

**MINUTES OF THE REGULAR MONTHLY MEETING
OF THE BOARD OF COUNTY COMMISSIONERS OF
SAN MIGUEL COUNTY, NEW MEXICO,
HELD TUESDAY, OCTOBER 14, 2014, 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 Marcellino A. Ortiz, Arthur J. Padilla and Gilbert J. B. Sena.

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 AGENDA

Upon a motion by Commissioner Sena and a second by Commissioner Ortiz, the Agenda was approved, without change. **[Unless otherwise indicated, the meeting agenda is approved without change or deletion.]**

APPROVAL OF MINUTES

Upon a motion by Vice Chairman Ortega and a second by Commissioner Ortiz, the Commission approved the minutes of its emergency meeting held September 05, 2014; upon a motion by Commissioner Padilla and a second by Vice Chairman Ortega, the Commission approved the minutes of its special meeting held September 05, 2014; and upon a motion by Commissioner Padilla and a second by Commissioner Ortiz, the Commission approved the minutes of its regular monthly meeting held September 09, 2014. **[Unless otherwise indicated, minutes are approved without change, correction or revision.]**

(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

The public input forum began at 1:35 p.m., and the following twenty persons addressed the Commission, the subject of their comments indicated parenthetically following each name: **Bill Madison** (that oil and gas moratorium should be extended, and generally concerning the adverse effects of hydraulic fracturing); **Leslie Hammel Turk**, concerning the proposed oil and gas ordinance, and revisions thereto; **Bob Wessely**, concerning the proposed oil and gas ordinance, and revisions thereto; **Brad Turk**, concerning the proposed oil and gas ordinance, and revisions thereto; **Ariel Hawley**, concerning the proposed oil and gas ordinance, and adverse consequences of oil and gas drilling; **Ms. Gardner**, concerning the proposed oil and gas ordinance and adverse consequences of oil and gas drilling; **Arte Martinez**, concerning the proposed oil and gas ordinance and adverse effects of oil and gas drilling; **Catherin Kahn**, concerning the Comprehensive Plan; **Ralph D. Laumbach**, concerning the proposed oil and gas ordinance and the Comprehensive Plan, and the adverse consequences of oil and gas drilling; **Salvador Higgins**, concerning the proposed oil and gas ordinance, and the need to safeguard water resources; **Kathy Gonzales**, concerning the proposed oil and gas ordinance and the adverse effects of oil and gas drilling; **Lee Einer**, concerning the proposed oil and gas ordinance and the adverse effects of oil and gas drilling, and Einer concluded his comments with the following remark, cited verbatim: "Let me tell you that this is only round one, this is not a sprint, this is a marathon. If the Commission takes from us all legal options to resist fracking, all they leave for us is the illegal, and you should consider that gentlemen, you should consider that very seriously. This is a long damn way from being over."; **Dianne Lindsay**, concerning the proposed oil and gas ordinance and adverse effects of oil and gas drilling; **Cordia Sammeth**, concerning the proposed oil and gas ordinance and the adverse effects of oil and gas drilling; **Michael Lucero**, concerning the proposed oil and gas ordinance and the adverse effects of oil and gas drilling; **Meredith Britt**, concerning the adverse effects of oil and gas drilling; **Georgina Ortega**, representing the Las Vegas Land Grant, concerning the adverse effects of oil and gas drilling; **Francisco Apodaca**, concerning the adverse effects of oil and gas drilling, especially their long term "legacy" consequences; **Molly Smollett**, concerning the adverse effects of oil and gas drilling; and **Sofia Martinez**, concerning the adverse effects of oil and gas drilling. *[An audio recording of all presentations is preserved by the County Clerk's office, and available for inspection and copying at any time during regular business hours; and submissions made by speakers are received and preserved by county staff.]*

The public input forum ended at 2:35 p.m.

INTRODUCTION OF NEW EMPLOYEES

The County Manager noted the recent hiring of county employees Jonathan Lucero (Public Works) and Eric Tapia (Public Works). Though not in attendance, both were welcomed by the County Commission.

PRESENTATIONS

County Assessor

County Assessor Elaine Estrada presented certifications to Assessor's office employees Rudy Ortega (Appraiser I) and Lorenzo Aragon (Appraiser III), and commended each for their achievement and hard work, as did the County Commission.

