as a means of determining where the ambulance should be placed into service. Then select a committee to review proposals and select strategic placement of the ambulance.

Mr. Pacheco requested the Commission Provide to Russell Pacheco, San Miguel County Fire Chief, authorization and direction to publish and request RFP's from San Miguel County Fire Districts for the acquisition and placement of the Ambulance.

Discussion ensued.

The Commission directed County Fire Chief to begin advertising to place the ambulance within a County Fire Department. A request for proposal should be prepared to solicit requests from qualified Fire Departments who would provide basic life support services.

Direction Provided to Russell Pacheco, San Miguel County Fire Chief, to publish and request RFP's from San Miguel County Fire Districts for the acquisition and placement of the Ambulance.

19. RESOLUTION NO. 09-11-2008-SMC-FIRE NAMING OF COUNTY FIRE DISTRICTS *

Russell Pacheco, Fire Chief advised the Commission of the Resolution addressing Naming of Fire Districts, Fire Stations and Equipment. Resolution NO. 09-11-08-SMC-FIRE was developed to give San Miguel County specific guidelines when approached with requests to name a fire district, fire station or firefighting equipment after any individual that submits such a request.

Mr. Pacheco requested that the Commission accept and adopt Resolution NO. 09-11-2008-SMC-FIRE for naming of Fire Districts, Fire Stations and Equipment.

County Attorney Jesus Lopez advised the Commission of the draft presented and that any revisions or changes can be done if so desired by the Commission.

Discussion ensued.

As per Commission discussion and revision, Resolution No. 09-11-2008-SMC-FIRE will be redrafted and presented at the November meeting.

20. REQUEST FOR BIDS TO PURCHASE PROPANE FOR FIRE DISTRICTS IN SAN MIGUEL COUNTY *

Russell Pacheco, Fire Chief advised the Commission that as Fire Chief for San Miguel County he felt it would be beneficial to request for propane purchase through the request for Bid process. Fire districts used more than 8,000 gallons of propane last year. As it stands, volunteer fire districts are paying different rates for propane to keep their apparatus from freezing in the winter months. Therefore some districts save money and some spend more. A request for Bids to supply propane to the County Fire Districts from one company would also make it easier for the Finance division to track and pay gas expenses. Also, if the county requests bids from propane companies to provide propane to the fire districts on a yearly basis the fire districts would benefit greatly and possibly save some expense on their heating costs. The request for Bids (RFB) would also include the tank rent/purchase for those districts that don't own their tanks.

Mr. Pacheco requested that he be given authorization to publish requests for bids from gas companies.

Motion to authorize Mr. Pacheco to publish request for Bids from Propane Providers by Commissioner Kenneth Medina. Second by Commissioner Hugh Ley. Motion carried.

21. DWI PREVENTION CONTRACTUAL SERVICES FY 08-09 *

Wendy Armijo, DWI Coordinator advised the Commission of the DWI Prevention definition: 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.

Wendy Armijo, DWI Coordinator also advised the Commission that the San Miguel County DWI Planning Council in its Strategic Planning process has identified the need for preventative educational services as it applies to substance abuse related issues. As such, the DWI Planning Council is choosing to provide the means in which to do so by employing a contract service provider specific to the identified needs.

The stated contractor will provide educational services for students grade 1-5 in the following Elementary Schools: Valley, Pecos and Sapello. The Contractor will also be responsible for the implementation of the e-Chug program, which is to be administered to high school students at the Pecos High School. Additional responsibilities will include participation in Red Ribbon Week and participation in local community and school events.

Mrs. Armijo requested the Commission approve the hiring of contractual DWI Prevention Specialist, Jennifer Bellin.

Motion to hire contractual DWI Prevention Specialist Jennifer Bellin by Commissioner Albert Padilla. Second by Commissioner Hugh Ley. Motion carried.

22. MONTHLY REPORT IN THE PUBLIC WORKS DIVISION FOR THE MONTH OF AUGUST 2008 *

Harold Garcia, Public Works Division Supervisor reviewed the information on issues dealt with in the Public Works Division for the month of August 2008.

