

**MINUTES OF THE REGULAR MONTHLY MEETING
OF THE BOARD OF COUNTY COMMISSIONERS OF
SAN MIGUEL COUNTY, NEW MEXICO,
HELD TUESDAY, JUNE 12, 2012, BEGINNING AT 1:30 P.M.**

CALL TO ORDER AND ROLL CALL

Chairman Nicolas T. Leger called the meeting to order at 1:30 p.m., at the Commission chambers on the 2nd floor of the San Miguel County Courthouse. Upon a call of the roll by the Clerk, all five County Commissioners were present, and a quorum was duly established and noted as follows: Chairman Nicolas T. Leger, Vice Chairman Ron R. Ortega, and Commissioners David R. Salazar, Marcellino A. Ortiz and Arthur J. Padilla.

PLEDGE OF ALLEGIANCE AND SALUTATION OF THE NM FLAG

Joined by staff and all in attendance, the Commissioners pledged allegiance to the U.S. flag and offered their salutation to the NM state flag.

APPROVAL OF MINUTES

Upon a motion by Commissioner Padilla, and a second by Commissioner Ortiz, the Commission approved the minutes of its regular monthly meeting held May 08, 2012; and upon a motion by Commissioner Padilla and a second by Commissioner Salazar, the Commission approved the minutes of its special meeting held May 22, 2012.. *[Unless otherwise indicated, minutes are approved without change, correction or revision.]*

APPROVAL OF AGENDA

Upon a recommendation by County Manager Les Montoya that Agenda Items 29, 30 and 31 be advanced, to appear immediately before Item 9, Chairman Leger so moved, and Commissioner Padilla seconded; and thereafter Commissioner Padilla moved and Commissioner Ortiz seconded, that the Treasurer's report (Item 1) be tabled at the request of the County Treasurer; whereupon Commissioner Salazar moved and

Commissioner Padilla seconded, that the Agenda be approved as amended. *[Unless otherwise indicated, the meeting agenda is approved without change or deletion.]*

(ALL MOTIONS MADE AND SECONDED ARE DULY APPROVED AND ADOPTED WITHOUT FURTHER INDICATION OF SAID ACTION; AND ALL FORMAL ACTION IS BY UNANIMOUS VOICE VOTE, UNLESS OTHERWISE INDICATED.)

PUBLIC INPUT FORUM

Chairman Leger inquired whether anyone desired to address the Commission, and citizen Bobby Padilla of Gallinas Canyon sought recognition. Padilla expressed concerns about the solid waste dumpster located in the Gallinas area, and asked when the dumpster will be moved from its existing location to another location on property owned by the City of Las Vegas. County Manager Montoya informed Padilla and the Commission that the move should be made by early July, 2012, thus alleviating the litter, safety and other problems which presently exist. (Vice Chairman Ortega, who represents the Gallinas area and resides there, also expressed his concern and thanked Padilla for taking the time to come before the Commission.)

(Chairman Leger also noted that several people were present concerning the oil and gas moratorium, and that they would all be recognized and allowed to speak as that item comes before the Commission later in the meeting.)

Chairman Leger then utilized the Public Input Forum to make three announcements, as follows: (1) Leger noted a letter from Governor Martinez, expressing concerns about existing fire danger, and urged the public to be extremely cautious, as did Vice Chairman Ortega, (2) Leger announced the up-coming state conference of the New Mexico Association of Counties, and (3) the Chairman, joined by all Commissioners, recognized outgoing Section 8 Housing Administrator Christina Barajas, who was presented with flowers and thanked by Commissioners and staff for a job well done.

INTRODUCTION OF NEW EMPLOYEE(S)

The County Manager introduced newly-hired employee Arturo Marlow, who will assume the position of NIMS Coordinator in the office of Emergency Management. Marlow, who was present, was welcomed by the Commission.

