

MINUTES OF THE REGULAR MONTHLY MEETING OF
SAN MIGUEL COUNTY BOARD OF COMMISSIONERS
HELD ON TUESDAY, AUGUST 11TH, 2015, BEGINNING AT 2:00 P.M.

CALL TO ORDER

The San Miguel County Board of Commissioners held its regular monthly meeting on Tuesday, August 11th, 2015, beginning at 2:00 p.m. The meeting convened at the County Commission Chambers, San Miguel County Courthouse, 2nd floor, 500 West National Ave., Suite 200, Las Vegas, New Mexico 87701.

ROLL CALL

Upon a call of the roll, Vice-Chairman Gilbert Sena, and Commissioners Rock G. Ulibarri, Marcellino A. Ortiz and Nicolas T. Leger were present, and a quorum was duly noted by Vice-Chairman Sena. Chairman Arthur J. Padilla was absent due to personal reasons.

PLEDGE OF ALLEGIANCE AND SALUTATION TO NM STATE 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 Leger and a second by Commissioner Ortiz, the agenda was adopted and without change, upon the recommendation of the County Manager Les Montoya.

[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.)

APPROVAL OF MINUTES

Upon a motion by Commissioner Ulibarri, and a second by Commissioner Ortiz, the Commission approved the minutes of the regular monthly meeting held July 14th, 2015.

Upon a motion by Commissioner Ortiz, and a second by Commissioner Ulibarri, the Commission approved the minutes of the special meeting held July 27th, 2015.

[Unless otherwise indicated, minutes are approved without change, correction or revision.]

PUBLIC INPUT FORUM

The Board of County Commissioners opened the floor to the public to express any interests or concerns in relation to San Miguel County. Any such names or comments made are included in the official folder which is kept within the San Miguel County Clerk's Office and is available to anyone who is interested.

The Public Input Forum was pushed back for the Recognition of San Miguel County Veteran Pete Bustamante. Immediately following the presentation was the Public Input Forum.

The Public Input Forum ended at 2:45 P.M.

INTRODUCTION OF NEW SAN MIGUEL COUNTY EMPLOYEES

New employees were introduced to the Board of County Commissioners and are noted as follows. Antoine Whitfield, Deputy Sheriff, San Miguel County Sheriff's Division. Veronica Dimas, Personal Property Mapping Clerk, San Miguel County Assessor's Division. Christopher Lujan, Skilled Laborer, Public Service Operations Division. Julian Gonzales, Convenience Center Operator, Public Service Operations Division. John H. Tiernan, Maintenance Technician, Planning & Zoning Division.

NEW BUSINESS

San Miguel County Board of County Commissioners presented the Recognition of San Miguel County Veteran Pete Bustamante for his service to his country and for the community. San Miguel County Commissioner Nicolas Leger presented a plaque in recognition to Mr. Bustamante, an accomplished World War II Veteran and an outstanding instructor. Mr. Bustamante fought in World War II, came home to the United States and received his Bachelor's Degree in Education and a Master's Degree in Education Administration from New Mexico Highlands University. Mr. Bustamante taught throughout Northern New Mexico for 38 years before retiring. Clarence "Dickie" Gallegos, who is the Veterans Outreach Coordinator,

gave a brief speech thanking Mr. Bustamante for his service and dedication, and also presented a representative of Congressman Ben Ray Lujan who read a letter written by Congressman Ben Ray Lujan. Mr. Bustamante was thanked for his service and dedication by all in attendance.

Bill Hendrickson, who is the Executive Director for EDC presented to the Commission many different types of ideas and plans to bring expansion and economic development within Las Vegas and San Miguel County. Bill Hendrickson said EDC can bring a lot of growth and employment opportunities to San Miguel County.

AT 3:03 P.M., THE COMMISSION PROCEEDED

TO REGULAR ORDER, AS FOLLOWS:

ITEM 1: INTERLOCAL AGREEMENT (2015 JAG PROGRAM AWARD)

The San Miguel County Sheriff's Office received a grant for the amount of \$5,647.50 from the 2015 Justice Assistance Grant upon approval of the Interlocal Agreement between the City of Las Vegas and the County of San Miguel.

Upon a motion by Commissioner Ortiz and a second by Commissioner Leger, the approval of receiving the grant was approved unanimously.