No action taken, for information purposes only.

23. RESOLUTION NO. 09-11-08-PW/SW APPROVING A SPECIAL APPROPRIATION PROJECT OF \$400,000 FOR THE PURPOSE OF PURCHASE OF A SOLID WASTE BALER, DESIGN, AND CONSTRUCTION OF A SOLID WASTE TRANSFER STATION IN SAN MIGUEL COUNTY *

Harold Garcia, Public Works Division Supervisor advised the Commission that San Miguel County received a Special Project Appropriation in the amount of \$400,000 for Planning, Design, Purchase, Construct, and Equip a Solid Waste Baler and Transfer Station at the County Public Works Facility in San Miguel County.

Mr. Garcia also advised the Commission that a Resolution is required for adoption and submittal to the NM Environment Department accepting the \$400,000 Special Legislative Project Appropriation. It is also required the County assign a Grantee Representative and Signatory Authority for any draw downs that will take place in this appropriation. County Finance Supervisor Melinda Gonzales and County Manager Les Montoya will be designated accordingly.

Mr. Garcia requested the Commission adopt, approve and pass Resolution Number 09-11-PW/SW for a Special Appropriation Project of \$400,000 for the purpose of purchase of a Solid Waste Baler, design and construction of a Solid Waste Transfer Station in San Miguel County.

Motion to adopt Resolution Number 09-11-08-PW/SW by Commissioner Hugh Ley. Second by Commissioner June Garcia. Motion carried.

24. DISCUSSION AND PUBLIC INPUT ON PROPOSED REVISION TO THE CURRENT SOLID WASTE ORDINANCE NUMBER SMC-02-10-04-OR FOR ADOPTION AT THE OCTOBER 2008 COUNTY COMMISSION MEETING *

Harold Garcia, Public Works Division Supervisor 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 the County Commission allow Public Input regarding the proposed changes to the Solid Waste Ordinance for adoption of the revised Solid Waste Ordinance at the October, 2008 County Commission Meeting.

Mr. Garcia requested public hearing regarding the proposed Changes to the existing Solid Waste Ordinance.

No comments were made Pro or Con regarding the proposed changes to the ordinance

It was mentioned a public hearing will be held at the October Commission meeting on the proposed changes to the existing Solid Waste Ordinance.

Discussion ensued.

No action taken.

25. AWARD OF BID FOR THE STORRIE PROJECT PAVING (LOCAL GOVERNMENT ROAD FUNDS) AND BRIDGE DECKING (GRIP 2 FUNDS)

AND THE CINDER ROAD/HARRIS ROAD (LOCAL GOVERNMENT ROAD FUNDS) IMPROVEMENT PROJECTS *

Harold Garcia, Public Works Division Supervisor advised the Commission that the PW Staff recently advertised two Local Government Road Fund/GRIP 2 Projects (Storrie Project and Cinder Road/Harris Road). Bid Opening was conducted on Thursday, August 28, 2008.

Mr. Garcia requested the Commission award the bids to the lowest qualified bidder based on the recommendation of the Engineer. Lowest bids are as follows.

Bid Lot# 1:Storrie Bridge Deck Improvements: JAG Construction of Las Vegas, NM.(\$37,444.00).

Bit Lot# 2A:Chico Road Trench Drain: Sangre De Cristo Gravel Products of Rio Rancho and Las Vegas, NM.(\$44,677.50).

Bid Lot# 2B:Cinder Road Maintenance Improvements: Sangre De Cristo Gravel Products of Rio Rancho and Las Vegas, NM.(\$59,623.19).

Bid Lot# 3: Storrie Road Improvements: Sanger De Cristo Gravel Products of Rio Rancho and Las Vegas, NM. (\$78,398.38).

Motion to award the bids to the lowest bidder based on the recommendation of the County Engineer as noted above, by Commissioner Kenneth Medina. Second by Commissioner Hugh Ley. Motion carried.