Emergency Management

Emergency Manager Dennis English presented a certification of emergency management to Kurt Parkinson of his office, and commended Parkinson for his achievement, as did the County Commission.

SMC Health Impact Assessment

Warden Patrick W. Snedeker, accompanied by Kimberly Blea, Arte Martinez and Pat Leahan, presented the final report of the San Miguel County Health Impact Assessment, a project which has been underway for five years. Chairman Leger, joined by all Commissioners, commended the participants for their hard work, and noted that much remains to be done to implement the recommendations of the Assessment.

Fort Union National Monument

Charles Strickfaden, Park Superintendent at Fort Union National Monument, addressed the Commission concerning educational outreach and long term tourism and strategic planning at Fort Union, and was thanked by the Commission for his informative presentation.

Alta Vista Regional Hospital Update

This presentation was not made, and will be taken up at a later meeting.

**AT 3:15 P.M., THE COMMISSION PROCEEDED
TO REGULAR ORDER, AS FOLLOWS:**

**ITEM 1: CONSIDERATION AND FORMAL ACTION ON RECOMMENDATIONS
MADE BY PLANNING & ZONING COMMISSION RELATING TO PROPOSED OIL
AND GAS ORDINANCE AND AMENDMENT (OIL AND GAS ELEMENT) TO THE
COUNTY'S COMPREHENSIVE PLAN**

Planning & Zoning Supervisor Alex Tafoya presented this Item, informing the Commission that per its directive, on October 03, 2014, the County Planning & Zoning Commission held a public hearing on the proposed draft oil and gas ordinance, and on the amendment (oil and gas element) to the County's Comprehensive Plan; that thereafter, on October 07, 2014, the Planning & Zoning Commission met and made its recommendations to the County Commission, which recommendations are that revisions to the proposed ordinance, as recommended by Bob Wesseley, Brad Turk, Leslie Hammel Turk, Pat Leahan and Planning & Zoning member Pat Galligan, be accepted and incorporated into the draft oil and gas ordinance. Tafoya also informed the Commission that as to the amendment (oil and gas element) to the County's Comprehensive Plan, the Planning & Zoning Commission made no recommendations.

Discussion and deliberation ensued by and between Commissioners and staff, concerning the recommendations of the Planning & Zoning Commission, and Commissioner Padilla asked County Attorney Jesus Lopez whether consultant Robert Freilich had reviewed the recommendations of the Planning & Zoning Commission, and whether Freilich had offered his counsel and advice to the Commission concerning the recommendations. Lopez responded that Freilich had indeed reviewed the Planning & Zoning recommendations, and that Freilich noted that several were already included in the draft ordinance, endorsed most of the remaining recommendations, and counseled only against a few of the recommendations, as being beyond the jurisdiction and power of the County Commission. (Lopez noted that Freilich's review and counsel was contained in written form in a four-page spread sheet which Lopez provided to the Commission and to all in attendance at the meeting.)

Whereupon, at 3:52 p.m., Commissioner Padilla moved and Commissioner Ortiz seconded, that the recommendations of the Planning & Zoning Commission, for modification and revision of the proposed draft oil and gas ordinance, be accepted and incorporated into the draft ordinance, to the extent those recommendations are endorsed and approved by consultant and attorney Robert Freilich, and the motion carried by unanimous voice vote of the Commission.

ITEM 2: ADOPTION OF RESOLUTION NO. 10-14-14-OG&CP, PROPOSING ENACTMENT OF AN OIL AND GAS ORDINANCE AND AMENDMENT (OIL & GAS ELEMENT) TO THE COUNTY'S COMPREHENSIVE PLAN

Following a brief summary by County Attorney Jesus L. Lopez concerning the process and procedure for final adoption of an oil and gas ordinance, and amendment (oil and gas element) to the County's Comprehensive Plan, as recited in Resolution No. 10-14-14-OG&CP, Commissioner Padilla moved and Commissioner Sena seconded, adoption of Resolution No. 10-14-14-OG&CP, and the motion carried by unanimous voice vote of the Commission, and the Resolution was duly adopted, the proposed oil and gas ordinance to reflect the Planning & Zoning Commission recommendations accepted by the County Commission as per the action taken under Item 1 hereinabove of this Agenda.

