

Melanie Y. Rivera BOE Supervisor

Geraldine E. Gutierrez Chief Deputy

> Martha Sena Deputy Clerk

County Clerk
Melanie Y. Rivera



PUBLIC NOTICE

Michelle Padilla Deputy Clerk

Javier Lopez Deputy Clerk

Ebeny Mondragon Probate Deputy Clerk



CALL TO ORDER

The Board of County Commissioners of San Miguel County held a Regular Meeting and a County Finance Meeting on Tuesday, July 14, 2009, at 1:30 p.m. at the Board Room of the Donaldo A. Martinez Administration Building, West Las Vegas Schools, 179 Bridge St., Las Vegas, New Mexico. The agenda for the County Commission meeting was as follows:

ROLL CALL

Chairman David R. Salazar, Vice-Chair June J. Garcia, Commissioner Albert J. Padilla, Commissioner Nicolas T. Leger, and Commissioner Marcellino A. Ortiz were all present.

The record will show a quorum was present.

PLEDGE OF ALLEGIANCE

SALUTATION TO THE NEW MEXICO STATE FLAG

APPROVAL OF AGENDA

County Manager Les Montoya requested that items 12 and 14 be removed from the agenda.

Motion made by Commissioner Albert Padilla to approve agenda as presented. Second by Commissioner Marcellino A. Ortiz. Motion carried.

APPROVAL OF MINUTES: June 16, 2009 regular meeting and May 15, 2009 budget workshop.

Motion made by Commissioner June Garcia to approve minutes for Regular Meeting held on June 16, 2009. Second by Commissioner Marcellino A. Ortiz. Motion carried.

Motion made by Commissioner Albert Padilla to approve minutes for Budget Workshop held on May 15, 2009. Second by Commissioner Marcellino A. Ortiz. Motion carried.

County Manager Les Montoya thanked the IT staff and all persons responsible for the training and hard work in getting the County Board linked with laptops for the Commission Meetings.

PRESENTATION OF RETIREMENT PLAQUE TO HAROLD GARCIA, SAN MIGUEL COUNTY PUBLIC WORKS DIVISION SUPERVISOR IN RECOGNITION AND HONOR OF 25 YEARS OF PUBLIC SERVICE IN SAN MIGUEL COUNTY

County Manager Les Montoya and all the Commissioners each thanked Mr. Garcia for all his hard work and the excellent job he has done through the years.

Mr. Garcia thanked everybody for all the support he has received through his years of service and for all the help they have given him and he was honored to have worked with everyone.

Chairman Salazar and the Board of County Commissioners presented Mr. Garcia with a plaque in recognition of his hard work and years of service.

INFORMATIONAL ITEM, LOCAL LEADER GRADUATES FROM LEADERSHIP NEW MEXICO'S CORE PROGRAM (PATRICK SNEDEKER)

County Manager Les Montoya recognized and congratulated Warden Patrick Snedeker in graduating from the Leadership New Mexico's Core Program.

CITIZEN GROUP CONCERNS ON OLD NATIONAL ROAD RELATING TO SPEED LIMIT ENFORCEMENT AND DWI ACCIDENTS

Molly Smollet, a resident of Old National Rd for 15 years spoke, of the speeding problems on this road. Mrs. Smollet advised of numerous accidents and voiced the concerns and safety of the nearby school children and many others nearby. Mrs. Smollet requested some action to reduce the speeding problems in this area.

Benny Marquez of 28 old National Rd. also spoke of the accidents and speeding on Old National Rd.. Mr. Marquez also voiced his concerns for his children and other residents in the area. Mr. Marquez requested some action be taken to reduce the speeding in that area. Anita Ellis read a statement written by Erminio J. Martinez who appointed her to read his statement on his behalf. The statement advised of property damage caused by speeding motorists. Mrs. Ellis read the safety concerns of the residents and requested some action to reduce the problems of speeding motorists on Old National Rd... Mrs. Ellis added that she too has had property damage by speeding motorists and strongly requested action be taken to resolve the speeding issue. Mrs. Ellis submitted a picture of property damage and a petition with signatures.

