

**MINUTES OF REGULAR MONTHLY MEETING  
OF SAN MIGUEL COUNTY  
BOARD OF COMMISSIONERS  
HELD TUESDAY, AUGUST 09, 2011, BEGINNING AT 1:30 P.M.**

**CALL TO ORDER AND ROLL CALL**

Chairman David R. Salazar called the meeting to order promptly at 1:30 p.m., at the Chambers of the San Miguel County Commission, 2<sup>nd</sup> floor, San Miguel County Courthouse, Las Vegas, New Mexico, and asked that the Clerk call the roll of the Commission.

Whereupon the Clerk called the roll and four Commissioners indicated their presence and a quorum was duly established. Present were Chairman David R. Salazar, and Commissioners Marcellino A. Ortiz, Arthur J. Padilla and Ron R. Ortega. Commissioner and Vice Chairman Nicolas T. Leger was absent, Chairman Salazar noting that Leger's absence was due to his attendance at the Executive Committee of the NM Association of Counties, of which Leger is a member, representing San Miguel County.

**PLEDGE OF ALLEGIANCE AND SALUTATION TO NM STATE FLAG**

The Commission, joined by staff and all in attendance, recited the Pledge of Allegiance, and the salutation to the flag of New Mexico.

**APPROVAL OF AGENDA**

County Manager Les Montoya recommended approval of the Agenda, but asked that Item 11, relating to bicycle paths and rights-of-way, be deleted. Whereupon Commissioner Padilla moved, and Commissioner Ortiz seconded, the approval of the Agenda, with the deletion noted by the County Manager. The motion carried. **(UNLESS OTHERWISE INDICATED, ALL FORMAL ACTION BY THE COMMISSION IS BY UNANIMOUS VOICE VOTE.)**

**APPROVAL OF MINUTES:**

Upon motion by Commissioner Padilla, and a second by Commissioner Ortega, the Minutes of the County Commission meeting held June 28, 2011, were duly approved without change or revision.)

**PRESENTATIONS**

***PRESENTATION BY PATRICK SNEDEKER,  
WARDEN/FACILITY ADMINISTRATOR***

***TO MS. SHELLY TRUJILLO, SAN MIGUEL COUNTY DETENTION CENTER FOOD SERVICE  
DIRECTOR, RECIPIENT OF THE  
SUMMIT FOOD SERVICE MANAGEMENT PASSION TO SERVE AWARD***

Warden Patrick W. Snedeker, joined by Summit Food Services CEO David R. Brewer, presented Shelly Trujillo with the above noted certificate and both commented about Ms. Trujillo's diligent service at the Detention Center. Whereupon, all four Commissioners present, commended Ms. Trujillo, and thanked and commended her for her exemplary service.

***PRESENTATION BY TERRI PEARCE FROM TRI-COUNTY FAMILY JUSTICE CENTER ON  
SERVICES PROVIDED  
(Backup)***

Terri Pearce presented an up-date of the activities at and services provided by the Tri-County Family Justice Center. Upon the conclusion of her presentation, all Commissioners commented on the Center, several propounding questions and being satisfied with the responses provided by Ms. Pearce.

***PRESENTATION BY ROB LARRANAGA, WILDLIFE REFUGE MANAGER  
ON THE RIO MORA PARTNERSHIP AND NATIONAL WILDLIFE PROPOSAL***

***RECOGNITION BY THE SONORAN INSTITUTE-SAN MIGUEL COUNTY WIND ORDINANCE-  
SELECTION FOR INCLUSION IN THE SUCCESSFUL COMMUNITIES ONLINE TOOLKIT  
BY ALEX TAFOYA, PLANNING AND ZONING SUPERVISOR***

The above noted presentation was made by Mr. Rob Larranaga, and included a power point presentation. The essence of the presentation was to inform the Commission that the Wind River Ranch is being considered for designation as a national wildlife refuge. Larranaga explained all the reasons why such a designation would be beneficial to the area.