PRESENTATIONS

The Commission entertained the following presentations:

RESIDENTS OF CONCHAS DAM RE LAW ENFORCEMENT IN THEIR AREA:

Several residents from the Conchas Dam area appeared at the meeting to express their concerns about the absence of a full-time deputy sheriff in the area. Appearing as

spokespersons for the group were Gale Copland and Dave Copland, both with the Conchas EMS, and Victor Hart. All three expressed to the Commission their concerns about recent actions by Sheriff Benjie Vigil which, according to them, result in the absence of a full-time deputy in the area, and in their opinion cause inordinate and unnecessary travel by other deputies from Las Vegas. They asked the Commission for any support it could render.

Sheriff Benjie Vigil also addressed the Commission, and the Conchas residents, and explained why he had undertaken recent changes in the manner of assigning deputies to Conchas, and the Sheriff suggested to the residents that perhaps they could pool their resources and employ a fulltime marshal, as other communities have done.

As the presentation concluded, Chairman Leger informed those in attendance that the Sheriff is an independently elected official over whom the Commission has no direct control; and the Chairman also informed the Sheriff that it was his responsibility to provide adequate law enforcement protection in the area.

COUNTY ROAD/BEAUTIFICATION PROGRAM:

Las Dispensas resident Larry Rose made an informative presentation about efforts he is undertaking to establish an "Adopt a Road" project in the county. The project has been implemented in other counties and provides an incentive and groundwork for citizens to keep their areas free of litter and debris, and otherwise attractive. Rose disseminated written information concerning the proposed project, and was encouraged by Chairman Leger and other Commissioners, all of whom commended Rose for his efforts. The Chairman also asked the Manager and staff to take a close look at Rose's ideas, and report to the Commission at a later date.

COUNTY EXTENSION SERVICE UPDATE:

County Extension Service representative Samantha Ortiz, joined by Marcella Montoya, made a presentation to the Commission, which included information about the following: nutrition program, county fair, participation with the economic sustainability group, and the small-farm task force. In answer to a question posed by Commissioner Ortiz, Samantha Ortiz noted that there is little, if any, participation from the Pecos area in the county fair. Commissioner Ortiz urged Samantha Ortiz to beef-up her efforts in the Pecos area.

[Dan Ware of the State Forestry Department did not appear for his scheduled presentation.]

THE COMMISSION THEN CONVENEED AS THE SAN MIGUEL COUNTY BOARD OF FINANCE, AS FOLLOWS:

ITEM 1: COUNTY TREASURER'S MONTHLY REPORT

County Treasurer Alfonso E. Ortiz, Jr., who was present, did not make his monthly presentation due to matters in the Treasurer's office which prevented his report from being finalized, and this Item was previously removed from the Agenda, as noted above under Approval of Agenda.

ITEM 2: APPROVAL OF INDIGENT CLAIMS/PAYMENTS (ALTA VISTA HOSP.)

Upon a presentation and recommendation by Finance Supervisor Melinda Gonzales, Commissioner Salazar moved and Commissioner Padilla seconded, approval of indigent fund payments to Alta Vista Regional Hospital in the amount of \$49,425.92; Gonzales certifying that all claims recommended for approval, met eligibility requirements and otherwise qualified for payment under the County's Indigent Fund guidelines.

ITEM 3: APPROVAL OF INDIGENT CLAIMS/PAYMENTS(CHRISTUS ST. VINCENT)

Upon a presentation and recommendation by Finance Supervisor Gonzales, Commissioner Salazar moved and Commissioner Ortiz seconded, approval of indigent fund payments to Christus St. Vincent Hospital in the amount of \$17,894.17; Gonzales certifying that all claims recommended for approval, met eligibility requirements and otherwise qualified for payment under the County's Indigent Fund guideline.

ITEM 4: APPROVAL OF INDIGENT BURIAL CLAIM

Upon the recommendation of Finance Supervisor Gonzales, Commissioner Padilla moved and Commissioner Salazar seconded, approval of payment of \$1,200.00 to Gonzales Funeral Home for indigent burial costs, Gonzales noting that said payment was lawful and that the burial met the statutory requirements.

ITEM 5: FINANCE DEPT. RESOLUTION NO. 2012-06-12-F1

Upon the recommendation and presentation of Finance Supervisor Gonzales, Commissioner Salazar moved and Commissioner Ortiz seconded, approval of the above-numbered Resolution, delineating and designating the purpose and use of Fund 703 within the Jail Facility Fund budget category.

