



*Paul Maez
BOE Supervisor*

*Geraldine E. Gutierrez
Chief Deputy*

*Martha Sena
Deputy Clerk*

County Clerk

Melanie Y. Rivera



*Michelle Padilla
Deputy Clerk*

*Javier Lopez
Deputy Clerk*

*Ebeny Mondragon
Probate Deputy Clerk*



PUBLIC NOTICE

CALL TO ORDER

The San Miguel County Board of Commissioners held a regular scheduled County Commission meeting on November 10, 2009 at 1:30 p.m.; during the meeting a County Board of Finance Meeting was held.

The meeting was held 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 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

Chairman David Salazar recognized the following individuals.

Pamela Garcia, a representative from the office of Representative Ben Ray Lujan Jr.

Anna Rael-Delay from the office of Senator Tom Udall was also recognized.

Pecos Mayor, Tony Roybal.

APPROVAL OF AGENDA

County Manager Les Montoya requested adding a presentation by Mr. Robert Anaya from the NMDOT to present on the American Recovery funds obtained by the County.

Commissioner Marcellino A. Ortiz requested moving item #22 in place of item #1.

Motion to approve agenda as presented and amended by Commissioner Albert Padilla. Second by Commissioner June Garcia. Motion carried.

APPROVAL OF MINUTES: Special Meeting [October 6, 2009](#) and Regular Meeting [October 14, 2009](#)

Motion to approve minutes for Special Meeting held October 6, 2009 by Commissioner Albert Padilla. Second by Commissioner Marcellino A. Ortiz. Motion carried.

Motion to approve minutes for Regular Meeting held October 14, 2009 by Commissioner Marcellino A. Ortiz. Second by Commissioner Albert Padilla. Motion carried.

INTRODUCTION OF NEW EMPLOYEES:

Patrick Torrez
(Probationary Employee)

Deputy

Sheriff's Division

County Manager Les Montoya introduced probationary employee Patrick Torrez.

PRESENTATION BY MAYOR TONY ROYBAL WITH CONCERNS WITHIN THE COMMUNITY OF PECOS.

Mayor Tony Roybal expressed 2 concerns within the Community of Pecos: The over population of stray dogs. Mayor Roybal advised that he is not equipped to maintain the over population. Mayor Roybal requested any assistance from the Commission and San Miguel County to control this problem. Secondly, Mayor Roybal advised his concern with the road entering the new Senior Center. Mayor Roybal advised that this road is a one way road and feels that the road needs to be widened to a 2 way road for safety and traffic purposes. Mayor Roybal respectfully requested consideration and any assistance in widening and paving the road. In closing, Mayor Roybal advised that the Senior Center is almost completed and invited everyone to visit.

PRESENTATION BY ROBERT ANAYA FROM THE NMDOT REGARDING THE AMERICAN RECOVERY REINVESTMENT ACT FUNDS IN SAN MIGUEL COUNTY.

Anaya advised that the local funds that were distributed to the areas throughout the State of New Mexico are expended in a timely manner as well as a proper manner. Mr. Anaya wanted to advise that the project that San Miguel County has is moving along very well and that the staff at San Miguel County have done a good job putting together the documents required for the project. Mr. Anaya also advised that a number of entities will be conducting audits and would

continue to provide resources to the county. Mr. Anaya thanked the County Manager and staff for all their efforts.

Chairman Salazar thanked Mr. Anaya for taking the time to attend and explain what is going on.

***ASSIGNMENT OF AN
AM PORTABLE ALERT TRAILER “ROADRUNNER”
FROM SAN MIGUEL COUNTY/LAS VEGAS OFFICE OF EMERGENCY
MANAGEMENT TO THE
VILLAGE OF PECOS FIRE DEPARTMENT***

Emergency Manager Dennis English advised the Commission that San Miguel County Department of OEM was awarded monies for an AM radio station 1670 which would broadcast highway advisory. In addition an AM portable alert trailer was obtained with separate radio stations AM 1640 and AM 1680. Mr. English advised that this portable alert trailer would be assigned to the Village of Pecos Fire Department for emergency notifications.

The Board of County Commissioners presented Chief Ralph Lopez a certificate assigning the AM portable alert trailer to the Village of Pecos Fire Department.