**NEW BUSINESS:**

The County Commission then proceeded to sit and convene as the County Board of Finance, to take up and pass upon Items 1 to 10, inclusive, of the Agenda.

**1. COUNTY TREASURER'S MONTHLY REPORT**

In the absence of County Treasurer Alfonso E. Ortiz, Jr., Jennifer LaFebre of his office, made the monthly presentation to the Commission. The matter is presented monthly for the information of the Commission.

**2. ALTA VISTA AND CHRISTUS ST. VINCENT'S HAVE BOTH REQUESTED CHANGES TO THE INDIGENT PROGRAM**

County Finance Supervisor Melinda Gonzales informed the Commission that both Alta Vista and Christus St. Vincent Hospitals have asked the County to consider making changes to the guidelines governing both eligibility and scope of services for indigent care assistance. Commissioner Ortega posed several questions, and comments were made by Commissioners Salazar and Padilla. In answer to the Commissioners' observations, Gonzales explained that any changes proposed by the Hospitals would be first scrutinized by County staff, especially as concerns any financial impact upon the County. She also informed the Commission that her

presentation today was solely for the information of the Commission, and that any changes would be formally presented to the Commission for their determination at a later time.

**3. INDIGENT CLAIMS FOR ALTA VISTA HOSPITAL IN THE AMOUNT OF \$25,504.93**

Finance Supervisor Gonzales informed the Commission that her office has reviewed and processed indigent payment claims for Alta Vista Hospital in the amount of \$25,504.93, that the same are lawful and proper, and that they should be approved. Whereupon, Commissioner Padilla moved, and Commissioner Ortega seconded, approval of payment of the aforesaid claims, and the motion was duly approved.

**4. INDIGENT CLAIMS FOR CHRISTUS ST. VINCENTS HOSPITAL IN THE AMOUNT OF \$12,470.43.**

Finance Supervisor Gonzales informed the Commission that her office has reviewed and processed indigent claim payments for Christus St. Vincent Hospital in the amount of \$12,470.43, that the same are lawful and proper, and that they should be approved. Whereupon, Commissioner Ortiz moved, and Commissioner Ortega seconded, approval of payment of the aforesaid claims and amount, and the motion was duly approved.

**5. RESOLUTION 2011-08-09-F1 AUTHORIZING AND APPROVING SUBMISSION OF A COMPLETED APPLICATION FOR FINANCIAL ASSISTANCE AND PROJECT APPROVAL TO THE NEW MEXICO FINANCE AUTHORITY**

Finance Supervisor Gonzales asked for the Commission's approval of a loan application by the County for and on behalf of the Sapello Volunteer Fire Department which, if granted, would be used to build a fire station in San Ignacio, the purchase of a Class-A fully-equipped fire unit, and a fully-equipped water tender and initial attack unit. Commissioners Salazar and Ortega propounded questions to Gonzales, and Ortega also requested that Fire Chief Russell Pacheco approach the lectern and answer questions. Whereupon, Commissioners Padilla moved and Commissioner Ortega seconded, approval of the loan application, and the motion carried.

**6. CASH BALANCE REPORT AS OF JULY 31, 2011**

Finance Supervisor Gonzales made her monthly report, and informed the Commission of the County's cash balances as of July 31, 2011. (The matter is presented routinely at every monthly meeting of the Commission, for its information and review, and no formal action is taken.)

**7. ACCOUNTS PAYABLE LISTING ITEMS 2012-1-1 THROUGH 2012-1-452**

Finance Supervisor Gonzales presented the County's accounts for payments made during the month of July, 2011, and represented to the Commission that all such payments were lawfully made. She then asked that the Commission formally ratify and approve the payments, inclusive of the Item Nos. noted above. Whereupon, Commissioner Ortega moved and Commissioner Ortiz seconded, approval, and the motion duly carried.