ITEM 6: BUDGET ADJUSTMENT 2012-06-12-F2

Upon the recommendation and presentation of Finance Supervisor Gonzales, Commissioner Padilla moved and Commissioner Ortega seconded, approval of the above-numbered budget adjustment, allowing for minor budget adjustments as a result of recent loan refinancing. (All adjustments are miniscule, and simply provide for a proper balancing of the account ledgers.)

ITEM 7: CASH BALANCE REPORT AS OF MAY 31, 2012

Finance Supervisor Gonzales presented the Commission with the cash balance report as of May 31, 2012, and noted that the report is in order, and contained no extraordinary matters of which the Commission should be concerned. (The item is presented monthly and no formal action is sought from nor required by the Commission.)

ITEM 8: APPROVAL OF ACCOUNTS PAYABLE

Upon a motion by Commissioner Salazar and a second by Commissioner Ortiz, the Commission approved the County's disbursement as recommended by Finance Supervisor Gonzales, inclusive of Items 2012-11-1 through 2012-11-573, who certifies in the corresponding written document that all disbursements are lawful and proper.

HAVING CONCLUDED ITS BUSINESS AS THE COUNTY BOARD OF FINANCE, AT 2:32 P.M. THE COMMISSION PROCEEDED TO REGULAR ORDER, AS FOLLOWS:

[Items 29, 30 and 31 of the Agenda were taken up at this time, per the Commission's prior directive, as noted under Approval of Agenda, above; but said Items will be reported under their numerical order below.]

ITEM 9: ADOPTION OF ORDINANCE NO. 06-12-12 RE ECONOMIC DEVELOPMENT

Upon a presentation by Planning & Zoning Supervisor Alex Tafoya, Chairman Leger proceeded to call a public hearing on the proposed adoption of the above-titled ordinance, designating Martinez & Sons, LLC, as a qualifying party to received financial assistance under the County's economic development ordinance, as permitted by the Local Economic Development Act.

Chairman Leger invited anyone in attendance to address the Commission for or against the proposed ordinance, or otherwise, and only Timoteo Martinez, of Martinez & Sons, appeared. He explained generally the planned meat processing plant and the equipment which will be purchased under the above authorizing ordinance, and thanked the Commission and staff for their support. (County Manager Montoya also announced to the Commission that the USDA had made an \$80,000 grant to the County, in support of the enterprise.)

No other person seeking recognition in the matter, Chairman Leger closed the public hearing and called for the question, whereupon Commissioner Ortiz moved and Commissioner Padilla seconded, adoption and approval of Ordinance No. 06-12-12, and upon a call of the roll, all five Commissioners voted in the affirmative, and the Ordinance was duly approved.

ITEM 10: APPOINTMENT OF WAYNE GREENE TO LODGERS' TAX BOARD

Upon the recommendation of the County Manager and the Lodgers' Tax Advisory Board, Commissioner Salazar moved and Commissioner Ortiz seconded, the appointment of Wayne Greene of Pendaries, to the County's Lodgers' Tax Advisory Board, replacing Jack Schwandt, who recently resigned.

ITEM 11: JOB DESCRIPTION IN ASSESSOR'S OFFICE

Upon the recommendation of the County Manager and County Assessor Elaine Estrada, Commissioner Ortiz moved and Commissioner Padilla seconded, approval of job description for the new position of Personal Property/Mapping Clerk in the Assessor's office. [Chairman Leger noted for the record that Vice Chairman Ortega was temporarily absent from the room, and did not participate concerning Item 11.]

ITEM 12: CERTIFICATES OF NOMINATION/JUNE 5 2012 PRIMARY ELECTION

County Clerk Melanie Y. Rivera presented to the Commission the certificates of nomination issued by the Canvassing Board to the five successful candidates for county offices at the June 5, 2012, Primary election, and the Certificates were duly executed by the Commission for issuance to the candidates. (The candidates were incumbent Commissioners Nicolas T. Leger and Marcellino A. Ortiz, and Commissioner-elect Gilbert Sena, together with incumbent County Clerk Melanie Y. Rivera and Treasurer-elect Bertha Bustamante.)