***INFORMATIONAL PRESENTATION - REPORT
BY MS. RITA TORRES, CEO, HEALTHCARE PARTNERS FOUNDATION,
INC., -SPECIFIC TO NATIONAL COMMISSION ON CORRECTIONAL
HEALTH CARE
OCTOBER 2009 NATIONAL CONFERENCE.***

Warden Patrick Snedeker introduced Ms. Rita Torres who gave a short informational presentation regarding the October 2009 National Conference.

NEW BUSINESS:

1. DISCUSSION OF EMERGENCY COMMUNICATION AND EMERGENCY MEDICAL SERVICES GROSS RECEIPTS TAX TO FUND OPERATIONS OF EMERGENCY MEDICAL SERVICES

County Manager Les Montoya advised the Commission that Pecos Valley Medical Center would like County Commissioners to consider taking to the voters of San Miguel County a Gross Receipts Tax Proposal to raise funding for emergency medical services in San Miguel County.

Sigred Olsen, Executive Director of the Pecos Family Medical Center that also operates the ambulance service out of the village of Pecos, spoke of the importance of keeping the ambulance service. Ms. Olsen also requested the Commission consider a gross receipts tax for the funding of this service.

Commissioner Leger asked if this service would be a county wide service or limited to the Pecos Valley.

Shelly Orem, representative of the Pecos Business Association/Assistant Fire Chief in Rowe, reminded the Commission of the packets from the Business Association in support of the Pecos Ambulance Service. Mrs. Orem also added the support from the community and business entities.

Mayor Tony Roybal advised the Commission of his support for the Pecos Ambulance Service and requested the Commission consider the proposal.

Mr. Pablo Sedillo, a representative from the office of Senator Jeff Bingaman, commented in support of the Pecos Ambulance Service.

County Attorney advised the Commission of what it may consider and what actions need to be taken if this proposal moves forward by the County Commission.

Discussion ensued.

No action taken. For discussion only.

The Board of County Commissioners directed the County Manager to proceed with looking into moving this proposal to the next stage.

2. MEMBERSHIP ROSTER FOR SAN MIGUEL COUNTY FAMILY COMMUNITY HEALTH COUNCIL

[\(Backup\)](#)

Yolanda Cruz and Barbara Perea Casey presented to the Commission the membership roster for San Miguel County Family Community Health Council and advised that according to the MCH Act, the County Board of Commissioners is required to approve the Community Health Improvement Council Roster.

Mrs. Cruz advised the Commission of various support groups and involvement of the Family Community Health Council.

Discussion ensued.

Mrs. Cruz and Mrs. Perea Casey requested approval of membership roster.

Motion to approve Family Community Health Council Membership Roster by Commissioner Nicolas T. Leger. Second by Commissioner June Garcia. Motion carried.

3. COUNTY TREASURER'S MONTHLY REPORT

[\(Backup\)](#)

County Treasurer Alfonso Ortiz Jr. presented and reviewed the County Treasurer's monthly report for the month of October 2009.

No action taken. For information purposes only.

4. NEW MEXICO TRAFFIC PROJECT OPERATION DWI (OCTOBER 1, 2009 THRU SEPTEMBER 30, 2010).

[\(Backup\)](#)

San Miguel County Sheriff advised the Commission that the San Miguel County Sheriff's Department has received this over-time pay grant for the last eight years to do traffic enforcement and requested approval.

Motion to approve over-time grant by Commissioner June Garcia. Second by Commissioner Albert Padilla. Motion carried.

5. RESOLUTION 11-10-09-CLERK, 2010 PRIMARY AND GENERAL ELECTION POLLING PLACES

[\(Backup\)](#)

County Clerk Melanie Y. Rivera advised the Commission that Polling Places need to be approved by the Board of County Commissioners every 2 years before the Primary and General Elections.

Mrs. Rivera advised the Commission of (2) two polling place changes, Precinct 14a from the Trujillo School House to the home of Mr. Ben Martinez and Precinct 22 from the home of Victor Ortiz to the Rowe Fire Station.

Mrs. Rivera requested approval of Resolution No. 11-10-09-CLERK.