26. COMPETITIVE SEALED BIDS FOR THE FABRICATION AND PURCHASE OF THE FOLLOWING: 14-FOOT-PRE-CAST CONCRETE AND STEEL GRILL CATTLE GUARDS, END POSTS, AND WARNING DEVICES *

Harold Garcia, Public Works Division Supervisor advised the Commission that San Miguel County has received a Legislative Appropriation for the Purchase of Cattle Guards through the 2008 Legislative Session. Based on this, staff has prepared a Bid Proposal with Engineered Drawings of Cattle Guards for the purpose of advertizing for Sealed Bids for fabrication and purchase of Cattle Guards. The specifications being advertised for Bid were prepared for San Miguel County by an Engineer and are consistent with the needs of the County regarding Cattle Guards within the County Roads.

Mr. Garcia requested the Commission authorize Staff to proceed with an advertisement for bids for the fabrication and purchase of one (1) or more 14-foot pre-cast concrete and steel grill cattle guards, End Posts, and Warning Devices.

Motion to authorize staff to proceed with the advertisement for the fabrication and purchase of one (1) or more 14-foot pre-cast concrete and steel grill cattle guards, end posts, and warning devices by Commissioner Kenneth Medina. Second by Commissioner Albert Padilla. Motion carried.

27. SAN MIGUEL COUNTY PUBLIC WORKS/ANIMAL CONTROL OFFICER JOB DESCRIPTION *

Harold Garcia, Public Works Division Supervisor presented to the Commission his authorization by the Board of Commissioners of San Miguel County to have the Public Works Division Supervisor hire an Animal Control Officer. Based on this, a job description is necessary and advertisement for this position should be initiated.

Mr. Garcia requested the Commission review, discuss, and approve the job description for Animal Control Officer in the Public Works Division.

Discussion ensued.

Motion to approve the job description for Animal Control Officer by Commissioner Hugh Ley. Second by Commissioner June Garcia. Motion carried.

28. LODGERS' TAX ADVISORY BOARD RECOMMENDATION TO AMEND LAS VEGAS/SAN MIGUEL COUNTY CHAMBER OF COMMERCE 2008-09 LODGERS' TAX FUNDING AGREEMENT AND TO RECOMMEND \$300 TO

**PECOS STUDIO TOUR TO ADVERTISE AND PROMOTE AND CELEBRATE
PECOS STUDIO TOUR ***

Les Montoya, County Manager advised the Commission that the LTAB will meet with the Chamber to discuss the effectiveness of the Chamber's web-page for San Miguel County. LTAB decided rather than develop its own web-page it would appropriate \$10,000 of LTF to the Chamber since they were working to upgrade the page and include the County. The LTAB considered a funding request from Pecos Studio Tours and decided to recommend awarding \$300 to promote and advertise this event.

Mr. Montoya requested that the Commission consider a funding request from Pecos Studio Tours for \$300 to promote and advertise this event.

Motion to approve recommendation of LTAB by Commissioner Hugh Ley. Second by Commissioner June Garcia. Motion carried.

**29. COUNTY MANAGER'S PERSONNEL RECOMMENDATIONS TO HIRE AND
RATIFY THE FOLLOWING INDIVIDUAL TO FILL THE POSITION OF
MAPPING RESEARCH CLERK WITH THE SAN MIGUEL COUNTY
ASSESSOR'S DIVISION AS PER THE RECOMMENDATION OF ELAINE
ESTRADA, SAN MIGUEL COUNTY ASSESSOR ***

RECOMMENDATION TO HIRE:

PROBATIONARY EMPLOYEE

Frances Gonzales	Mapping Research Clerk	Salary: \$ 19,950.00
Effective:	August 18, 2008	

Les Montoya, County Manager advised the Commission of the listed employee for the Mapping Research Clerk with the San Miguel County Assessor's Office as per the recommendation of Elaine Estrada, San Miguel County Assessor.

Mr. Montoya Requested the Commission hire and ratify the above individual for the Mapping Research Clerk with the San Miguel County Assessor's Office as per the recommendation of Elaine Estrada, San Miguel County Assessor.

Motion to hire and ratify the above individual for the Mapping Research Clerk with the San Miguel County Assessor's Office as per the recommendation of Elaine Estrada, San Miguel County Assessor by Commissioner Kenneth Medina. Second by Commissioner Hugh Ley. Motion carried.