County Manager Les Montoya advised he was presented this information and did state he had met with the County Engineer and the Public Works Supervisor to identify what steps can be taken based on their recommendations.

Public Works Supervisor Harold Garcia advised the Commission that signage is being delivered to be placed on Old National Rd. Commissioners Salazar and Leger recommended that the County Sheriff patrol the area more actively to help reduce the speeding on Old National Road.

PRESENTATION ON AMERICAN'S NATIONS WILDLIFE REFUGES BY ROB LARRANAGA

Mr. Larranaga presented a slide show and an informational packet to the Commission specifically to Las Vegas National Wildlife Refuge. Mr. Larranaga introduced intern Melissa Martinez from NMHU who attended with him.

Mr. Larranaga briefly explained each slide to the Commission and touched on the happenings within the Wildlife Refuge.

DWI PREVENTION/EDUCATIONAL FY 08-09 PROJECT ACTIVITY POWERPOINT PRESENTATION BY LEONOR ENCINIAS, DWI PREVENTION SPECIALIST

Mrs. Encinias presented a slide show to the Commission that included information and the activities held within the DWI program.

Mrs. Encinias presented a handout to the Commission concerning the use of the safe ride program.

Commissioner Leger recommended meeting with the Santa Fe DWI task force to obtain any additional ideas for the community in DWI prevention.

NEW BUSINESS:

1. COUNTY TREASURER'S MONTHLY REPORT AND PRESENTATION ON STATUS TO NEW MEXICO TAXATION AND REVENUE DEPARTMENT BY SAN MIGUEL COUNTY

County Treasurer Alfonso Ortiz, Jr. presented the Treasurer's monthly report for the month of June 2009 and Informational report from State Taxation and Revenue Department.

For information only. No action taken

2. EXTENSION OF NICK MICHALSKI'S CONTRACT WITH THE SAN MIGUEL COUNTY ASSESSOR'S OFFICE

County Manager Les Montoya advised the Commission that because of the 2009 reappraisal year and the increase of valuation on all residential, non-residential and commercial values throughout the county, that Mr. Michalski would be needed to help train the current appraisal staff on how to defend the values that were implemented this year. This will be the last bit of training that the current appraisal staff will need in order to fully understand the appraisal process of the Assessor's office.

Mr. Montoya requested the extension of Nick Michalski's contract with the County Assessor's Office.

Motion to approve Nick Michalski's contract by Commissioner Albert Padilla. Second by Commissioner Marcellino A. Ortiz. Motion carried.

3. FAIR HOUSING POLICY

Planning and Zoning Supervisor Alex Tafoya advised the Commission that San Miguel County's current Fair Housing Policy is now one (1) year old. DFA-Local Government Division recommends that such policies be reviewed and approved annually. 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 the Commission review and approve the attached Fair Housing Policy as presented.

Motion to approve Fair Housing Policy by Commissioner June Garcia. Second by Commissioner Marcellino A. Ortiz. Motion carried.

4. GRANT AGREEMENT AMENDMENT NO. 2; REFERENCE GRANT NO. 05-L-G-1787, TO CONSTRUCT AND INSTALL A SEPTIC TANK AND LEACH FIELD AT EL PUEBLO FIRE DEPARTMENT IN SAN JOSE

Planning and Zoning Supervisor Alex Tafoya advised the Commission that San Miguel County has been advised by DFA-Local Government Division that the expiration date was incorrect for Grant No. 05-L-G-1787. Grant Amendment No. 2 corrects the expiration date and changes said date to June 30, 2010. Local Government Division requested that Grant Amendment No. 2 be signed and returned immediately. County staff obtained signature of Commission Chairman David R. Salazar and returned the Amendment.

Mr. Tafoya requested the Commission accept the Grant Amendment No. 2 and ratify the signature of Commission Chairman Salazar on said amendment.

