

PUBLIC NOTICE

***MINUTES OF REGULAR MONTHLY MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF SAN MIGUEL COUNTY, NEW MEXICO
HELD TUESDAY, July 13, 2010***

CALL TO ORDER

The San Miguel County Board of Commissioners held a regularly scheduled monthly meeting on July 13, 2010 at 1:30 p.m., and during the meeting also convened as the County Board of Finance.

The meeting was held at the San Miguel County Commission Chambers, County Courthouse, 2nd Floor, 500 West National Ave., Suite 200, Las Vegas, New Mexico 87701.

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.

All Commissioners being in attendance, a quorum was established.

PLEDGE OF ALLEGIANCE

SALUTATION TO THE NEW MEXICO STATE FLAG:

***“I salute the flag of the State of New Mexico and the Zia Symbol of perfect
friendship among United Cultures.”***

APPROVAL OF AGENDA

County Manager Les Montoya presented the agenda to the Commission and requested to add two (2) items:

1. Presentation by Mr. Steven Grant Spande, President of Western States Air Medical, LLC.
2. Resolution declaring Emergency situations within San Miguel County and surrounding area.

Motion to approve agenda as amended by County Manager Les Montoya by Commissioner Marcellino Ortiz. Second by Commissioner Albert Padilla. Motion carried.

INTRODUCTION OF NEW EMPLOYEES:

Glen Maestas (Probationary Employee)	Safe Ride Home/ Veterans Transit Operator	DWI Division
---	--	--------------

County Manager Les Montoya introduced Glen Maestas to the Commission. Mr. Maestas was present.

NEW BUSINESS

1. *Presentation by Steven Grant Spande, President of Western States Air Medical, LLC.*

Mr. Spande explained to the Commission the service that will be provided and offered a tour of the aircraft and answered questions from the Commission.

No action taken: Presentation only.

2. RESOLUTION DECLARING AN EMERGENCY WITHIN SAN MIGUEL COUNTY & SURROUNDING AREAS, RESOLUTION No. 7-13-2010,

County Manager Les Montoya advised the Commission of the lack of septage haulers and tanks in the area.

Mr. Montoya read the Resolution to the County Commission explaining its details.

City Mayor Alfonso Ortiz spoke on behalf of the City of Las Vegas on the issue.

SAN MIGUEL COUNTY BOARD OF FINANCE MEETING

3. COUNTY TREASURER'S MONTHLY REPORT

(Backup)

County Treasurer Alfonso Ortiz reviewed and discussed the County Treasurer's monthly report for the month of June 2010 with the County Commission.

No action taken: For information only.

4. INDIGENT CLAIMS FOR ALTA VISTA HOSPITAL IN THE AMOUNT OF \$63,082.76

(Backup)

Finance Supervisor Melinda 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 approve indigent claims for Alta Vista Hospital in the amount of \$63,082.76.

Commissioner Nicolas Leger requested that a representative from Alta Vista Hospital be present in the request of the indigent claims and to answer any questions by the Commission.

Motion to approve indigent claims for Alta Vista Hospital in the amount of \$63,082.76 by Commissioner Albert Padilla. Second by Commissioner Marcellino Ortiz. Motion carried.

5. INDIGENT CLAIMS FOR CHRISTUS ST. VINCENT HOSPITAL IN THE AMOUNT OF \$550.

(Backup) (Backup)

Finance Supervisor Melinda 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 advised the Commission that a representative from Christus St. Vincent Hospital was present and requested approval of the indigent claim in the amount of \$550.00.

Motion to approve indigent claim in the amount of \$550.00 for Christus St. Vincent by Commissioner June Garcia. Second by Commissioner Albert Padilla. Motion carried.

6. ACCOUNTS PAYABLE LISTING

(Backup)

Finance Division Supervisor Melinda Gonzales submitted for approval and ratification, all payments made by the County since the last regular monthly meeting.