ITEM 3: RESOLUTION 10-14-14-PILT-CM RELATING TO PILT FUNDING

Upon the recommendation of County Manager Les Montoya, Vice Chairman Ortega moved and Commissioner Padilla seconded, adoption of the above-titled and numbered Resolution, urging continued federal funding for PILT (Payment in Lieu of Taxes), and urging New Mexico's Congressional delegation to support continued PILT funding.

ITEM 4: CONTRACT APPROVAL FOR FINANCIAL MANAGEMENT SYSTEM

Upon a presentation by Information Technology Supervisor John Tiernan, and upon Tiernan's recommendation, Vice Chairman Ortega moved and Commissioner Ortiz seconded, approval of the contract award to Tyler Technologies, Inc., for the County's financial management system, to include software, installation, data conversion, training and other services, as previously awarded pursuant to and in accordance with the NM Procurement Code.

ITEM 5: APPROVE SUBGRANT EMW-2013-SS-00152-S01/EMERGENCY MANG.

Upon the recommendation of Emergency Manager Dennis English, Vice Chairman Ortega moved and Commissioner Sena seconded, approval and acceptance of the above-titled and numbered Sub-Grant Agreement for the Emergency Management office, providing funds for travel and per diem in the amount of \$5,000.00.

ITEM 6: CDBG GRANT AGREEMENT 14-C-NR-1-01-G-04/SABINOSO ROAD PROJ.

Upon the recommendation of Planning & Zoning Supervisor Tafoya, Commissioner Sena moved and Commissioner Padilla seconded, acceptance of the above-titled and numbered Grant Agreement, accepting funds in the amount of \$477,661.00 for the road and drainage project for County Road C-55-A (Sabinoso), and authorizing Chairman Leger to execute the Agreement on behalf of the County.

ITEM 7: ACCEPTANCE OF NMDHSEM DOT/HMP-0409-14-01-00/EMER.MANG.

Upon the recommendation of Kurt Parkinson, NIMS Coordinator, Commissioner Ortiz moved and Vice Chairman Ortega seconded, acceptance of the above-titled and numbered Grant Agreement, for Department of Transportation funds in the amount of \$52,944.00, to be used to plan and execute both a table-top and full-scale exercise by the San Miguel County/City of Las Vegas Office of Emergency Management.

ITEM 8: DISASTER DECLARATION NO. 10-14-2014-OEM-FLOODS

Upon the recommendation of the County Manager, Vice Chairman Ortega moved and Commissioner Ortiz seconded, approval of the above-titled and numbered Resolution for a disaster declaration for damage sustained by county infrastructure as a result of flooding in September, 2014, allowing the County to request funding for repairs of roadways, culverts and drainage ditches.

ITEM 9: RATIFICATION OF FIRE PROTECTION GRANT/VARIOUS FIRE DISTRICTS

Upon the recommendation of County Fire Chief Russell Pacheco, Commissioner Padilla moved and Commissioner Sena seconded, approval and ratification of Fiscal Year 2015 Fire Protection Grants for the following Fire Districts, for the amounts, and with the county match, noted for each: Cabo Lucero, \$37,600/match of \$9,400; Gallinas, \$80,000/match of \$20,000; Pecos Canyon, \$144,00/match of \$36,000; Sheridan, \$94,096/match of \$23,524; Rowe, \$96,000/match of \$24,000; and Tecolote, \$80,000/match of \$20,000.

ITEM 10: AUTHORIZATION TO REQUEST PROPOSALS/EMERGENCY MANAG.

Upon the recommendation of NIMS Coordinator Parkinson, Commissioner Padilla moved and Commissioner Ortiz seconded, that the office of Emergency Management be authorized to request proposals and initiate procurement, for a table top and functional exercise for a pipeline rupture and development of an emergency response appendix to the Local Emergency Operations Plan.

ITEM 11: ACCEPT GRANT AGREEMENT 14-L-1976/PECOS CANYON FIRE DIST.

Upon the recommendation of Planning & Zoning Supervisor Tafoya, Commissioner Ortiz moved and Commissioner Padilla seconded, approval and acceptance of the above-titled and numbered Grant Agreement, which allocates Legislative funding in the amount of \$30,000 for purchase and equipping of a fire truck for the Pecos Canyon Fire District, and authorizing Chairman Leger to execute the same on behalf of the County.