ITEM 2: APPOINTMENT OF SAN MIGUEL COUNTY LODGERS' TAX ADVISORY BOARD MEMBER TO FILL THE VACANCY LEFT BY WAYNE GREEN

Bart Ellison provided the only letter of interest to serve on the San Miguel County Lodger's Tax Advisory Board. The Lodger's Tax does support the appointment of Mr. Ellison to serve on the Advisory Board.

Upon a motion by Commissioner Leger, and a second by Commissioner Ortiz, the approval of appointment of Bart Ellison was approved unanimously.

ITEM 3: 3RD EXTENSION AGREEMENT FOR INMATE TELEPHONE SERVICES-SAN MIGUEL COUNTY, NEW MEXICO AND SECURUS TECHNOLOGIES, INC.

The 3rd extension agreement between San Miguel County and Securus Technologies for the provision of inmate telephone services at the San Miguel County Detention Center was presented to the Commission for review and approval. The system provides for a secure call processor, collect call inmate telephones, visitation telephone monitoring capacity and PIN

identification management, commissary order by phone, and inmate account debited telephone access. A space rental fee in the amount of \$2,530.00 is received on a monthly basis. A portion of the space rental fee in the amount of \$1,257.00 enables the Detention Center to have an automated offender management system. Additionally the contract provides a \$15,000.00 Technology Grant over the course of the agreement for the use of security cameras as well as provides upgrades to facility computer workstations.

Upon a motion by Commissioner Leger, and a second by Commissioner Ortiz, the agreement was approved unanimously.

ITEM 4: PHYSICAL PLANT/MAINTENANCE WORKSHOP BUILDING RE-BID RECOMMENDATION TO REJECT BIDS

The Physical Plant/Maintenance Workshop Building was bid on April 30th, 2015 and these bids were rejected because the bids exceeded the funds available at the Regular Meeting held May 12th, 2015. The Physical Plant/Maintenance Workshop Building was re-bid on June 29th, 2015 and bids were received on July 23rd, 2015. The recommendation to the San Miguel County Commission was to reject the bids received. The lowest bidder which was Southwest Construction, failed to list a mechanical or plumbing subcontractor and both bids exceeded funds available.

Upon a motion by Commissioner Ortiz, and a second by Commissioner Ulibarri, the rejection of bids was approved unanimously.

ITEM 5: SAN MIGUEL COUNTY ADMINISTRATIVE REGULATION PROHIBITING ELECTED OFFICIALS AND EMPLOYEES FROM PERFORMING SERVICES ON COUNTY TIME, PROPERTY OR FACILITIES OUTSIDE THE SCOPE OF THEIR WELL DEFINED DUTIES No. ADM-CM-8-11-2015

The Administrative Regulation was recommended to set written policy regarding this issue and provide direction to Elected Officials and Employees that performing services on County time outside the scope of their well-defined duties is prohibited.

Upon a motion by Commissioner Leger, and a second by Commissioner Ulibarri, the Administrative Regulation was approved unanimously.

ITEM 6: APPOINTMENT TO EXTRA-TERRITORIAL ZONING COMMISSION

As directed by the Board of County Commissioners at its July 14th, 2015 meeting, San Miguel County staff posted on the County website a notice soliciting names of persons who may be interested in serving on the City/County Extra-Territorial Zoning Commission. At this moment in time no one had expressed interest in the position. The appointment was brought forth to the Commission to appoint an individual to represent San Miguel County.

The Commission believed that advertisement in the Las Vegas Optic would be a better venue as opposed to the San Miguel County website. The Commission opted to pursue advertisement in a venue. No action was taken.

ITEM 7: REQUEST FOR PROPOSALS (RFP) TO SOLICIT OFFERORS TO PERFORM ECONOMIC DEVELOPMENT PROJECTS FOR SAN MIGUEL COUNTY

San Miguel County set aside \$75,000.00 to commit to Economic Development Projects in San Miguel County. The proposed RFP attempts to solicit proposals from non-profit groups to deliver services requested in the RFP. San Miguel County Manager Les Montoya advised the Commission of the process to distribute the funds into Economic Development projects and solicit services that the Commission would identify necessary to promote Economic Development. San Miguel County Manager Les Montoya stated there is a State Procurement Code Law that oversees the use of public funds and established guidelines to allow these funds to be expended. San Miguel County Manager Les Montoya believed it would be best to form a request for proposal, define the scope of work and then advertise the scope of work to be performed by local nonprofit groups within San Miguel County on behalf of San Miguel County.

Vice-Chairman Gilbert Sena informed San Miguel County Manager Les Montoya to proceed with the RFP. No motions were made.