**30. COUNTY MANAGER'S PERSONNEL RECOMMENDATIONS TO HIRE THE
FOLLOWING INDIVIDUAL TO FILL THE VACANT POSITION OF SECTION
8 HOUSING SPECIALIST WITH THE SAN MIGUEL COUNTY SECTION 8**

HOUSING PROGRAM AS PER THE RECOMMENDATION OF GILBERT ALMANZA, SECTION 8 HOUSING ADMINISTRATOR *

RECOMMENDATION TO HIRE:

PROBATIONARY EMPLOYEE

Francesca Chavez	Section 8 Housing Specialist	Salary: \$ 17,100.00
Effective:	September 22, 2008	

Les Montoya, County Manager advised the Commission that the Section 8 Housing Specialist position was vacant due to the promotion of Leonor Encinias to the DWI Division as the new DWI Prevention Specialist. The Section 8 housing Specialist was advertised and several applications were received and interviews were held and Ms. Francesca Chavez was the best qualified to fill the vacant position.

Mr. Montoya requested the Commission hire and ratify the above individual for the San Miguel County Section 8 Housing Specialist position as per the recommendation of Gilbert Almanza, Section 8 Housing Administrator.

Motion to hire the above individual for the San Miguel County Section 8 Housing Specialist position as per the recommendation of Gilbert Almanza, Section 8 Housing Administrator by Commissioner June Garcia. Second by Commissioner Hugh Ley. Motion carried.

31. COUNTY MANAGER'S PERSONNEL RECOMMENDATIONS TO HIRE AND RATIFY THE FOLLOWING INDIVIDUAL TO FILL THE PART TIME POSITION OF DWI TRANSIT OPERATOR WITH THE SAN MIGUEL

**COUNTY DWI DIVISION AS PER THE RECOMMENDATION OF WENDY
ARMIJO, SAN MIGUEL COUNTY DWI SUPERVISOR ***

RECOMMENDATION TO HIRE:

PROBATIONARY EMPLOYEE

John Tate Fernandez DWI Transit Operator Salary: \$ 10.00 Hourly
Effective: August 29, 2008

Les Montoya, County Manager advised the Commission that one of the positions for DWI Transit Operator was vacant due to the resignation of Carl Vigil. John Tate Fernandez will operate the Safe Ride Home Service from 8 p.m. to 3 a.m. on Thursday, Friday, Saturday and all Government Holidays.

Mr. Montoya requested the Commission to hire and ratify the above individual for the DWI Transit Operator as per the recommendation of Wendy Armijo, San Miguel County DWI Supervisor.

Motion to hire and ratify the above individual for the DWI Transit Operator as per the recommendation of Wendy Armijo, San Miguel County DWI Supervisor, by Commissioner Albert Padilla. Second by Commissioner Hugh Ley. Motion carried.

32. PERSONNEL ACTIONS *

Les Montoya, County Manager advised the Commission 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.

Mr. Montoya requested that the Commission approve and ratify the Personnel actions that have taken place in San Miguel County.

Motion to ratify and approve Personnel actions that have taken place in San Miguel County, by Commissioner Hugh Ley. Second by Commissioner Albert Padilla. Motion carried.

Les Montoya, County Manager requested to turn Meeting over to Melinda Gonzales, Finance Division Supervisor for the Board of Finance portion of the meeting.

SAN MIGUEL COUNTY BOARD OF FINANCE MEETING

33. BUDGET ADJUSTMENT 2008-09-11-F1 *

Melinda Gonzales, Finance Division Supervisor advised and reviewed with the Commission the Miscellaneous budget adjustments as per 2008-09-11-F1.

Ms. Gonzales requested that the Commission review and consider approval of the Budget Adjustments 2008-09-11-F1.

Motion to approve Budget Adjustments 2008-09-11-F1 by Commissioner June Garcia. Second by Commissioner Hugh Ley. Motion carried.