**8. BUDGET ADJUSTMENT RESOLUTION 2011-08-09-F2**

Finance Supervisor Gonzales advised the Commission that Sheriff Benjie Vigil will later appear before the Commission and request approval of the 2011 Justice Assistance Grant to his office, in the amount of \$7,049.00, to be utilized to purchase law enforcement equipment. The Sheriff advised the Commission that the grant is made annually, and is properly utilized by his department to purchase needed equipment. The above

noted Resolution simply adjusts the Sheriff's department budget accordingly. Whereupon Commissioner Padilla moved and Commissioner Ortiz seconded, approval of Resolution No. 2011-08-09-F2, and the motion carried.

**9. REQUEST FOR A SPECIAL MEETING OR AN EMERGENCY COMMISSION MEETING AS A RESULT OF THE REFINANCING PROCESS OF THREE NEW MEXICO FINANCE AUTHORITY (NMFA) LOANS.**

Finance Supervisor Gonzales informed the Commission that it would be necessary to call and convene an emergency meeting of the Commission at a day certain when the market will be most optimal for the approval of a resolution approving the pricing terms of the Series 2011 Bond Issue, as previously discussed by the Commission at length. Discussion ensued by the Commissioners concerning the most convenient time for the meeting, and a motion was then made by Commissioner Padilla, and seconded by Commissioner Ortega, that the emergency meeting be called, as provided by law, for Thursday, August 11, 2011, at 2:30 o'clock p.m., at the Commission Chambers. The motion carried.

**10. LODGERS TAX ADVISORY BOARD RECOMMENDATION FOR 2011-2012 COUNTY LODGERS TAX APPROPRIATIONS JULY 13, 2011**

(Backup)

Lodgers' Tax Advisory Board Chairman Glen Post appeared before the Commission and advised as follows: That the Advisory Board passed upon applications for Lodgers' Tax allocations, and after due deliberation and consideration of the applications presented, has recommended that the Las Vegas/San Miguel Chamber of Commerce, in conjunction with the EDC, receive an allocation of \$32,175.00 to provide tourism related services and activities, and to work with the County to promote the 2012 annual convention of the New Mexico Association of Counties, to be held in Las Vegas, all to be specified in a formal written agreement between the grantee and the County; and that the Las Vegas/San Miguel Marketing Cooperative receive \$17,500, on the condition that said grantee secure a state matching grant, and that the County own any website produced by the grantee, all to be specified in a written agreement.

The County Manager concurred with the recommendation made by Post, whereupon Commissioner Padilla moved, and Commissioner Ortiz seconded, approval of the Lodgers' Tax allocations noted above, under the terms and conditions specified, and the motion carried.

**HAVING CONCLUDED ITS MEETING SITTING AS THE COUNTY BOARD OF FINANCE, THE COMMISSION PROCEEDED TO REGULAR ORDER AND BUSINESS, AS FOLLOWS:**

**11. GENERAL DISCUSSION AND CONSIDERATION CONCERNING A COUNTY ORDINANCE REQUIRING MOTORISTS TO ALLOW A RIGHT-OF-WAY OR FREE ACCESS OF AT LEAST FIVE FEET TO BICYCLISTS ON COUNTY ROADS AND TO OTHERWISE MAKE SAN MIGUEL COUNTY A BIKE FRIENDLY PLACE.**

By action taken previously, as noted above, this item was deleted from the Agenda, and will be taken-up at a later meeting of the Commission.

**12. INTER-LOCAL AGREEMENT BETWEEN THE CITY OF LAS VEGAS, NEW MEXICO AND THE COUNTY OF SAN MIGUEL, NEW MEXICO. 2011 JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AWARD**

Sheriff Benjie Vigil appeared before the Commission and requested approval of the JAC grant in the amount of \$7,049.00, to be utilized for the purpose and in the manner specified with particularity hereinabove under Item 8 of the Agenda. Whereupon Commissioner Padilla moved, and Commissioner Ortega seconded, approval of the grant, in the amount and for the purpose noted with particularity under Item 8 of the Agenda.