Motion to accept the Grant Amendment No. 2 and ratify the signature of Commission Chairman Salazar on said amendment by Commissioner Albert Padilla. Second by Commissioner June Garcia, Motion carried.

5. INFRASTRUCTURE CAPITAL IMPROVEMENT PLAN (ICIP) 2010-2015

Planning and Zoning Supervisor Alex Tafoya advised the Commission that 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 2010-2015. Various agencies involved in funding local projects use the ICIP to determine if a project should be funded. Review of projects listed and request for comments from public was conducted on June 16, 2009.

Mr. Tafoya requested the Commission review projects listed and determine the top five (5) priority projects and approve the ICIP.

Discussion ensued

After further review of the projects listed the County Commission changed the top 5 priority projects by moving project # 4 to project # 9 and Placing Project # 9 in place of Project # 4.

Motion to approve top 5 priority projects and approve the ICIP for 2010-2015 by Commissioner June Garcia as amended. Second by Commissioner Albert Padilla. Motion carried.

6. RESOLUTION NO. 07-14-09-CITIZEN PARTICIPATION PLAN

Planning and Zoning Supervisor Alex Tafoya 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 on an annual basis.

Mr. Tafoya requested the Commission adopt Resolution No. 07-14-09-Citizen Participation Plan.

Motion to adopt Resolution No. 07-14-09-Citizen Participation Plan by Commissioner Marcellino A. Ortiz. Second by Commissioner Albert Padilla. Motion carried.

7. APPROVAL TO JOIN NEW MEXICO TASK FORCE 1 URBAN SEARCH AND RESCUE AND TO BE AUTHORIZED TO USE COUNTY TRANSPORTATION TO WEEKEND TRAINING ONCE A MONTH WHICH IS REQUIRED BY THE NMTF1 TRAINING GUIDELINES

Emergency Manager Dennis English advised the Commission that the New Mexico Task Force 1 Urban Search and Rescue Team is funded through FEMA and the New Mexico Department of Homeland Security. The team is used nationally to respond and assist in disasters.

Mr. English stated that it was an honor to be part of this team due to the fact that no person form the preparedness area which include 5 counties has had the opportunity to be part of this task force.

Motion to approve Emergency Manager, Dennis English to join the NMTF1 Urban Search and Rescue Team and attend training by Commissioner Albert Padilla. Second by Commissioner Marcellino A. Ortiz. Motion carried.

8. ICS 402 WORKSHOP. THE WORKSHOP IS THE INCIDENT COMMAND SYSTEM (ICS) OVERVIEW FOR EXECUTIVES/SENIOR OFFICIALS

Emergency Manager Dennis English advised the Commission that the Office of Emergency Management would like to set up the workshop on September 11, 2009 from 1:00 p.m. to 5:00 p.m. with the Board of County Commissioners, Mayor of Las Vegas and the City of Las Vegas Council.

Mr. English requested approval to set up the ICS 402 workshop.

The Board of County Commissioners directed Mr. English to follow up with the workshop and confirm the time and date.

No action taken.

9. COMPETITIVE SEALED BID PROCESS – PURCHASE AND INSTALLATION OF A NEW, STANDARD PRODUCTION, DUAL SHAFTED GRINDER UNIT, DESIGNED TO SHRED/REDUCE SOLID TYPICALLY CAUSING SEWER PROBLEMS; WITHIN A JAIL SETTING. APPROVAL OF CONTRACT/AGREEMENT

Warden/Facility Administrator Patrick Snedeker advised the Commission an invitation for competitive sealed bids was initiated specific to the purchase and installation of a new, dual shafted grinder unit, designed to shred/reduce solids that typically cause sewer problems within a jail setting. Received sealed bids were opened on June 25, 2009. Bids were evaluated. McNabb Construction, LLC, submitted the lowest responsible bid, does meet minimum advertised bid specifications, and is the most advantageous bid submission for San Miguel County, NM.