34. FUEL USAGE REPORT *

Melinda Gonzales, Finance Division Supervisor advised and reviewed with the Commission that on a monthly basis the finance department is monitoring the gas usage for each of the departments. If the department is exceeding the average monthly allotment, the finance department sends notice to the department to plan for overages within their current budget.

No action taken: For information only.

35. REVISED SAN MIGUEL COUNTY ADMINISTRATIVE REGULATION GOVERNING THE USE OF THE WORLD WIDE WEB, (INTERNET) AND ELECTRONIC MAIL POLICY *

Melinda Gonzales, Finance Division Supervisor advised the Commission that the County has an Internet use policy currently in effect. Internet usage has expanded to each desktop in all departments and divisions in County Offices and the policy has to be updated to reflect this growth.

Ms Gonzales requested that the Commission approve Internet and Electronic Mail Policy 9-11-08-CIS 01

Motion to approve Resolution No. 9-11-08-CIS 01 by Commissioner Hugh Ley. Second by Commissioner Albert Padilla. Motion carried.

36. FINAL BUDGET APPROVAL LETTER FROM THE DEPARTMENT OF FINANCE AND ADMINISTRATION *

Melinda Gonzales, Finance Division Supervisor advised and reviewed with the Commission that the Department of Finance and Administration (DFA) sent final approval on the Fiscal Year 2008-09 budget. Section 6-6-5 NMSA 1978, requires that the budgets approved by the Division are required to be made part of the minutes of the governing body.

DFA made adjustments to the EMS and Law Enforcement Protection Fund (LEPF). The EMS budget was put together based on tentative grant agreements and the amount was adjusted to reflect notice DFA received from the EMS bureau. The EMS budget was also modified to reflect EMS Bureau approval of prior year carryovers. Finally, the LEPF was increased by \$600 to reflect the actual amount of the grant the County will be receiving.

No action taken: Information only to be reflected in the minutes of the Commission meeting.

37. INDIGENT CLAIMS *

Melinda Gonzales, Finance Division Supervisor presented to the Commission indigent claims submitted and reviewed by the Finance Office from Alta Vista Hospital and St. Vincent Hospital.

Ms. Gonzalez requested the Commission approve indigent claims from Alta Vista Hospital (\$59,483.79) and from St. Vincent Hospital (\$20,409.91).

Motion to approve Indigent Claims from Alta Vista Hospital (\$59,483.79) and from St. Vincent Hospital (\$20,409.91), by Commissioner Albert Padilla. Second by Commissioner June Garcia. Motion carried.

38. CASH BALANCE REPORT *

Melinda Gonzales, Finance Division Supervisor advised and reviewed with the Commission the August 31, 2008 cash balances.

No action taken: for information only.

39. ACCOUNTS PAYABLE LISTING *

Melinda Gonzales, Finance Division Supervisor advised the Commission of the payments made since the last regular meeting.

Ms. Gonzales requested the Commission approve accounts payable.

Discussion ensued.

Motion to approve accounts payable by Commissioner June Garcia. Second by Commissioner Albert Padilla. 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 Albert Padilla to retire into Executive/ Closed Session at 4:43 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 Hugh Ley. Motion carried per following roll call vote.

Roll call was taken before County Commission retired into Executive Session

Chairman David Salazar	Yes
Vice-Chair June Garcia	Yes
Commissioner Hugh Ley	Yes
Commissioner Kenneth Medina	Yes
Commissioner Albert Padilla	Yes

Unanimous vote to retire into executive session.

Commissioner Hugh Ley made a motion to return to regular session at 5:15 P.M. Second by Commissioner June Garcia. Motion carried.

The record will show that no action was taken in the Executive Session, and matters discussed in the closed meeting were limited only to those specified in the motion for closure.

ADJOURNMENT

Commissioner June Garcia made motion to adjourn. Second by Commissioner Hugh Ley. Motion carried. The meeting ended at 5:18 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-Chair

Hugh H. Ley, Commissioner

Kenneth C. Medina, Commissioner

Albert J. Padilla, Commissioner

ATTEST

Paul Maez, County Clerk

Minutes Submitted by: Javier L. Lopez