### **13. ROAD VIEWING FOR PETITION NO. CR-001, TO RE-ESTABLISH PUBLIC ROAD AND REQUEST COUNTY MAINTENANCE WITHIN GLENWOOD ESTATES AND ASPHALT PAVE HARLAN DRIVE**

Planning and Zoning Supervisor Alex Tafoya appeared before the Commission and made the following presentation: That a petition was previously presented seeking the adoption of one or more roads at the Glenwood Estates as county public roads; that road viewers were duly designated to undertake a road viewing, as required by law, and that a road viewing was held August 1, 2011, after notice to all interested parties; that the matter is now ripe for presentation to the Commission, and that a public hearing should be now conducted.

Whereupon, Commissioner Ortega, acting in the temporary absence of Chairman Salazar, and designated by the Chairman to so act, proceeded to conduct the public hearing on the road petition, and the following transpired:

Road viewers Daniel Encinias and Ernesto Lujan presented their findings and recommendations to the Commission, and answered questions and concerns propounded by the Commission. (The road viewers' recommendations were made in writing and are a part of the official file in this matter.)

Whereupon Commissioner Ortega invited all interested persons in attendance to offer comment and argument to the Commission. The following persons appeared and offered comment to the Commission, all supporting adoption of one or more roads in the Glenwood Estates subdivision, as public county roads: Martin Pacheco, Ellen Cordova, Casey Baca, Mike Montano, Gabe Estrada, State Representative Richard Vigil, Rudy Romero, Edna Martinez and Floyd Pacheco.

Being informed that no other persons desired to address the Commission in this matter, Commissioner Ortega invited the Commissioners to deliberate upon the issue and offer their comments and recommendations. Whereupon all Commissioners expressed their desire to help all those affected by the bad road conditions, and expressed also their concern for safety in the area.

After a thorough and robust discussion by the Commissioners, and their consideration of the observations and recommendations of the County Manager, Commissioner Padilla moved, and Chairman Salazar seconded, as follows: (1) that the matter presented be continued (postponed) for final disposition and decision at such time as staff is prepared to proceed, and after the City of Las Vegas and the NM Department of Transportation are asked to participate in any final resolution, and (2) that in the interim, the County provide to the affected area, a one-time emergency road maintenance assistance, for public safety, pending the final disposition of this matter.

Upon a call of the roll, all Commissioners voted in the affirmative, and the motion carried. (The Commission emphasized, and noted for the record, that no formal action was being taken on the petition under consideration, and that the aforesaid action taken, simply continued the matter until a later meeting/hearing, and offered one-time temporary relief for the affected residents.)

### **14. RESOLUTION NO. 08-01-11-USDA RBOG-REQUESTING TO PROMOTE SUSTAINABLE ECONOMIC DEVELOPMENT**

Planning and Zoning Supervisor Tafoya advised the Commission as follows: That USDA Rural Business Cooperative Service program invited applications for Rural Business Opportunity Grants to promote sustainable economic development in rural areas. County staff prepared an application for funding in the amount of \$50,000

and submitted the application by the August 1, 2011 deadline. The application required a resolution by the governing body authorizing the submittal of an application. County staff prepared a resolution and obtained the appropriate signatures.

Tafoya then requested that the Commission ratify and approve the action taken by County staff in obtaining signatures on Resolution No. 08-01-11-USDA RBOG and ratify the submittal of the grant application.

Whereupon Commissioner Ortega moved, and Commissioner Padilla seconded, that the Commission ratify and approve the actions heretofore taken, as noted with particularity by Mr. Tafoya. The motion carried.

**15. RESOLUTION NO. 08-09-11-RESIDENTIAL ANTI-DISPLACEMENT - WITH EXHIBIT 1-R, RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLAN AND CERTIFICATION**

Planning and Zoning Supervisor Tafoya advised the Commission that the Small Cities Community Development Block Grant Program requires grantees to adopt a Residential Anti-Displacement and Relocation Assistance Plan and Certification by Resolution, and requested approval of said Resolution, the number of which is noted above. Whereupon Commissioner Ortiz moved, and Commissioner Ortega seconded, approval of Resolution No. 08-09-11, and the motion carried.