No action was taken by the Commission, the certificates having been duly approved by the Canvassing Board as provided by law.

(Chairman Leger commended all candidates, winner and losers, complimenting them for participating in the process.)

ITEM 13: APPROVAL OF 2012 JUSTICE ASSISTANCE PROGRAM FOR SHERIFF

Upon a presentation by Sheriff Benjie Vigil, Commissioner Padilla moved and Commissioner Salazar seconded, approval of JAG grant to the Sheriff's office for purchase of equipment, in the amount of \$6,977.00

ITEM 14: PUBLIC HEARING FOR INFRASTRUCTURE CAPITAL IMPRV. PLAN

At 2:59 p.m., upon a presentation by Planning & Zoning Supervisor Alex Tafoya, Chairman Leger convened a public hearing for consideration of input and comment on the County Infrastructure Capital Improvement Plan for the years 2014 to 2018.

Whereupon the following persons appeared before the Commission and commented on the ICIP: Joe Zebrowski, President of the El Creston Mutual Domestic Water Users

Assn., Public Works Supervisor Harold Garcia, County Manager Les Montoya, Warden Patrick W. Snedeker, Road Foreman Daniel Encinias, and Finance Supervisor Melinda Gonzales.

A prolonged discussion then ensued by and between Commissioners and staff, concerning the relative merit of each project. At the conclusion of the discussion and deliberation, at 3:34 p.m., Commissioner Salazar moved and Commissioner Ortiz seconded, approval of the following five priority projects for inclusion in the County's Infrastructure Capital Improvement Plan for 2014-2018: (1) a solid waste transfer station, (2) a new computer system for the county, (3) a community-based health unit at the Detention Center, (4) a water system for the El Creston Domestic Water Users Association, and (5) improvements at the Country Acres subdivision. The motion carried and the foregoing projects were approved by the Commission.

ITEM 15: CLOSE-OUT DOCUMENTS FOR PLANNING GRANT NO. 2533-GF

Upon a presentation and recommendation of Planning & Zoning Supervisor Tafoya, Commissioner Padilla moved and Commissioner Salazar seconded, approval of the following documents for the above-titled Planning Grant, through the NM Finance Authority, and granting Chairman Leger authority to execute the same on behalf of the County: Record of Proceedings Relating to Adoption of Resolution, \$50,000.00 planning grant, Certificate of Grantee, and Financing Schedule and Distribution List.

(At 3:40 p.m. Chairman Leger called a recess, to allow everyone to stretch and take care of any personal matters, and the Chairman reconvened the meeting at 3:50 p.m.)

ITEM 16: OIL & GAS MORATORIUM ORD. NO. 06-12-12-NATURAL RESOURCES

Planning & Zoning Supervisor Tafoya made a background-presentation in this matter, noting that this identical item was presented and approved by the Commission at the June 2012 meeting, but that the notice of public hearing for the June 12 meeting/hearing may have lagged by one day. Therefore, Tafoya said that to avoid any problems with the lawful adoption of the moratorium ordinance, it was noticed-up a second time, for today's meeting/hearing, with the requisite advance notice of two weeks, as required by Section 4-37-4, NMSA 1978, relating to procedure for adoption of county ordinances.

Whereupon, at 3:55 p.m., Chairman Leger convened a public hearing for public comment and input on the proposed adoption of Moratorium Ordinance No. 06-12-12-NATURAL RESOURCES, extending for an additional eight (08) months the moratorium on the submission, acceptance or approval of any applications to the County for oil and gas drilling and exploration. Upon the Chairman's call and invitation, the following persons appeared before the Commission and offered comment on the proposed moratorium ordinance, all speaking in support of the moratorium: Lee Einer, Ralph

Laumbach, Cathleen Dudley, Rock Ulibarri, Cathy Miller Lopez, Gail Gales, Corinth Fammeth, Gloria Luz Gonzales, Miguel Angel, Ellen Drew, Margo Covington, Casandra Miller, Carol Johnson, Michael Lucero, Georgina Ortega, Diana Pretzer, and Joe Penfling.