ITEM 12: ACCEPT GRANT AGREEMENT 14-L-1977/DETENTION CENTER

Upon the recommendation of Planning & Zoning Supervisor Tafoya, Commissioner Sena moved and Commissioner Padilla seconded, approval and acceptance of the

above-titled and numbered Grant Agreement, which allocates Legislative funding in the amount of \$25,000 for design and construction of a workshop and maintenance building at the SMC Detention Center, and authorizing Chairman Leger to execute the same on behalf of the County.

ITEM 13: ACCEPT GRANT AGREEMENT 14-L-1978/SHERIDAN FIRE DIST.

Upon the recommendation of Planning & Zoning Supervisor Tafoya, Commissioner Sena moved and Commissioner Ortiz seconded, approval and acceptance of the above-titled and numbered Grant Agreement, which allocates Legislative funding in the amount of \$25,000 to make improvements at the Sheridan Fire Department, and authorizing Chairman Leger to execute the same on behalf of the County.

ITEM 14: ACCEPT GRANT AGREEMENT 14-L-1979/EL PUEBLO FIRE DIST.

Upon the recommendation of Planning & Zoning Supervisor Tafoya, Commissioner Sena moved and Commissioner Ortiz seconded, approval and acceptance of the above-titled and numbered Grant Agreement, which allocates Legislative funding in the amount of \$50,000 for purchase and equipping of a fire truck for the El Pueblo Fire Department, and authorizing Chairman Leger to execute the same on behalf of the County.

ITEM 15: APPROVAL/EMERGENCY MANAGEMENT GRANT APPLICATION

Upon the recommendation of Emergency Manager Dennis English, Commissioner Padilla moved and Vice Chairman Ortega seconded, ratification and approval of the 2014 SHSGP grant application by the SMC/City of LV Office of Emergency Management.

ITEM 16: PUBLIC WORKS DIVISION REPORT FOR SEPTEMBER, 2014

Public Works Division Foreman Rudy Salazar addressed the Commission, noting that he submitted a written report in advance of the meeting, and inviting any questions or comments from Commissioners.

Whereupon, Commissioners commented and queried as follows:

Vice Chairman Ortega: Expressed his concern about the difficulty people are experiencing with the bear-proof dumpsters in the Gallinas area, and also reminded Salazar about the need to re-install the light fixtures along the road to Camp Luna.

Commissioner Sena: Had no questions, but commended the entire staff for their hard work.

Commissioner Padilla: Expressed his desire to set aside a half day to travel county roads with staff, then work on a timeline for repairs and maintenance.

Commissioner Ortiz: Thanked Salazar and the entire crew, on behalf of the people of the Gonzales Ranch area, who are very pleased with recent work in that vicinity.

Chairman Leger: Thanked Salazar and the entire staff for their hard work.

ITEM 17: APPROVAL OF FUNDING AGREEMENT FOR EDC

Upon the recommendation of the County Manager, Commissioner Ortiz moved and Vice Chairman Ortega seconded, approval of the Fund Allocation Agreement between SMC and the Las Vegas/San Miguel Economic Development Corporation (EDC), in the amount of \$35,000.00, in accordance with the funding decision made by the County Commission at its September meeting.

ITEM 18: APPROVAL OF INMATE CONFINEMENT AGREEMENT/COLFAX COUNTY

Upon the recommendation of Warden Patrick W. Snedeker, Commissioner Padilla moved and Commissioner Sena seconded, second-year renewal of the inmate confinement agreement between SMC and Colfax County, for the latter's housing of prisoners at the SMC Detention Center, at \$80.00 per day per prisoner, and a \$20.00 booking fee.

ITEM 19: AWARD BID FOR PRINTING OF TREASURER'S OFFICE TAX BILLS

Upon the recommendation of County Treasurer Bertha Bustamante, Commissioner Ortiz moved and Vice Chairman Ortega seconded, award of bid to Touch Point Customer Communications, for printing of Treasurer's office property tax bills, for a term of four years, beginning November, 2014; the Treasurer noting that an invitation for bids issued for this procurement, and Touch Point was the lowest responsible bidder.

ITEM 20:RENEWAL/MANAGEMENT SYSTEM CONTRACT-DETENTION CENTER

Upon the recommendation of Warden Snedeker, Commissioner Sena moved and Vice Chairman Ortega seconded, second-year renewal of the agreement between SMC and Justice Software, Inc., for the provision of an Inmate Jail Management System (B.O.S.S. Software System) at the SMC Detention Center.

ITEM 21: RENEWAL OF MEDICAL MANAGEMENT CONTRACT/DETENTION CENT.