Motion to approve Resolution No. 11-10-09-CLERK by Commissioner Albert Padilla. Second by Commissioner Marcellino A. Ortiz. Motion carried.

6. SELF-SUPPORTING COMMUNICATIONS TOWER - APPLICATION CU-0226

[\(Backup\)](#)

Planning and Zoning Supervisor Alex Tafoya advised the Commission that on September 23, 2009, San Miguel County Planning and Zoning Commission reviewed Application CU-0226 submitted by ENMR-Plateau for a conditional use permit to construct a 190' telecommunications tower on property owned by Leroy J. Ramirez Limited Partnership #3 in the vicinity of Lower Rociada. A public hearing was conducted and evidence and testimony were accepted. Planning and Zoning Commission voted to recommend approval of the application, said recommendation is presented the Board of County Commissioners under Resolution No. PZ-231.

Mr. Tafoya advised that under Ordinance No. SMC-10-09-2001-PZ, the Commission should hear the application de novo at a public hearing and upon conclusion of the public hearing: (1) make and render a decision with findings of fact to either grant or deny the application; and (2) not later than twenty (20) days after the conclusion of the public hearing reduce the decision to writing and serve the decision to applicant by certified mail.

Mr. Tafoya requested the Commission hear Application CU-0226; conduct a public hearing on application; make and render a decision to either grant or deny the application; render decision in writing and serve decision to applicant by certified mail.

Chairman David Salazar opened public hearing for those in favor of proposal.

David Hughes from Plateau Communications spoke in favor of the proposal and answered questions from the Commission.

Chairman Salazar opened public comment in opposition of proposal. No comments were made.

Chairman Salazar closed public hearing.

Motion by Commissioner Albert Padilla to grant application CU-0226. Second by Commissioner Marcellino A. Ortiz. Motion carried.

7. CLEAN WATER STATE REVOLVING FUND - REQUIRED FORMS/WASTE WATER COLLECTION GRANT/LOAN

[\(Backup\)](#)

Planning and Zoning Supervisor Alex Tafoya advised the Commission that funding for the waste water collection and treatment system at the Wood Business Park is being made available through the NM Environment Department Clean Water State Revolving Fund. Required forms that need to be completed and signed are the Certification Regarding Debarment Form and the Project Description Form.

Mr. Tafoya requested the Commission authorize County Manager Les Montoya to sign the forms.

Motion to authorize County Manager to sign required forms for the Waste water Collection Grant/Loan by Commissioner Albert Padilla. Second by Commissioner June Garcia. Motion carried.

8. GAS AND OIL EXPLORATION AND DRILLING PERMIT REQUIREMENTS

[\(Backup\)](#)

Mr. Tafoya requested the Commission review the conditional use permit requirements for oil and gas extraction and exploration as provided under Section 5190 of the County Zoning Ordinance, and advise staff if such requirements are sufficient or should be amended.

Discussion ensued.

No action taken. For information only.

Christino Griego from the Sapello spoke briefly about his letter submitted to Chairman David R. Salazar concerning issues on Oil and Gas Drilling. Mr. Griego offered research to the Commission and requested that Ms. Pat Lehan be part of any task force pertaining to this issue.

The Board of County Commissioners directed staff to prepare a resolution supporting the ordinance that would place a moratorium on oil & gas exploration until such an ordinance addressing gas & oil exploration in San Miguel County can be imposed.

9. 2011 APPROPRIATIONS PROJECT REQUEST - SENATOR TOM UDALL

(Backup)

Planning and Zoning Supervisor Alex Tafoya advised the Commission that the 2011 appropriations Project Requests are being accepted by the office of Senator Tom Udall. Such requests now known as "Congressionally Directed Spending" are due November 30, 2009. A project ready to go is the Courthouse/Public Works Facility Project with an estimated cost of \$527,253.59. And an additional project was identified for the San Miguel Detention Center that was presented by Warden Patrick Snedeker in the amount of 2.1 Million dollars that identified (11) eleven portions of the project.

Mr. Tafoya requested the Commission authorize staff to submit a request for funding for the Courthouse/Public Works Facility Project and the Detention Center Project to the office of Senator Tom Udall.