**16. RESOLUTION NO. 08-09-11-PROCUREMENT**

Planning and Zoning Supervisor Tafoya advised the Commission that the Community Development Block Grant Program requires that grantees (the County) establish and adopt a procurement code by resolution on an annual basis, and the above noted Resolution effects that requirement. Tafoya recommended approval of the Resolution, and Commissioner Padilla moved approval of Resolution No. 08-09-11-PROCUREMENT, and upon a second by Commissioner Ortega, the motion carried.

**17. RATIFICATION OF FY 11-12 COMMUNITY DWI (CDWI) GRANT AGREEMENT**

The DWI Planning Council recommended to the Commission that it accept Community DWI grant funds in the total amount of \$25,397.00, to be utilized and allocated as follows for the FY 2011-12: (1) \$21,191.00 for Safe-Ride-Home services, (2) \$2,367.00 to the Las Vegas Police Department for saturation patrols and one DWI checkpoint, (3) \$1,554.00 to the Sheriff's office for saturation patrol and DWI checkpoint, and \$285.00 for promotional items in the Safe-Ride-Home program.

Whereupon Commissioner Padilla moved, and Commissioner Ortiz seconded, approval and acceptance of the CDWI grant in the aforesaid amount, and for the aforesaid purposes and allocations. The motion carried.

**18. REQUEST TO ACCEPT SERVICE AGREEMENT FOR THE SAN MIGUEL COUNTY/LAS VEGAS OFFICE OF EMERGENCY MANAGEMENT PUBLIC AWARENESS CAMPAIGN**

Emergency Manager Dennis English advised the Commission that on July 13 2011, the Commission awarded to Parametrix the contract (after an RFP and compliance with the Procurement Code) for the County's public awareness campaign related to the office of Emergency Management. In furtherance of the contract award, a written contract was drafted and is presented to the Commission for review and approval. Whereupon, Commissioner Padilla moved, and Commissioner Ortiz seconded, approval of the written contract between San Miguel County and Parametrix, pursuant to a lawful contract award previously made by the Commission. The motion carried.

**19. SAN MIGUEL COUNTY/CITY OF LAS VEGAS OFFICE OF EMERGENCY MANAGEMENT JOINT POWERS AGREEMENT WITH THE CITY OF LAS VEGAS**

Background Information: Emergency Manager Dennis English advised the Commission that a Joint Powers Agreement between San Miguel County and City of Las Vegas for Emergency Management services was updated to clarify the transferring of inventory and possession of equipment purchased through the Department of Homeland Security/Emergency Management by Federal Regulation CFR 44 13.2. English requested approval of the Joint Powers Agreement.

Whereupon Commissioner Padilla moved and Commission Ortiz seconded, approval of the aforesaid Joint Powers Agreement, and the motion carried.

**20. OUT OF STATE TRAVEL REQUEST TO EMMITTSBURG, MARYLAND CONTINUATION OF EMERGENCY MANAGER EXECUTIVE MANAGEMENT LEVEL TRAINING**

Emergency Manager English requested out-of-state trip approval for Management Level training, and upon a motion by Commissioner Padilla and a second by Commissioner Ortega, the out-of-state travel request was granted, the motion being duly approved by the Commission.

**21. PUBLIC WORKS DIVISION MONTHLY REPORT FOR THE MONTH OF JULY 2011**

Road foreman Daniel Encinias presented his monthly report to the Commission. Discussion ensued, and Commissioners propounded questions and concerns to Encinias. (This item is presented monthly and no action is sought from the Commission.)

**22. EXTENSION OF CONTRACT WITH GREER'S REPAIR AND WELDING FOR HEAVY EQUIPMENT AND LIGHT-DUTY DIESEL POWERED MECHANIC SERVICES FROM THE PERIOD OF SEPTEMBER 1, 2011 THRU AUGUST 31, 2012**

Road foreman Encinias presented for approval, a twelve-month contract (renewal) with Greer's Repair and Welding, on an as-needed basis, noting the renewal is for a second year, beginning September 1, 2011 and ending August 31, 2011. Commissioner Ortega asked Encinias if he was satisfied with the work provided by Greer's. Encinias answered in the affirmative. Whereupon Commissioner Padilla moved, and Commissioner Ortega seconded, approval of the contract renewal recommended by Encinias and noted previously. The motion carried.