Mr. Snedeker requested approval of the contract agreement by and between San Miguel County, NM and McNabb Construction, LLC, for the purchase and installation of the Channel Grinder Unit at the San Miguel County Detention Center as submitted.

Mr. Snedeker answered Commissioner Leger's question of what the grinder unit does.

Motion to approve installation of channel grinder unit and award contract as noted above by Commissioner Albert Padilla. Second by Commissioner June Garcia. Motion carried.

10. AGREEMENT, CITY OF LAS VEGAS, NM POLICE DEPT. AND SAN MIGUEL COUNTY DETENTION CENTER.

Chief of Security Major Johnny Lujan advised the Commission that the Agreement, by and between the City of Las Vegas, NM Police Department and the San Miguel County Detention Center, for the housing and care of adult prisoners at the San Miguel County Detention Center, is presented for Commission review and approval. The Agreement was approved by the Las Vegas City Council on July 1, 2009.

Major Lujan requested approval of the agreement as submitted.

Discussion ensued

Motion to approve Agreement by and between the City of Las Vegas, NM Police Dept. and the San Miguel County Detention Center by Commissioner Marcellino A. Ortiz. Second by Commissioner Albert Padilla. Motion carried.

11. AGREEMENT – SAN MIGUEL COUNTY, NM AND QUAY COUNTY NM

Chief of Security Major Johnny Lujan advised the Commission of an Agreement, by and between Quay County, NM and San Miguel County, NM; for the housing and care of both Juvenile and Adult San Miguel County detainees; at the Quay County Detention Center. The cost per day/detainee housed is \$125.00. The Agreement has been approved by the Quay County Board of Commissioners.

Major Lujan requested approval of the agreement as submitted.

County Attorney Jesus Lopez confirmed to the Commission that San Miguel County never utilizes Quay County to house adults and its Detention Center is used exclusively for juveniles.

Discussion ensued.

Motion to approve Agreement, by and between Quay County, NM and San Miguel County, NM by Commissioner Albert Padilla. Second by Commissioner June Garcia. Motion carried.

12. OUT OF STATE TRAVEL REQUEST FOR PATRICK W. SNEDEKER, WARDEN/FACILITY ADMINISTRATOR, SAN MIGUEL COUNTY DETENTION CENTER

Warden/Facility Administrator Patrick Snedeker advised the Commission that Ms. Rita Torres, CEO of Healthcare Partners Systems, LLC, has been selected to be a seminar presenter at the National Commission on Correctional Health Care National Conference, October 17 - 21, 2009 in Orlando, Florida. The presentation is entitled "Public and Private Partnerships for Chronic Care Clinics and Training in County Detention Facilities."

Warden Snedeker introduced COO Valerie Maestas of Healthcare Partners who spoke briefly about the presentation and advised the Commission that it would bring national recognition to San Miguel County and would be and honor to have Warden Snedeker as a Co-Presenter.

Warden Snedeker requested the Commission review and approve the Out of State Travel Request, as submitted.

Motion to approve out of state travel for Warden/Facility Administrator Patrick Snedeker by Commissioner Marcellino A. Ortiz. Second by Commissioner Albert Padilla. Motion carried.

13. MONTHLY REPORT IN THE PUBLIC WORKS DIVISION FOR THE MONTH OF JUNE 2009 \ast

Public Works Division Supervisor Harold Garcia discussed and reviewed the San Miguel County Public Works monthly report with the Board of County Commissioners. The maintenance including blading of County roads and/or special projects with County roads were addressed.

For information purposes only. No action taken.

14. REQUEST FOR APPROVAL OF OUT-OF-STATE TRAVEL FOR ANIMAL CONTROL OFFICER LEONARD MARQUEZ TO KANSAS CITY, MISSOURI ON JULY 27-31, 2009 TO ATTEND THE NATIONAL ANIMAL CONTROL ASSOCIATION TRAINING ACADEMY LEVEL II TRAINING.