Motion to authorize submittal of 2011 Appropriations project requests by Commissioner Albert Padilla. Second by Commissioner Marcellino A. Ortiz. Motion carried.

10. RESOLUTION SMC NO. 11-10-2009-S8-1 TO RATIFY PAYMENT STANDARDS MANDATED BY THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, SAID STANDARDS ENSURE THE INTEGRITY OF THE SAN MIGUEL COUNTY SECTION 8 HOUSING AUTHORITY. THESE NEW STANDARDS APPLY TO SAN MIGUEL COUNTY EXCLUDING THE PECOS AREA.

(Backup)

Section 8 Housing Director Gilbert Almanza Jr. advised the Commission that the Department of Housing and Urban Development mandates payment standards, setting subsidy limits to landlords. The San Miguel County Section 8 Housing Authority must abide by these payment standards to ensure that the allotted subsidy is not misappropriated and is used efficiently and effectively.

Mr. Almanza Jr. requested the Commission review and approve Resolution SMC No. 11-10-2009-S8-1.

Motion to approve Resolution SMC No. 11-10-2009-S8-1 by Commissioner June Garcia. Second by Commissioner Albert Padilla. Motion carried.

11. RESOLUTION SMC NO. 11-10-2009-S8-2 TO RATIFY PAYMENT STANDARDS MANDATED BY THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, SAID STANDARDS ENSURE THE INTEGRITY OF THE SAN MIGUEL COUNTY SECTION 8 HOUSING AUTHORITY. THESE NEW STANDARDS APPLY ONLY TO THE PECOS AREA DUE TO THE HIGH RENTAL MARKET, BECAUSE OF ITS CLOSE PROXIMITY TO THE SANTA FE AREA

(Backup)

Section 8 Housing Director Gilbert Almanza Jr. advised that the Department of Housing and Urban Development mandates payment standards, setting subsidy limits to landlords. The San Miguel County Section 8 Housing Authority must abide by these payment standards to ensure that the allotted subsidy is not misappropriated and is used efficiently and effectively.

Mr. Almanza Jr. requested the Commission review and approval of Resolution SMC No. 11-10-2009-S8-2, for the Pecos area of the County.

Motion to approve Resolution SMC No. 11-10-2009-S8-2 by Commissioner Marcellino A. Ortiz. Second by Commissioner Albert Padilla. Motion carried.

12. REQUEST FOR OUT OF STATE TRAVEL TO NEW ORLEANS, LA FOR GILBERT ALMANZA JR, EXECUTIVE DIRECTOR TO ATTEND THE SOUTHWEST NAHRO WINTER MEETINGS.

(Backup)

Section 8 Housing Director Gilbert Almanza Jr. advised the Commission that as the VP of Members Services for NM NAHRO, he is a member of the Southwest NAHRO Member Services Committee. Mr. Almanza Jr. advised that he is the Chairman for an AD-Hoc/Steering Committee, and a member of the Executive Committee. Mr. Almanza Jr. requested authorization to attend the Southwest NAHRO Winter Meeting.

Motion to authorize out of state travel for Gilbert Almanza Jr. by Commissioner Marcellino A. Ortiz. Second by Commissioner June Garcia. Motion carried.

13. MEMORANDUM OF UNDERSTANDING WITH NEW MEXICO HIGHLANDS UNIVERSITY TO UTILIZE THE SCHOOL FACILITIES IN TIME OF DISASTERS

(Backup)

Emergency Manager Dennis English advised the Commission that the memorandum of understanding is to provide proper coordination and expeditious delivery of support and assistance to the citizens of the City of Las Vegas and San Miguel County, New Mexico during an emergency disaster response.

Mr. English requested the Commission approve and sign the MOU.

Motion to approve Memorandum of Understanding by Commissioner Albert Padilla. Second by Commissioner Marcellino A. Ortiz. Motion carried.