Hearing no further requests for recognition, Chairman Leger concluded the public input portion of the public hearing, and the Commissioners all proceeded to offer their comments on the propriety of extending the moratorium. Chairman Leger noted, in particular, that County staff was working diligently on the formulation of a comprehensive draft ordinance relating to oil and gas exploration, that the same would be presented to the Task Force and to the Commission, and that a final draft ordinance would be taken-up by the Commission in the foreseeable future.

Whereupon Commissioner Padilla moved and Vice Chairman Ortega seconded, approval and adoption of Ordinance No. 06-12-12-NATURAL RESOURCES, imposing and continuing the 8-month moratorium on consideration or approval of applications for permits for oil and gas exploration, and upon a call of the roll, all Commissioners voted in the affirmative, and the Ordinance was adopted and approved.

ITEM 17: POTENTIAL PROJECTS FOR 2013 CDBG

Upon a presentation by Planning & Zoning Supervisor Tafoya, a lengthy discussion ensued by the Commission and staff concerning potential county projects which may be submitted for the 2013 cycle for Community Development Block Grant funding. Whereupon, by consensus of the Commission, staff agreed to submit a list of priority projects as early as the July 2012 meeting. (No other action was taken in this matter.)

ITEM 18: RFP FOR DETENTION CENTER HEALTHCARE SERVICES

Upon the recommendation of Warden Patrick W. Snedeker, Commissioner Padilla moved and Commissioner Salazar seconded, approval and authorization for the issuance of a request for proposals for inmate health care services at the Detention Center.

(AS NOTED AT THE INCEPTION OF THE MINUTES, UNDER APPROVAL OF AGENDA, ALL MOTIONS MADE AND SECONDED ARE DULY APPROVED AND ADOPTED, WITHOUT FURTHER INDICATION OF SAID ACTION; AND ALL FORMAL ACTION IS BY UNANIMOUS VOICE VOTE, UNLESS OTHERWISE INDICATED.)

ITEM 19: RFP FOR DETENTION CENTER INMATE TELEPHONE SERVICES

Upon the recommendation of Warden Snedeker, Commissioner Ortiz moved and Commissioner Salazar seconded, approval and authorization for the issuance of a

request for proposals for inmate telephone services and automated jail management system services at the Detention Center.

ITEM 20: ACCEPTANCE OF BID FOR FIRE APPARATUS

Upon the recommendation of Fire Chief Russell Pacheco, Vice Chairman Ortega moved and Commissioner Ortiz seconded, acceptance of the sole bid for the purchase of a mobile pump testing trailer, from lone bidder Weis Fire Safety Equipment Co., in the amount of \$72,568.00.

ITEM 21: APPROVAL OF SERVICE AGREEMENT WITH BOLD PLANNING

Upon the recommendation of Emergency Manager Dennis English, Commissioner Ortiz moved and Vice Chairman Ortega seconded, approval of the agreement between the County and Bold Planning Solutions for conversion of current EOP to ESF format.

ITEM 22: APPROVAL OF MOA WITH LCC FOR DETENTION CENTER INMATES

Upon the recommendation of Warden Snedeker, Vice Chairman Ortega moved and Commissioner Ortiz seconded, approval of the Memorandum of Agreement between the County and Luna Community College for GED and other educational services provided to inmates at the SMC Detention Center.

ITEM 23: APPROVAL OF AGREEMENT WITH LCC FOR TRAINING ACADEMY

Upon the recommendation of Warden Snedeker, Vice Chairman Ortega moved and Commissioner Ortiz seconded, approval of Agreement between the County and Luna Community College for the latter's provision of a training academy for corrections officers at the SMC Detention Center and other facilities.

ITEM 24: APPROVAL OF AGREEMENT WITH AOC FOR VIDEO ARRAIGNMENTS

Upon the recommendation of Warden Snedeker, Vice Chairman Ortega moved and Commissioner Padilla seconded, approval of the Agreement between the County and the Administrative Office of the Courts, allowing for video arraignments of SMC Detention Center inmates.