Public Works Division Supervisor Harold Garcia advised the Commission that Animal Protection of New Mexico (APNM) has made an offer to San Miguel County to allow Mr. Leonard Marquez to attend the National Animal Control Association Training Academy Level II Training in Kansas City, Missouri on July 27-31, 2009. APNM has offered to pay for the training if the County is willing to pay for the travel, hotel, and meals.

Mr. Garcia requested approval of Out-of-State Travel for Mr. Leonard Marquez to attend the National Animal Control Association Training Academy Level II Training in Kansas City, Missouri on July 27-31, 2009.

Motion to approve Out-of-State Travel Request for Mr. Leonard Marquez by Commissioner Albert Padilla. Second by Commissioner Marcellino A. Ortiz. Motion carried.

15. EXTENSION OF CONTRACT WITH DE SENA ELECTRIC FOR ELECTRICAL SERVICES FOR THE PERIOD OF AUGUST 1, 2009 THRU JULY 30, 2010

Public Works Division Supervisor Harold Garcia advised the Commission that the San Miguel County Public Works Division has had Electrical Services for the past 12 months with de Sena Electric. This was based on an Invitation for Bids put together in 2006 and awarded to de Sena Electric for one-year with the option to extend for an additional 12-months for up to 4-years. San Miguel County is entering into the 4th year of these services to be effective August 1, 2009 thru July 30, 2010.

Commissioner Ortiz asked the question as to why this contract is not done on a yearly basis.

Mr. Garcia answered that it is easier for consistency of services provided and the opportunity to not renew services within a year if services are not being provided.

County Attorney Jesus Lopez responded that what Mr. Garcia stated is correct by having a year to year contract, and the option to terminate services.

Discussion ensued.

Mr. Garcia requested the Commission authorize staff to proceed in Extending the Contract with de Sena Electric for Electrical Services from the period of August 1, 2009 thru July 30, 2010.

After further discussion the board of Commissioners rejected the contract extension with de Sena Electric.

Motion to reject extension contract with de Sena Electric and direction to move for a RFP (Request for Proposal) by Commissioner Albert Padilla. Second by Commissioner Marcellino A. Ortiz. Motion carried.

16. COUNTY COMMISSION CONCUR WITH APPOINTMENT OF MR. MICHAEL MONTOYA, LAS VEGAS RESIDENT AS THE DESIGNEE OF THE NORTHERN AREA LOCAL WORK FORCE DEVELOPMENT BOARD (NALWBD)

County Manager Les Montoya advised the Commission that the Las Vegas City Council unanimously voted on March 4, 2009 to ratify the Mayor's appointment of Mr. Montoya to the NALWBD.

Mr. Montoya requested action by County Chairman and Commission to confirm the appointment and inform Mayor Marquez accordingly.

Commissioner Leger asked about the role of the Workforce Development Board.

Mr. Montoya answered that the board is provided funds and utilizes these funds throughout the State to local businesses to help them hire individuals that qualify to work.

Discussion ensued.

Motion to table item and request presentation by Mayor Marques and allow County to review any other recommendations to be presented, by Commissioner Albert Padilla. Second by Commissioner June Garcia. Motion carried.

17. COUNTY MANAGER'S PERSONNEL RECOMMENDATIONS TO HIRE THE FOLLOWING INDIVIDUAL TO FILL VACANT POSITION WITH THE SAN MIGUEL COUNTY PUBLIC WORKS DIVISION AS PER THE RECOMMENDATION OF HAROLD GARCIA, PUBLIC WORKS DIVISION SUPERVISOR

RECOMMENDATION TO HIRE:

PROBATIONARY EMPLOYEE

Anthony Jaramillo Convenience Center/ Salary: \$16,150.00 Annually

Operator

County Manager Les Montoya submitted for approval to hire and ratify the hiring of the above individual who would be placed at the Kearney Convenience Center.

Motion made by Commissioner June Garcia to hire and ratify the hiring of the above individual. Second by Commissioner Albert Padilla. Motion carried.