14. GRANT AGREEMENT BY AND BETWEEN THE NEW MEXICO DEPARTMENT OF HEALTH AND SAN MIGUEL COUNTY FOR COORDINATION IN THE DELIVERY OF THE 2009 NOVEL H1N1 VACCINE, VACCINATION OF INDIVIDUALS RESIDING WITHIN SAN MIGUEL COUNTY AND OTHER H1N1 RELATED RESPONSE ACTIVITIES DURING THE 2009-2010 H1N1 INFLUENZA SEASON

(Backup)

Emergency Manager Dennis English advised the Commission that the above is an agreement from the New Mexico Department of Health to assist counties and cities in New Mexico with the costs of mass vaccination sites. The formula for the awarded amount of \$31,204.00 was based on the population of the county from the 2000 census bureau.

Mr. English requested the Commission approve and sign grant agreement No. 11-10-09-H1N1-OEM.

Motion to approve grant agreement by Commissioner Albert Padilla. Second by Commissioner Marcellino A. Ortiz. Motion carried. Grant Agreement No. 11-10-09-H1N1-OEM.

15. GRANT AGREEMENT 2009-SAN MIGUEL COUNTY-SHSGP-WITH THE NEW MEXICO DEPARTMENT OF HOMELAND SECURITY/EMERGENCY MANAGEMENT IN THE AMOUNT OF \$115,000.00 FOR INTEROPERABLE COMMUNICATION IN TRANSPORTATION, MOBILE CASCADE UNIT AND COOP PLANNING.

(Backup)

Emergency Manager Dennis English advised the Commission that this is the State Homeland Security Grant Program award for 2009 in which (10)ten projects were submitted for and the San Miguel County/Las Vegas Office of Emergency Management was awarded (3) three. This grant application is submitted yearly.

Mr. English requested the Commission accept the grant and allow for San Miguel County Finance to budget the amount of \$115,000.00 per the grant.

Motion to approve grant and allow County Finance Department to budget in the amount of \$115,000.00 by Commissioner June Garcia. Second by Commissioner Albert Padilla. Motion carried.

16. DWI GRANT AGREEMENT NO. 10-D-J-G-26

[\(Backup\)](#)

DWI Coordinator Wendy F. Armijo advised that at the April 16, 2009 DWI Grant Council Meeting, the DWI Grant Council gave approval to DFA to allow fiscal agents to be eligible to receive in the FY10 grant, any distribution amount over the FY09 adjusted budget (adjusted in October 2008). On Monday, August 31, 2009 the DWI Grant Council met again and changed the eligible amounts for which counties can apply. The San Miguel County DWI program is now able to apply and receive the total distribution reversion in the amount of \$6,255. The Grant Council also approved up to \$50,000 of reverted funds for a curriculum and a one week-long training for DWI Compliance Monitors across the state. The amount available is \$425 per person. The program will request an additional \$850 for the purpose of allowing the DWI Compliance Monitor and the DWI Coordinator the opportunity to attend the recommended Court Compliance Officer training. The program has applied and will receive a total of \$7,105 in reverted funds.

Mrs. Armijo requested the Commission approve DWI Grant Agreement No. 10-D-J-G-26.

Motion to approve conditions set fourth in DWI Grant Agreement No. 10-D-J-G-26 by Commissioner Marcellino A. Ortiz. Second by Commissioner Albert Padilla. Motion carried.

17. PUBLIC WORKS DIVISION MONTHLY REPORT FOR THE MONTH OF OCTOBER 2009

[\(Backup\)](#)

County Manager Les Montoya advised the Commission of the upcoming reports and meetings that will be included in the monthly report for the Public Works Division. The San Miguel County Public Works Division Monthly report is submitted to the County Commission on any maintenance including blading of county roads and/or special projects with county roads that are addressed.

No action taken. For information purposes only

18. REQUEST FOR RATIFICATION OF GRANT APPLICATION TO THE N.M. ENVIRONMENT DEPARTMENT THROUGH THE NM CLEAN DIESEL AMERICAN RECOVERY REINVESTMENT ACT (ARRA) GRANT PROGRAM FOR REPLACEMENT DIESEL VEHICLES.

(Backup)

County Manager Les Montoya advised the Commission that on October 23, 2009 a grant application was submitted to the NM Environment Department for the replacement of seven (7) diesel vehicles through ARRA funding, in the amount of \$1,014,758.00. The vehicles identified are old, obsolete and non clean diesel running vehicles. This grant was made available through ARRA funding and was intended to replace such type of vehicles to provide for good air quality and clean diesel running vehicles.