ITEM 8: PUBLIC SERVICE DIVISION MONTHLY REPORT FOR THE MONTH OF JULY 2015

San Miguel County Public Service Road Foreman Arnold Lopez presented his monthly report to the Commission. Road Foreman Arnold Lopez informed the Commission that the rain has set back the Roads Department but roads are still being bladed on a day by day basis. Commissioner Ortiz asked Road Foreman Arnold Lopez how the crusher was operating and Road Foreman Arnold Lopez informed Commissioner Ortiz that the crusher is being operated when workers are available. San Miguel County Manager Les Montoya informed the Commission of the issues regarding the record keeping for the operations to the crusher and it is lacking. County Manager Les Montoya informed the Commission he contacted GL Environmental to inform, instruct, and provide training and documents to the crusher foreman in order to address this lack of documentation.

This item was for informational purposes only.

ITEM 9: 2016 COUNTY ROAD IMPROVEMENTS PROJECT AND REVENUE BOND ISSUE DISCUSSION

San Miguel County Board of County Commissioners raised the Gross Receipts Tax in 2015. San Miguel County Manager Les Montoya presented to the Commission Road Improvements Projects recommended to be worked on with the revenue from the proposed Revenue Bond. San Miguel County Manager Les Montoya recommended to the Commission select from the list of roads chosen by County staff to be worked on District by District. These roads were selected by first-hand knowledge of being in the field by Project Inspector Benny Romero and San Miguel County Public Service Road Foreman Arnold Lopez, and by complaints received from citizens and Commissioners. Vice-Chairman Gilbert Sena requested that more time be taken to review the Road Improvements Project and that he would receive a copy of the list of roads up for improvement. Commissioner Nicolas Leger suggested that the Commission conduct a Special Meeting to discuss the Road Improvements Project with the general public, Commissioner Marcellino Ortiz and Commissioner Rock Ulibarri both agreed with Commissioner Leger's request.

The Commission did not take action on the Road Improvements Project at this time, a Special Meeting will be held at a later date.

ITEM 10: SAN MIGUEL COUNTY SHERIFF'S OFFICE ANIMAL CONTROL ORDINANCES, PROPOSED CITATION AND PROPOSED PENALTY ASSESSMENTS

San Miguel County Sheriff Gary Gold presented to the Commission a rough draft of the proposed changes to the current Ordinance for San Miguel County Animal Control. San Miguel County Sheriff Gary Gold stated attached to the rough draft is a list of penalty assessments based of another County of similar size, population, and Sheriff Deputies. San Miguel County Sheriff Gary Gold stated an Animal Control Ordinance is approved, Citations, it will be presented to Magistrate Court to be inserted into their systems, Deputies will issuing Citations. Commissioner Leger requested that County Sheriff Gary Gold share the rough draft by the Animal Coalition within Las Vegas to see if they would have any input.

No action by the Commission was taken.

ITEM 11: ACCEPTANCE OF THE EMNRD GRANT AWARD AGREEMENT BETWEEN SAN MIGUEL COUNTY AND EMNRD FOR TREMENTINA VOLUNTEER FIRE DEPARTMENT

San Miguel County Fire Chief Russell Pacheco presented to the Commission the grant agreement made between Energy, Minerals and Natural Resources Department and San Miguel County for the Trementina Volunteer Fire Department. The grant was for the amount of \$10,000.00 and required approval from the Commission and the signature of the County Manager.

Upon a motion by Commissioner Ulibarri, and a second by Commissioner Ortiz, the acceptance of the grant was approved unanimously.

ITEM 12: JOB DESCRIPTION REVISION-INMATE PROGRAM OFFICER/DETENTION OFFICER

San Miguel County Detention Center Warden Patrick Snedeker presented a revision to the existing Inmate Program Officer/Detention Center Position job description. The Detention Center no longer utilizes a canine drug detection/patrol animal and such responsibilities have been removed from the job description.

Upon a motion by Commissioner Ortiz, and a second by Commissioner Ulibarri, the approval of the revised job description was approved unanimously.

ITEM 13: ALEX TAFOYA, PLANNING & ZONING SUPERVISOR RECOMMENDATION TO APPROVE THE JOB DESCRIPTION FOR MAINTENANCE CUSTODIAL WORKER I

San Miguel County Planning & Zoning Supervisor Alex Tafoya presented a revised job description for Maintenance Custodial Worker I. The Job description for Maintenance Custodial Worker I to insure the maintenance and appearance of County buildings and grounds are kept in a safe and clean manner by performing custodial and maintenance duties.