ITEM 25: APPROVAL OF INMATE CONFINEMENT AGREEMENT/CIBOLA COUNTY

Upon the recommendation of Warden Snedeker, Commissioner Padilla moved and Vice Chairman Ortega seconded, approval of inmate confinement agreement with Cibola County, for two years, beginning July 01, 2012, at \$54.00 per inmate per day, by which SMC may house high risk and high security inmates at the Cibola County facility.

ITEM 26: APPROVAL OF INMATE CONFINEMENT AGREEMENT/HARDING CO.

Upon the recommendation of Warden Snedeker, Commissioner Padilla moved and Commissioner Ortiz seconded, approval of inmate confinement agreement by which Harding County may house inmates at the SMC Detention Center, at \$45.00 per day, plus a \$20.00 booking fee.

ITEM 27: APPROVAL OF INMATE CONFINEMENT AGREEMENT/LAS VEGAS CITY

Upon the recommendation of Warden Snedeker, Commissioner Ortiz moved and Vice Chairman Ortega seconded, approval of inmate confinement agreement by which the City of Las Vegas may house inmates at the SMC Detention Center for \$80.00 per day, per inmate.

ITEM 28: APPROVAL OF VOLUNTEER FIRE ASSISTANCE GRANT APPLICATION

Upon the recommendation of Wildland Fire Technician Kenneth Medina, Commissioner Padilla moved and Commissioner Ortiz seconded, approval and ratification of the County's application for VFA grant funding, as follows: Tecolote, \$20,000, Sapello/Rociada, \$20,000, La Placita, \$20,000, Cabo Lucero, \$20,000, Pecos Canyon, \$19,732.11, Rowe, \$20,000, and Wildland Fire Technician, \$25,000.

(The following three Item were taken-up by the Commission immediately before Item 9, above, at the inception of the Commission's regular order, as follows:)

ITEM 29: APPROVAL OF DWI GRANT AGREEMENT/AMENDMENT-12-D-J-G-26

Upon the recommendation of the SMC DWI Planning Council and DWI Coordinator Wendy Armijo, Commissioner Ortiz moved and Vice Chairman Ortega seconded, approval of the above-titled amendment to the noted DWI Grant Agreement, for reallocation of \$1,905.00 from Prevention/Contractual to Prevention Operational Costs.

ITEM 30: APPROVAL OF DWI GRANT AGREEMENT NO. 13-D-J-G-26

Upon the recommendation of the SMC DWI Planning Council and DWI Coordinator Armijo, Commissioner Padilla moved and Commissioner Ortiz seconded, approval of the above-titled grant agreement for \$38,000.00.

ITEM 31: RATIFICATION OF CDWI GRANT APPLICATION FOR FY 2012-2013

Upon the recommendation of the SMC DWI Planning Council and DWI Coordinator Armijo, Commissioner Ortiz moved and Commissioner Padilla seconded, approval and ratification of the above CDWI grant application, for \$18,521.00 for FY 2012-2013.

ITEM 32: UNCOLLECTIBLE BALANCES AT SMC DETENTION CENTER

Upon the recommendation of Warden Snedeker, Commissioner Padilla moved and Vice Chairman Ortega seconded, that \$1,550.00 be declared and considered as uncollectible

inmate confinement fees at the SMC Detention, for all the reasons noted by the Warden, by which other facilities/jurisdictions have refused to pay for statutory reasons.

ITEM 33: MONTHLY REPORT OF THE PUBLIC WORKS DIVISION

Both Public Works Division Supervisor Harold Garcia and Road Foreman Daniel Encinias made presentations to the Commission, and discussion ensued, with Garcia and Encinias answering several questions posed by Commissioners, including queries by Vice Chairman Ortega re vandalism at the Gallinas area dumpster, and concerning the solid waste regional center. As well, Commissioner Salazar requested that Garcia and Encinias prioritize their goals and provide a schedule of said prioritization, and both agreed to do so.

No formal action was taken concerning this Item, which is presented for the information of the Commission, and for general discussion.

ITEM 34: APPROVAL OF PERSONNEL ACTIONS FOR MAY, 2012

Upon a presentation by Human Resources Supervisor Kiki Arellano, Commissioner Padilla moved and Commissioner Ortiz seconded, approval and ratification of all personnel changes made in the County for May, 2012.