Mr. Montoya requested Ratification of the grant application to NMED.

Motion for ratification of the grant application to NMED by Commissioner June Garcia. Second by Commissioner Marcellino A. Ortiz. Motion carried.

19. AUTHORIZATION TO ADVERTISE REQUEST FOR PROPOSALS FOR CONTRACTUAL SERVICES TO PERFORM COUNTY ROAD MAINTENANCE AND CONSTRUCTION FOR THE SAN MIGUEL COUNTY PUBLIC WORKS DIVISION

(Backup)

County Manager Les Montoya advised the Commission that the San Miguel County Public Works Department has the need for contractual services with private contractors for the purpose of utilizing heavy equipment and materials for road maintenance and/or improvements within various Districts identified by San Miguel County.

Mr. Montoya requested approval to advertise Request for Proposals for Contractual Services.

Motion for to approval to advertise Request for Proposals for Contractual Services by Commissioner Marcellino A. Ortiz. Second by Commissioner Albert Padilla. Motion carried.

20. AUTHORIZATION FOR STAFF TO ENTER INTO NEGOTIATIONS AND EXECUTION OF A PROFESSIONAL SERVICE AGREEMENT FOR COMMERCIAL HEATING, VENTILATION AND AIR-CONDITIONING (HVAC) SERVICES FOR SAN MIGUEL COUNTY

(Backup) (Backup)

County Manager Les Montoya advised the Commission that San Miguel County recently solicited Proposals for Heating, Ventilation and Air-Conditioning (HVAC) Services for county buildings. Only one (1) proposal was submitted from an interested HVAC contractor: Precision Heating & Cooling. This proposal met all the criteria set forth by the RFP.

Mr. Montoya requested authorization to enter into negotiations and execute a Professional Services Agreement with Precision Heating & Cooling for HVAC Services for San Miguel County

Motion to enter into negotiations and execute a Professional Services Agreement with Precision Heating & Cooling for HVAC Services for San Miguel County by Commissioner Marcellino A. Ortiz. Second by Commissioner Albert Padilla. Motion carried.

21. RECOMMENDATION TO HIRE PUBLIC SERVICE FOREMAN, EQUIPMENT OPERATOR II (THREE), AND PUBLIC WORKS ADMINISTRATIVE ASSISTANT

County Manager Les Montoya advised the Commission of the recommendation to hire Public Service Foreman, Equipment Operator II (three), and Public Works Administrative Assistant.

Mr. Montoya requested the hiring of Mr. Harold Garcia for the position of Public Service Forman for the salary amount of \$33,250.00.

Motion to hire Mr. Harold Garcia at stated salary by Commissioner Nicolas T. Leger. Second by Commissioner Marcellino A. Ortiz. Motion carried.

Mr. Montoya requested the Commission hire Mr. Rudy Salazar for the Equipment Operator Position II at salary amount of \$22,800.00, Mr. Robert Roybal, Equipment Operator II at salary amount \$20,900.00 and Mr. Michael Wheeler, Equipment Operator II, at salary amount \$20,900.00.

Motion to hire the above Equipment Operators at stated salaries by Commissioner Nicolas T. Leger. Second by Commissioner June Garcia. Motion carried.

Mr. Montoya requested the Commission hire Mrs. Loretta Saiz for the Public Works Administrative Assistant position at the salary amount of \$23,750.00.

Motion to Hire Mrs. Loretta Saiz for the Public Works Administrative Assistant position at stated salary, by Commissioner June Garcia. Second by Commissioner Marcellino A. Ortiz. Motion carried.

22. RECOMMENDATION TO LEASE WITH THE OPTION TO PURCHASE ONE NEW 2008 WHEEL LOADER, FOR THE PUBLIC WORKS DIVISION

(Backup)

County Manager Les Montoya advised the Commission that San Miguel County advertised for the lease with the option to purchase a New Wheel Loader. Three proposals were received, and recommendation to award the best proposal was presented.

Mr. Montoya requested awarding Lease Purchase for one New Wheel Loader to Wagner Bid # 1 for the 2008 model in the amount \$2,238.31 per month.