**23. RATIFICATION OF AGREEMENT BETWEEN THE CITY OF LAS VEGAS AND SAN MIGUEL COUNTY FOR FIVE-YEAR 150' X 150' EASEMENT FOR THE CONSTRUCTION OF THE GALLINAS CANYON SOLID WASTE TRANSFER STATION**

Public Service Foreman Harold Garcia advised the Commission that the City of Las Vegas has given San Miguel County an Agreement for a five-year (5) 150' X 150' Easement for the Construction of the Gallinas Canyon Solid Waste Transfer Station, and requested ratification and approval of same. whereupon Commissioner Padilla moved, and Commissioner Ortiz seconded, ratification and approval, and the motion carried.

**24. HEALTHCARE PARTNERS FOUNDATION, INC. - SAN MIGUEL COUNTY DETENTION CENTER - 3<sup>RD</sup> RENEWAL - INMATE HEALTHCARE SERVICES AND HEALTHCARE MANAGEMENT SERVICES AGREEMENT; AND FISCAL YEAR 2011 ANNUAL REPORT.**

Warden Patrick W. Snedeker recommended approval of the 3<sup>rd</sup> renewal of the Inmate HealthCare Management Services Agreement by and between Healthcare Partners Foundation, Inc. and the San Miguel County Detention Center. Whereupon Commissioner Ortiz moved, and Commissioner Ortega seconded, approval of the Agreement and the motion carried.

**25. POSITION ADVERTISEMENT - LAS VEGAS JUVENILE JUSTICE CONTINUUM BOARD - COORDINATOR POSITION**

Warden Snedeker advised the Commission as follows: The New Mexico CYFD/Las Vegas Juvenile Justice Continuum Board Coordinator position is being vacated. San Miguel County is the fiscal agent, specific to a NM Children Youth and Families Contract with San Miguel County. A Continuum Board Coordinator position advertisement has been prepared. San Miguel County Commission review/approval of the position advertisement is sought.

Whereupon Commissioner Ortega moved and Commissioner Padilla seconded, granting permission and approval to Warden Snedeker to proceed with the advertisement (RFP) as by him requested. The motion carried.

**26. DETENTION OFFICER UNIFORMS-RECOMMENDATION FOR PROVIDER**

Warden Snedeker advised the Commission as follows: Competitive sealed proposals were received for goods and services, specific to detention officer uniforms. San Miguel county commission approval is sought so that Neve's Uniforms Incorporated of Santa Fe, NM provides the detention officer uniforms. Documentation is attached demonstrating that Neve's Uniforms Inc. does represent the most advantageous cost to San Miguel County and the lowest cost per uniform.

Chairman Salazar and Commissioner Padilla asked the Warden and Finance Supervisor to make clear to the Commission that the award will be made to the lowest responsible bidder. The assurance was made by both Warden Snedeker and Finance Supervisor Gonzales. Commissioner Ortega commented upon, and made inquiry concerning, the matter of doing all possible to ensure that "made in America" goods are procured, whenever possible, and staff assured the Commissioner that such would be a priority, to the extent allowed by law.

Whereupon Commissioner Padilla moved and Commissioner Ortiz seconded, award of uniform contract for Detention Center to Neve's Uniforms of Santa Fe, NM. The motion carried.

**27. QUARTERLY REPORT FOR SECTION 8 HOUSING ADMINISTRATION FOR THE 4<sup>TH</sup> QUARTER OF FY 2010/2011**

Section 8 Housing Administrator Christina Barajas presented to the Commission the San Miguel County Housing Authority Quarterly Report, for its review and information. (No formal action was sought in this matter.)

County Manager Montoya asked Barajas to address the issue of whether the Program is making progress to rectify its previous "troubled-status" finding by HUD. Barajas answered in the affirmative, and the County



Manager also assured the Commission that the Section 8 Housing Program is making substantial progress to comply with all HUD rules and regulations.