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

Motion to approve accounts payable by Commissioner Marcellino Ortiz. Second by Commissioner Albert Padilla. Motion carried.

SAN MIGUEL COUNTY REGULAR MEETING

7. 2010 SAN MIGUEL COUNTY ASSESSOR'S ANNUAL REPORT

(Backup)

County Assessor Elaine Estrada reviewed and discussed the yearly Assessor's report that is required be given to the San Miguel County Commission by the San Miguel County Assessor

No action taken: Information only.

8. LODGERS' TAX ADVISORY BOARD RECOMMENDATIONS FOR 2010-2011 COUNTY LODGERS TAX APPROPRIATIONS

(Backup)

Mr. Glen Post, Chairman of the County Lodgers' Tax Board, advised the Commission that the County Lodgers' Advisory Board met and reviewed 14 Proposals and rated each one. The Board followed with recommendations to set aside \$40,000 for award and retain \$23,000 as a projected cash balance. Accordingly the Board recommended award to Las Vegas/San Miguel Chamber of Commerce, Music from Angel Fire, Las Vegas Arts Council, NMHU Rodeo, 4-H Rodeo, Ride to Pride, Northern New Mexico State Fair, San Miguel/Mora County Fair Association, San Miguel/Mora County Fair Association and Miss Las Vegas Scholarship Org.

Mr. Post listed the amounts granted to each entity as follows:

Las Vegas/San Miguel Chamber of Commerce (Advertising, Promotion and Special Events)	\$24,970.00
Music from Angel Fire (Advertising and Promotion of Special Events)	\$2,000.00
Las Vegas Arts Council (Advertising and Promoting)	\$2,000.00
NMHU Rodeo (Advertising)	\$2,000.00
4-H Rodeo (Advertising)	\$1,000.00
Ride to Pride (Advertising and Promoting)	\$350.00
Northern New Mexico State Fair	\$4,000.00

(Advertising)

San Miguel/Mora County Fair Association **\$1,620.00**
(Advertising)

San Miguel/Mora County Fair Association **\$1,640.00**
(Water Line)

Miss Las Vegas Scholarship Org. **\$180.00**
(Program Book Ad in the Miss New Mexico Program Book)

Total **\$39,760.00**

Discussion ensued.

Motion to approve the 2010-2011 Lodgers' Tax proceeds as recommended by the County Lodgers' Tax Board by Commissioner Albert Padilla. Second by Commissioner Marcellino Ortiz. Motion carried.

Presenter: Glen Post, Chairman, County Lodgers' Tax Board and Les Montoya, County Manager

9. PROPOSED WIND ENERGY FACILITY ORDINANCE.
(Backup) (Backup)

Planning and Zoning Supervisor Alex Tafoya advised the Commission that the wind energy task force has revised existing San Miguel County ordinance relating to energy facilities that use wind as an energy source. The ordinance was submitted for informal review.

Mr. Tafoya requested the Commission (1) review and comment on the ordinance; (2) accept public comment on the proposed ordinance; and (3) adopt and approve Resolution No. 07-13-10-PZ, which directs the County Manager to do all things necessary and proper for adoption of the ordinance at a later meeting.

County Attorney Jesus Lopez reviewed the Ordinance.

Discussion ensued.

Commissioner Nicolas Leger expressed his concerns and requested the Commission table this item for the August Regular meeting.

Commission Chairman Salazar advised that he would allow public comment and proceeded to do so.

The following individuals offered public comment concerning the proposed Wind Energy Facility Ordinance.

Lee Hill	Pam Wood
Lisa Gamble	Mahabba Kauffman
Gloria Luz Gonzales	Arielle Hawney
Louisa Quintana	Bill Madison
Ellen Drew	Pat Lehan
Miguel Pacheco	Adam Cauldwell
Sarah Moore	Evelyn Aragon-Padilla
Cecilia Abeyta	Catherine Montano
Dennis Jack	
Roberto Rios	

Chairman Salazar thanked all the individuals for taking the time to speak and thanked the task force.