Motion to award Lease Purchase to Wagner by Commissioner Albert Padilla. Second by Commissioner Marcellino A. Ortiz. Motion carried.

23. AMENDMENT TO ADD TEN NEW JOB DESCRIPTIONS TO THE ADMINISTRATIVE REGULATION 08-14-2007-CM SAN MIGUEL COUNTY CLASSIFICATION PAY PLAN.

(Backup)

County Manager Les Montoya advised the Commission that the San Miguel County Classification Pay Plan was approved on August 14, 2007. The Classification Pay Plan needs to be revised in order to keep it up dated with new Job Descriptions that are being implemented into San Miguel County's Organizational Chart and also with the reorganization of the Public Works Division. The following ten job descriptions will be added to the San Miguel County Classification Pay Plan.

Supervisor Positions

B. Range I

1. SMC Wildland Coordinator
2. Public Service Forman
3. Crusher Plant Forman
4. Road Construction and Maintenance Forman

Administrative Assistants Positions:

C. Range I

1. Public Works Administrative Assistant

Finance Division Positions

B. Range II

1. Public Works Financial Specialist II

Public Works Positions

A. Range III

1. Crusher Plant Equipment Operator III

B. Range II

1. Crusher Plant Equipment Operator II

C. Range I

1. Crusher Plant Operator

Corrections Positions

C. Range I

1. Veterans Transit Operator

Mr. Montoya requested the Commission approve the above revised and updated Administrative Regulation 08-14-2007-CM San Miguel County Classification Pay Plan, with the ten new job descriptions.

Motion to approve revised and updated Administrative Regulation 08-14-2007-CM San Miguel County Classification Pay Plan, with the ten new job descriptions by Commissioner Albert Padilla. Second by Commissioner Marcellino A. Ortiz. Motion carried.

24. PERSONNEL ACTIONS OR CHANGES FOR THE MONTH OF OCTOBER 2009

[\(Backup\)](#)

County Manager Les Montoya advised the Commission of the personnel actions that have taken place in San Miguel County for the month of October 2009 and submitted for ratification and approval by the San Miguel County Board of Commissioners.

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

SAN MIGUEL COUNTY BOARD OF FINANCE MEETING

25. INDIGENT CLAIMS FOR ALTA VISTA HOSPITAL IN THE AMOUNT OF \$45,422.26 AND INDIGENT CLAIMS FOR CHRISTUS ST. VINCENT IN THE AMOUNT OF \$5,781.95

[\(Backup\)](#) [\(Backup\)](#)

Ms. Gonzales advised the Commission that the finance office has received, reviewed and processed the indigent claims submitted. All claims that meet the guidelines are listed on the Approved Indigent Claims Listing approval sheet and all claims that do not meet the guidelines are listed on the Denied Indigent Claims Listing.

Ms. Gonzales requested the Commission review and approve indigent claims.

Commissioner Nicolas T. Leger made a motion that the indigent claim for Christus St. Vincent in the amount of \$5,781.95 be approved and that indigent claim for Alta Vista Regional Hospital in the amount of \$45,422.26 be tabled. Second by Commissioner Marcellino A. Ortiz. Motion carried.

26. BUDGET RESOLUTION 2009-11-104-F1

[\(Backup\)](#)

Ms. Gonzales requested approval of Budget Resolution 2009-11-104-F1.

Motion to approve Budget Resolution 2009-11-104-F1 by Commissioner Albert Padilla. Second by Commissioner Marcellino A. Ortiz. Motion carried.

27. OCTOBER 30, 2009 CASH BALANCE REPORT

[\(Backup\)](#)

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

No action taken. Information only.

28. ACCOUNTS PAYABLE LISTING *

[\(Backup\)](#)

Finance Division Supervisor Melinda Gonzales advised and submitted to the County Commission payments since the last regular meeting.

Ms. Gonzales requested the approval of accounts payable by the County Commission.

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 4:30 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 June Garcia made a motion to return to regular session at 5:55 P.M. Second by Commissioner David Salazar. 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 5:56 P.M.

Approved this _____ day of _____, 2009 as the official minutes of the Board of County Commissioners of San Miguel County, New Mexico, of its regular meeting held November 10, 2009.

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. Lopez