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

RECOMMENDATION TO HIRE:

PROBATIONARY EMPLOYEES

Sara Flores Detention Officer Salary: \$20,900.00 Annually Frederick Toledo Detention Officer Salary: \$20,900.00 Annually Patricio Maestas Detention Officer Salary: \$20,900.00 Annually

County Manager Les Montoya submitted for approval to hire and ratify the hiring of the above individuals.

Motion made by Commissioner Albert Padilla to hire and ratify the hiring of the above Detention Center Officers. Second by Commissioner Marcellino A. Ortiz. Motion carried.

19. PERSONNEL ACTIONS OR CHANGES FOR THE MONTH OF JUNE 2009 *

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

Mr. Montoya requested the Commission ratify and approve the personnel changes that have taken place during the month of June 2009.

Motion to ratify and approve the personnel changes that have taken place during the month of June 2009 by Commissioner June Garcia. Second by Commissioner Albert Padilla. Motion carried.

SAN MIGUEL COUNTY BOARD OF FINANCE MEETING

20. Indigent Claims from Alta Vista and St. Vincent Hospital

Finance Division Supervisor advised the Commission of indigent applications submitted to the Finance Office either directly from the hospital or from patients. Once the applications are completed the Finance Office reviews to determine eligibility per the indigent guidelines. The Finance Office creates listings of claims that for the individuals who meet the eligibility criteria and creates other listings of those who do not meet the requirements.

Ms. Gonzales requested the Commission review and approve the indigent claims in the amount \$73,084.62 to Alta Vista and \$7,398.53 to St. Vincent Hospital.

Motion to approve indigent claims in the amount of \$73,084.62 to Alta Vista and \$7,398.53 to St Vincent Hospital by Commissioner Albert Padilla. Second by Commissioner Marcellino A. Ortiz. Motion carried.

21. CASH BALANCE REPORT *

Finance Division Supervisor Melinda Gonzales informed the County Commissioners of the June 30, 2009 cash balances.

For purposes information only. No action taken

22. ACCOUNTS PAYABLE LISTING *

Finance Division Supervisor Melinda Gonzales advised the Commission of the report of payments since the last regular meeting, and submitted for approval of all accounts payable.

Motion by Commissioner Albert Padilla to approve accounts payable. Second by Commissioner June Garcia. Motion carried.

Executive/Closed Session

- A. Personnel Matters, as permitted by Section 10-15-1(H) (2) of the New Mexico Open Meetings Act, NMSA 1978.
- B. Matters subject to the attorney client privilege pertaining to threatened or pending litigation in which SMC is or may become a participant, as permitted by Section 10-15-1(H)(7) 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 4:20 p.m. to discuss the matters outlined above by the County Manager. Second by Commissioner Marcellino A. Ortiz. Motion carried.

Roll call was taken before County Commission retired into Executive Session

Chairman David Salazar	Yes
Vice-Chair June Garcia	Yes
Commissioner Albert Padilla	Yes
Commissioner Nicolas T. Leger	Yes
Commissioner Marcellino A. Ortiz	Yes

Unanimous vote to retire into executive session.

Commissioner Nicolas T. Leger made a motion to return to regular session at 5:25 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 to those specified in the motion for closure.

ADJOURNMENT

Commissioner Albert Padilla made motion to adjourn. Second by Commissioner Marcellino A. Ortiz. Motion carried. The meeting ended at 5:27 P.M.

Approved thisday of	, 2009 as the official minutes of the Board of
County Commissioners of San Migue 2009.	l County, New Mexico, of its regular meeting held July 14
David R. Salazar, Chairman	June J. Garcia, Vice-Chair
Nicolas T. Leger, Commissioner	Marcellino A. Ortiz, Commissioner
Albert J. Padilla, Commissioner	
ATTEST	
Melanie Y. Rivera, County Clerk	
Minutes Submitted by: Javier L. Lop	ez