Motion made by Commissioner Nicolas Leger to table Resolution No. 07-13-10-PZ. Second by Commissioner Marcellino Ortiz. Motion carried.

Chairman Salazar requested a ten minute recess.

Chairman called meeting back into order after a 10 minute recess.

**10. Resolution Authorizing Renewal of County Membership in North Central New Mexico Economic Development District.
(Backup)**

Planning and Zoning Supervisor Alex Tafoya advised the Commission that the North Central New Mexico Economic Development District is requesting that San Miguel County renew its membership with the District. Such renewal requires a resolution approved by the Board of County Commissioners and a membership fee.

Mr. Tafoya requested the Commission renew County membership and payment of fee; and approve Resolution No. 7-13-10-NCNMEDD.

Motion to renew membership and fee, and approve the Resolution No. 7-13-10NCCMEDD by Commissioner Marcellino Ortiz. Second by Commissioner June Garcia. Motion carried.

**11. REVISION TO JOB DESCRIPTION - LAND DEVELOPMENT SPECIALIST I.
(Backup)**

Planning and Zoning Supervisor Alex Tafoya advised the Commission the job description for the Land Development Specialist I position has been revised in order to more accurately reflect the duties of the position.

Mr. Tafoya requested the Commission approve the revision to job description-Land Development Specialist I.

Motion to approve the revision to job description-Land Development Specialist I by Commissioner Albert Padilla. Second by Commissioner Marcellino Ortiz. Motion carried.

12. RECOMMENDATION TO AWARD PROPOSAL FOR VOLUNTEER FIRE FIGHTER INSURANCE COVERAGE TO NORTHERN INSURANCE IN THE AMOUNT OF \$119,052.00 FOR A THREE YEAR POLICY.

(Backup)

Fire Chief Russell Pacheco advised the Commission that in June 2010 the San Miguel County Fire Chief's Office received two proposals for Insurance for Volunteer Fire Fighters within San Miguel County. The two proposals received were from Northern Insurance and Webb Insurance. Northern Insurance had the highest evaluation scores.

Chief Pacheco requested the Commission award insurance coverage to Northern Insurance in the amount of \$119,052.00 as presented by him.

Motion to award Proposal to Northern Insurance by Commissioner Albert Padilla. Second by Commissioner June Garcia. Motion carried.

13. OUR LADY OF SORROWS PARKING AGREEMENT

(Backup)

County Manager Les Montoya advised the Commission that during construction of the County Court House last year SMC entered into a parking agreement with OLOS parish to utilize their parking area off of West National for County Vehicles. The renovation of the Court House is complete; however the County is still utilizing the parking area, so that the County could have free parking at the Court House for customers. The County needs to renew the agreement so that we may obtain the insurance liability for our vehicles that are parked there.

Mr. Montoya requested the Commission approve Parking Agreement as submitted.

Motion to approve parking agreement as submitted by Commissioner Marcellino Ortiz. Second by Commissioner Albert Padilla. Motion carried.

14. PUBLIC WORKS DIVISION MONTHLY REPORT FOR THE MONTH OF JUNE 2010

(Backup)

Interim public Works Division Supervisor Daniel Encinias presented the San Miguel County Public Works Division report to the County Commission.

No action taken: For informational purposes only.

15. REQUEST FOR PROPOSALS FOR HEAVY EQUIPMENT AND LIGHT-DUTY DIESEL POWERED MECHANIC SERVICES

(Backup)

Interim Public Works Division Supervisor Daniel Encinias advised the Commission that San Miguel County Public Works Division has had Heavy Equipment Diesel Mechanic Services for the past four-years with a local mechanic. This was based on a Request for Bids put together four years ago. The service has benefitted the Public Works Division by providing consistency with the upkeep of the County's Heavy Equipment. The agreement for these services expired on June 30, 2010.