**28. BUILDING LEASE AGREEMENT WITH LAS VEGAS/SAN MIGUEL ECONOMIC DEVELOPMENT INC.**

The County Manager informed the Commission that pursuant to its decision and direction at the last meeting of the Commission, he directed the county attorney to draft a lease between the County and Las Vegas/San Miguel County Economic Development (EDC) for the latter's use of certain premises on Railroad Avenue. The Manager then informed the Commission that the Lease is presented for their approval.

Whereupon Commissioner Padilla moved and Commissioner Ortiz seconded, approval of the aforesaid Lease between the County and EDC. The motion carried.

**29. COUNTY FUNDING ALLOCATION AGREEMENT TO LAS VEGAS/SAN MIGUEL COUNTY ECONOMIC DEVELOPMENT INC. TO PERFORM ECONOMIC DEVELOPMENT SERVICE WITH AND/OR ON BEHALF OF SAN MIGUEL COUNTY**

The County Manager informed the Commission that at its July 12 2011, meeting, the Commission allocated funding to the Las Vegas/San Miguel County Economic Development, Inc. (EDC), in the total amount of \$5,000.00 for FY 2011-12. Pursuant to that action by the Commission, the Manager directed the county attorney to prepare the required agreement for allocation and disbursement of the funds, and the said Agreement is presented to the Commission for approval.

Whereupon Commissioner Ortega moved approval, noting that the Agreement provides for a good system of accountability to the County. Upon a second by Commissioner Padilla, the motion carried and the Agreement was approved.

**30. RESOLUTION 08-09-2011 REGIONAL ECONOMIC DEVELOPMENT SUPPORTING FORMATION OF A REGIONAL ECONOMIC PLANNING ORGANIZATION**

The County Manager presented Resolution 08-09-2011 relating to economic development and expressing support for the formation of a regional economic planning organization which will collaborate with all local public agencies, business and industry with the intent of creating a regional economic development plan. All Commissioner indicated support for the general concept presented by the Resolution, and upon a motion by Commissioner Padilla and a second by Commissioner Ortiz, the Resolution was duly adopted.

**31. PERSONNEL ACTIONS OR CHANGES FOR THE MONTH OF JULY 2011.**

The County Manager requested approval of personnel changes which occurred in the County during the month of July, 2011, and upon a motion by Commissioner Ortiz and a second by Commissioner Ortega, the personnel changes indicated and noted by written report of the Manager, were duly approved by the Commission.

## **Executive/Closed Session**

The County Manager recommended that the Commission retire into closed/executive session to consider and pass upon the following matters:

- 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 or disposal 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.**

Whereupon, at 5:42 o'clock p.m., Commissioner Padilla moved and Commissioner Ortiz seconded, that the Commission retire into closed/executive session as recommended by the County Manager, to consider and pass upon the matters noted above. Upon a call of the roll by the Clerk, all four Commissioners present voted aye on the motion for closure.

At 7:05 o'clock p.m., the Commission returned to public session and Chairman Salazar noted for the record that no decisions were made in executive session and that the Commission discussed in executive session only those matters specified in the motion for closure.

## **ADJOURNMENT**

At 7:07 o'clock p.m., the Chairman noting that there was nothing further to come before the Commission, Commissioner Padilla moved adjournment, and upon a second by Commissioner Ortiz, the regular monthly meeting of the Board of County Commissioners of San Miguel County was declared adjourned.

**MOVED, SECONDED AND ADOPTED** this 13<sup>th</sup> day of September, 2011, as the official minutes of the regular monthly meeting held Tuesday, August 9, 2011, by the Board of County Commissioners of San Miguel County, New Mexico.

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David R. Salazar, Chairman

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Nicolas T. Leger, Vice Chairman

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Marcellino A. Ortiz, Member

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Ron R. Ortega, Member

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Arthur J. Padilla, Member

Attest:

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Melanie Y. Rivera  
San Miguel County Clerk

( S E A L )