Upon the recommendation of Warden Snedeker, Commissioner Ortiz moved and Vice Chairman Ortega seconded, second-year renewal of the Medical Management Contract between SMC and Health Care Services, Inc., for medical services at the SMC Detention Center, at \$312,000.00 per year.

ITEM 22: APPROVAL OF PERSONNEL ACTIONS FOR SEPTEMBER, 2014

Upon a presentation by Human Resources Supervisor Kiki Arellano, and the recommendation of the County Manager, Commissioner Ortiz moved and Vice Chairman Ortega seconded, approval of all personnel actions and changes made in the County during the month of September, 2014.

ITEM 23: APPROVAL OF EMPLOYMENT/DETENTION CENTER

Upon the recommendation of Warden Snedeker and the County Manager, Commissioner Sena moved and Commissioner Ortiz seconded, approval of employment of the following individuals as detention officers at the SMC Detention Center: Wilton C. Lopez-Rogers, effective September 15, 2014, as a probationary employee with a salary of \$20,900.00; Jonathan C. Montoya, effective September 15, 2014, as a probationary employee, with a salary of \$20,900.00; and Ernest D. Duran, effective September 29, 2014, as a probationary employee with a salary of \$20,900.00.

ITEM 24: APPROVAL OF EMPLOYMENT/SHERIFF'S DEPUTY

Upon the recommendation of County Sheriff Benjie Vigil and the County Manager, Commissioner Padilla moved and Commissioner Sena seconded, approval of employment of Anthony Madrid as a Sheriff's deputy, effective October 15, 2014, as a probationary employee at a salary of \$27,550.00.

ITEM 25: APPROVAL OF EMPLOYMENT/COUNTY CLERK'S OFFICE

Upon the recommendation of County Clerk Melanie Y. Rivera and the County Manager, Commissioner Sena moved and Commissioner Ortiz seconded, approval of temporary employment of the following persons as election clerks, each at \$10.00 per hour, for the upcoming General election: Barbara Romero, Angela Sanchez, Rita Sanchez, Priscilla Marquez, Germaine Padilla, Arlene Ortiz, Mary Griego, and Deborah Chavez.

ITEM 26: APPROVAL OF JOB DESCRIPTION/SPECIAL PROJECTS COORDINATOR

Upon the recommendation of Warden Snedeker, Vice Chairman Ortega moved and Commissioner Ortiz seconded, approval of job description for the new position of Special Projects Coordinator at the SMC Detention Center.

ITEM 27: APPROVAL OF OUT-OF-STATE TRAVEL/CONNIE ABILA

Upon the recommendation of Emergency Manager Dennis English, Commissioner Padilla moved and Commissioner Sena seconded, approval of out-of-state travel (reimbursement) for Emergency Management employee Connie Abila, to Seattle, Washington, from November 18 to 22, 2014, for continuing education concerning federal grant application process.

ITEM 28: APPROVAL OF REVISIONS TO SUNDRY JOB DESCRIPTIONS

Upon the recommendation of County Manager Les Montoya, Commissioner Ortiz moved and Commissioner Padilla seconded, approval of revised job descriptions for the supervisor positions in the following departments: Planning & Zoning, Human Resources, Detention Center Warden, Emergency Manager, Chief of Security at Detention Center, Finance Division, and Information Technology.

ITEM 29: APPROVAL OF EMPLOYMENT CONTRACT/WARDEN SNEDEKER

Upon the recommendation of the County Manager, Commissioner Padilla moved and Vice Chairman Ortega seconded, approval of a two-year contract of employment with Patrick W. Snedeker as Warden at the SMC Detention Center, from October 2014, to October, 2016, at an annual salary of \$75,943.19. (Vice Chairman Ortega and Commissioner Padilla both commended Warden Snedeker for his excellent job performance.)

ITEM 30: ACCEPTANCE OF FUNDING FOR SHERIFF'S OFFICE

Upon the recommendation of the County Manager (in the absence of the County Sheriff), Commissioner Padilla moved and Commissioner Ortiz seconded, acceptance of grant funds to the Sheriff's office for enforcement of DWI laws.