Mr. Encinias requested the Commission authorize staff to proceed in advertising the Request for Proposals

Motion to authorize staff to issue RFP by Commissioner Marcellino Ortiz. Second by Commissioner June Garcia. Motion carried.

16. RESOLUTION NO. 07-13-2010 SMC-BALER AUTHORIZING THE EXECUTION OF GRANT AGREEMENT NUMBER 09-3564-GF SOLID WASTE BALER (\$100,000) BETWEEN SAN MIGUEL COUNTY AND THE NEW MEXICO ENVIRONMENT DEPARTMENT SOLID WASTE BUREAU

(Backup)

Public Service Foreman Harold Garcia advised the Commission that San Miguel County recently received Grant Agreement Number 09-3564-GF in the amount of \$100,000 through the New Mexico Environment Department Construction Programs Bureau. This Grant is for "design, construction, purchase and installation of a solid waste baler at the county public works facility in San Miguel County"

A Resolution is required to be approved by the Board of Commissioners that identifies the GRANTEE REPRESENTATIVE and SIGNATORY AUTHORITY for San Miguel County. Staff is recommending Finance Division Supervisor Melinda Gonzales as the GRANTEE REPRESENTATIVE and County Manager Les Montoya as the SIGNATORY AUTHORITY for this Grant.

Mr. Garcia requested approval of Resolution No 07-13-2010 SMC-BALER authorizing Grant Agreement Number 09-3564-GF between San Miguel County and the New Mexico Environment Department Solid Waste Bureau.

Motion to approve Resolution No 07-13-2010 SMC-BALER authorizing Grant Agreement Number 09-3564-GF between San Miguel County and the New Mexico Environment Department Solid Waste Bureau by Commissioner Albert Padilla. Second by Commissioner June Garcia. Motion carried.

17. SAN MIGUEL COUNTY MANAGER'S REQUEST TO RATIFY THE HIRING OF THE FOLLOWING INDIVIDUAL TO FILL THE VACANT POSITION OF DETENTION OFFICER AT THE SAN MIGUEL COUNTY DETENTION CENTER AS PER THE RECOMMENDATION OF PATRICK SNEDEKER, WARDEN.

PROBATIONARY EMPLOYEE:

BENNYRITA WHITE - DETENTION OFFICER - DATE OF HIRE: JULY 12, 2010 - PROBATIONARY SALARY: \$20,900.00

(Backup)

County Manager Les Montoya advised the Commission that the Detention Officer Position is vacant due to George Cruz resigning his position as a Detention Officer.

Motion to hire and ratify the hiring of Bennyrita White as a Detention Officer by Commissioner Albert Padilla. Second by Commissioner June Garcia. Motion carried.

18. SAN MIGUEL COUNTY MANAGER REQUEST TO RATIFY THE HIRING OF THE FOLLOWING INDIVIDUAL TO FILL THE POSITION OF HOUSING SPECIALIST WITH THE SAN MIGUEL COUNTY SECTION 8 HOUSING PROGRAM AS PER THE RECOMMENDATION OF GILBERT ALMANZA, SAN MIGUEL COUNTY SECTION 8 HOUSING ADMINISTRATOR.

PROBATIONARY EMPLOYEE

BERNADINE E. LUJAN - HOUSING SPECIALIST - EFFECTIVE DATE OF HIRE: JULY 12, 2010 - PROBATIONARY SALARY: \$17,100.00

(Backup)

County Manager Les Montoya advised the Commission that the Housing Specialist position became available due to the Promotion/Transfer of Iris Vigil to Detention Officer/Administrative Area Secretary at the San Miguel County Detention Center. Bernadine Lujan was a Casual Employee at San Miguel County Treasurer's Division which terminated on June 30, 2010. An interview was conducted by Gilbert Almanza, Section 8 Housing Administrator where he discussed the job description. Ms. Bernadine Lujan is well qualified to fill the position of Housing Specialist.