ITEMS 35 AND 36: AGREEMENTS FOR USE OF O.L.O.S. PARKING AREAS

Upon a presentation by Human Resources Supervisor Kiki Arellano, Commissioner Padilla moved and Commissioner Salazar seconded, approval of two agreements between Our Lady of Sorrows Catholic Church and SMC, for the latter's use of parking facilities owned by O.L.O.S.

ITEM 37: APPROVAL OF EMPLOYEE ASSISTANCE PROGRAM SERVICES

Upon a presentation of Human Resources Supervisor Kiki Arellano, Commissioner Padilla moved and Commissioner Ortiz seconded, approval of the SMC Employee Assistance Program (EAP) services agreement for the period beginning July 1, 2012, through June 30, 2013.

ITEM 38: APPROVAL OF EMPLOYMENT/DETENTION CENTER

Upon the recommendation of County Manager Montoya and Warden Snedeker, Commissioner Padilla moved and Vice Chairman Ortega seconded, approval of employment of Javier Mendez as a detention officer, beginning May 29, 2012, as a probationary employee at a beginning salary of \$20,900.00.

ITEM 39: APPROVAL OF EMPLOYMENT/CONVENIENCE CENTER OPERATOR

Upon the recommendation of the County Manager, Commissioner Padilla moved and Commissioner Salazar seconded, approval of employment of Ramon Trevizo as a convenience center operator (at Sapello), beginning June 19, 2012, as a probationary employee at a beginning salary of \$16,150.00.

ITEM 40: APPROVAL OF RESOLUTION NO. 06-12-12-CM (SUPLUS PROPERTY)

Upon the recommendation of the County Manager, Commissioner Padilla moved and Commissioner Ortiz seconded, approval of the above-titled Resolution, permitting the subject mobile home (previously used by the Fair Association), to be declared surplus and obsolete property, and sold as permitted by law, through the solicitation of sealed bids.

HAVING CONCLUDED THE FOREGOING REGULAR ORDER, THE COUNTY ATTORNEY RECOMMENDED THAT THE COMMISSION RETIRE INTO EXECUTIVE/CLOSED SESSION TO CONSIDER THE FOLLOWING MATTERS:

Personnel matters, matters subject to the attorney client privilege pertaining to threatened or pending litigation in which SMC is or may become a participant, matters pertaining to the discussion of the acquisition or disposal of real property, and matters pertaining to the discussion of bargaining strategy preliminary to collective bargaining negotiations, all as permitted by Section 10-15-1(H)(2), (5), (7) and (8) of the Open Meetings Act, NMSA 1978, as amended.

Whereupon, at 6:04 p.m., Commissioner Padilla moved and Commissioner Salazar seconded, that the Commission retire into executive/closed session to consider the matters noted and recommended by the County Manager, as particularized above. Upon a call of the roll by the Clerk, all five Commissioners in attendance answered in the affirmative on the motion to retire into executive/closed session, and the Commission proceeded to close the meeting as permitted by law.

At 6:52 p.m. Commissioner Padilla moved and Vice Chairman Ortega seconded, that the Commission reconvene in public session, and the motion carried. Whereupon Chairman Leger noted for the record that the Commission considered and discussed in executive/closed session only those matters and subjects for which the motion for closure was made.

There being no further business to come before the Commission, and no person seeking recognition by the Commission, at 6:54 p.m. Commissioner Ortiz moved and Commissioner Padilla seconded, the adjournment of the meeting, the motion carried and the meeting was duly adjourned.

MOVED, SECONDED AND ADOPTED this 10th day of July, 2012, by the Board of County Commissioners of San Miguel County, New Mexico, as the official minutes of its regular monthly meeting held June 12, 2012.

Nicolas T. Leger, Chairman

Ron R. Ortega, Vice Chairman

David R. Salazar, Member

Marcellino A. Ortiz, Member

Arthur J. Padilla, Member

ATTEST:

Melanie Y. Rivera
San Miguel County Clerk

(S E A L)