**AT 5:39 P.M., HAVING CONCLUDED ITS REGULAR ORDER,
THE COUNTY COMMISSION CONVENED AS THE
COUNTY BOARD OF FINANCE, AS FOLLOWS:**

ITEM 31: INDIGENT BURIAL PAYMENT TO ROGERS MORTUARY

Upon the recommendation of Finance Supervisor Melinda Gonzales, Commissioner Sena moved and Commissioner Padilla seconded, approval of an indigent burial payment to Rogers Mortuary in the amount of \$1,200.00, as authorized by law.

ITEM 32: APPROVAL OF ACCOUNTS PAYABLE

Upon the recommendation of Finance Supervisor Gonzales, Commissioner Ortiz moved and Commissioner Padilla seconded, approval of the following Accounts Payable, Gonzales certifying by concurrent written instrument that all payments are lawful and proper: Items 2015-02-256 through 2014-02-289, and 2015-3-01 through 2015-03-0318, reporting all payments made from August 25 2014, through September 30, 2014.

ITEM 33: CASH BALANCE REPORT AS OF SEPTEMBER 30, 2014

Finance Supervisor Gonzales informed the Commission of the County's cash balance as of September 30, 2014. (The Item is presented for the Commissioners' information, and formal Commission action is neither sought nor required.)

ITEM 34: RESOLUTION 2014-10-14-F1/CREATION OF FUND 322

Upon the recommendation of Finance Supervisor Gonzales, Commissioner Sena moved and Commissioner Ortiz seconded, approval of the above-numbered Resolution, creating a new fund for a new grant from the Department of Homeland Security for the Emergency Management office, to account for funds under OEM-2013-SS-0152, for per diem and mileage. The grant funds (\$5,000.00) were accepted by the Commission under Agenda Item 5, above.

ITEM 35: RESOLUTION 2014-10-14-F2/CREATION OF FUND 323

Upon the recommendation of Finance Supervisor Gonzales, Commissioner Ortiz moved and Vice Chairman Ortega seconded, approval of the above-numbered Resolution, creating a new fund for a new grant from the Department of Homeland Security for the Emergency Management office, to account for funds under DOT/HMP-0409-14-01-00. The grant funds (\$52,944.00) were accepted by the Commission under Agenda Item 7, above.

ITEM 36: BUDGET ADJUSTMENT RESOLUTION 2014-10-14-F3

Upon the recommendation of Finance Supervisor Gonzales, Commissioner Padilla moved and Vice Chairman Ortega seconded, approval of the above-numbered Resolution, making the following four budget adjustments: (1) Transferring \$235,000 from Fund 996 to Fund 202, (2) accounting for the \$5,000 EM grant in the newly created Fund 322, (3) accounting for the \$44,120 EM grant in the newly created Fund 323, and (4) accounting for the CDBG \$477,461 grant in Fund 906.

ITEM 37: RESOLUTION 2014-10-14-F4/DETENTION CENTER LOAN AGREEMENT

Upon the recommendation of Finance Supervisor Gonzales, Commissioner Ortiz moved and Commissioner Sena seconded, approval of documents relating to the Loan Agreement between SMC and the New Mexico Finance Authority, in the principal amount of \$695,288, to plan, design, construct, equip and furnish a community based facility at the SMC Detention Center.

**HAVING CONCLUDED ITS
MEETING AS THE COUNTY BOARD OF FINANCE,
THE COMMISSION PROCEEDED AS FOLLOWS:**

At 5:47 p.m., the County Manager 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 5:48 p.m., Commissioner Padilla moved and Commissioner Ortiz 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 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 6:53 p.m., Commissioner Sena moved and Commissioner Padilla 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 Sena moved and Commissioner Padilla seconded, adjournment of the meeting, the motion carried and the meeting was duly adjourned.

MOVED, SECONDED AND ADOPTED this 12th day of November, 2014, by the Board of County Commissioners of San Miguel County, New Mexico, as the official minutes of its regular monthly meeting held October 14, 2014.



Nicolas T. Leger, Chairman




Ron R. Ortega, Vice Chairman



Marcellino A. Ortiz, Member


Arthur J. Padilla, Member


Gilbert J. B. Sena, Member

ATTEST:

Melanie Y. Rivera
San Miguel County Clerk

(SEAL)



Minutes of Special ~~Regular~~ Emergency Monthly Meeting of the Board of County Commissioners of San Miguel County, New Mexico held TUESDAY OCTOBER 14TH, 2014, beginning at 1:30 A.M./P.M.

Minutes prepared by:

Mr. Jesus Lopez

County Attorney