Mr. Montoya requested the Commission ratify the hiring of Bernadine Lujan to fill the position of Housing Specialist with San Miguel County Section 8 Housing Program.

Motion to ratify the hiring of Bernadine Lujan to fill the position of Housing Specialist with the San Miguel County Section 8 Housing Program by Commissioner June Garica. Second by Commissioner Albert Padilla. Motion carried.

19. COUNTY MANAGER'S RECOMMENDATION TO HIRE THE FOLLOWING INDIVIDUAL TO FILL THE VACANT POSITION OF CONVENIENCE CENTER OPERATOR AT THE SAPELLO CONVENIENCE CENTER AS PER THE RECOMMENDATION OF HAROLD GARCIA, PUBLIC SERVICE FORMAN.

PROBATIONARY EMPLOYEE

ROBERTO C. ORTIZ - CONVENIENCE CENTER OPERATOR - EFFECTIVE DATE OF HIRE: JULY 24, 2010 - PROBATIONARY SALARY: \$16,150.00 (Backup)

County Manager Les Montoya advised the Commission that the Convenience Center Operator position became available due to the resignation of Pete Ortiz. Based on the applications on file in the Human Resource Office Roberto Ortiz was the best qualified to fill the vacant position. If approved Roberto Ortiz will be placed at the Sapello Convenience Center.

Mr. Montoya requested approval to hire Roberto C. Ortiz as a Convenience Center Operator to be placed at the Sapello Convenience Center.

Motion to approve employment of Roberto C. Ortiz as the Convenience Center Operator to be placed at the Sapello Convenience Center by Commissioner Albert Padilla. Second by Commissioner Marcellino Ortiz. Motion carried.

20. SAN MIGUEL COUNTY MANAGER'S RECOMMENDATION TO APPROVE JENNIFER LAFEBRE TO ATTEND CLASSES AT LUNA COMMUNITY COLLEGE.

(Backup)

County Manager Les Montoya advised the Commission that if approved by the County Commission, Ms. Jennifer LaFebre will be taking Accounting Classes at Luna Community College on Mondays through Thursdays.

Motion to approve to allow Jennifer LaFebre to attend Accounting Classes at Luna Community College by Commissioner Albert Padilla. Second by Commissioner Marcellino Ortiz. Motion carried.

21. PERSONNEL ACTIONS OR CHANGES FOR THE MONTH OF JUNE 2010.

(Backup)

County Manager Les Montoya advised the Commission of Personnel changes which have taken place in San Miguel County for the month of June 2010 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 June 2010 by Commissioner Marcellino Ortiz. 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.**
- D. Matters pertaining to the discussion of bargaining strategy preliminary to collective bargaining negotiations, as permitted by section 10-15-1(H)(5), 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. Matters pertaining to the discussion of bargaining strategy preliminary to collective bargaining negotiations, as permitted by section 10-15-1(H)(5), NMSA 1978.

Motion made by Commissioner Albert Padilla to retire into Executive/Closed Session at 4:45 p.m. to discuss the matters outlined above by the County Manager. Second by Commissioner June Garcia. Motion carried as follows:

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 Marcellino Ortiz made a motion to return to regular session at 5:22 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 June Garcia. Motion carried. The meeting ended at 5:27 P.M.

Approved this _____ day of _____, 2010 as the Official Minutes of
the Board of County Commissioners of San Miguel County, New Mexico, of the Regular Meeting
held July 13, 2010.

David R. Salazar, Chairman

June J. Garcia, Vice-Chair

Nicholas T. Leger, Commissioner

Marcellino A. Ortiz, Commissioner

Albert J. Padilla, Commissioner

ATTEST

Melanie Y. Rivera, County Clerk

Minutes Submitted by: Javier L. Lopez/Melanie Y. Rivera, County Clerk