Upon a motion by Commissioner Ulibarri, and a second by Commissioner Ortiz, the approval of the revised job description was approved unanimously.

ITEM 14: PERSONNEL ACTIONS OR CHANGES FOR THE MONTH OF JULY 2015

Personnel actions or changes which have taken place within San Miguel County for the month of July 2015 were submitted for ratification and approval by the San Miguel County Board of Commissioners.

Upon a motion by Commissioner Ortiz, and a second by Commissioner Ulibarri, the approval of personnel actions or changes for the month of July 2015 was approved unanimously.

ITEM 15: SAN MIGUEL COUNTY MANAGER'S RECOMMENDATION TO RATIFY THE HIRING OF THE FOLLOWING INDIVIDUAL TO FILL THE VACANT POSITION OF COLLECTION CENTER OPERATOR WITH THE SAN MIGUEL COUNTY PUBLIC SERVICE OPERATIONS DIVISION

PROBATIONARY/FULL TIME EMPLOYEE

MARTHA HACKETT-COLLECTION CENTER OPERATOR-EFFECTIVE DATE OF HIRE: JULY 23RD, 2015-PROBATIONARY SALARY: \$19,114.00.

Upon a motion by Commissioner Ulibarri, and a second by Commissioner Ortiz, the approval for hire of Martha Hackett was approved unanimously.

ITEM 16: SAN MIGUEL COUNTY MANAGER'S RECOMMENDATION TO RATIFY THE HIRING OF THE FOLLOWING INDIVIDUAL TO FILL THE POSITION OF MAINTENANCE WORKER I WITH THE SAN MIGUEL COUNTY PLANNING & ZONING DIVISION AS PER THE RECOMMENDATION OF ALEX TAFOYA, PLANNING & ZONING DIVISION SUPERVISOR

PROBATIONARY/FULL TIME EMPLOYEE:

CHRISTOPHER R. DURAN-MAINTENANCE WORKER I-DATE OF HIRE: AUGUST 3, 2015-PROBATIONARY SALARY: \$17,575.00

Upon the motion by Commissioner Ulibarri, and a second by Commissioner Ortiz, the approval for hire of Christopher R. Duran was approved unanimously.

ITEM 17: SAN MIGUEL COUNTY MANAGER'S RECOMMENDATION TO HIRE THE FOLLOWING INDIVIDUAL TO FILL THE POSITION OF ADMINISTRATIVE FINANCIAL AID AS PER THE RECOMMENDATION OF GARY GOLD, SAN MIGUEL COUNTY SHERIFF

PROBATIONARY/FULL TIME EMPLOYEE

LYNDA M. JANSSEN-ADMINISTRATIVE FINANCIAL AID-DATE OF HIRE-AUGUST 17TH, 2015-PROBATIONARY SALARY: \$26,600.00

ITEM 18: SAN MIGUEL COUNTY MANAGER'S RECOMMENDATION TO RATIFY THE HIRING OF THE FOLLOWING INDIVIDUAL TO FILL THE CASUAL POSITION OF GIS ANALYST I WITH THE SAN MIGUEL COUNTY INFORMATION TECHNOLOGY DIVISION AS PER THE RECOMMENDATION OF JOHN TIERNAN, SAN MIGUEL COUNTY INFORMATION TECHNOLOGY SUPERVISOR

CASUAL EMPLOYEE

TOBIAS MEDINA-GIS-ANALYST I-EFFECTIVE DATE OF HIRE: AUGUST 4, 2015-HOURLY SALARY: \$18.00

Upon a motion by Commissioner Ulibarri, and a second by Commissioner Ortiz, the approval for hire of Tobias Medina was approved unanimously.

BOARD OF FINANCE MEETING

ITEM 19: ACCOUNTS PAYABLE LISTING ITEMS 2015-12-261 THROUGH 2015-12-449 AND ITEMS 2016-01-1 THROUGH 2016-01-168

San Miguel County Finance Division Supervisor Melinda Gonzales presented to the Commission the Accounts Payable Listing Items 2015-12-261 through 2015-12-449 and items 2016-01-1 through 2016-01-168.

Upon a motion by Commissioner Leger, and a second by Commissioner Ortiz, the approval of the Accounts Payable Listing Items was approved unanimously.

ITEM 20: CASH BALANCE REPORT AS OF JULY 28TH, 2015

San Miguel County Finance Division Supervisor Melinda Gonzales presented the unreconciled balances as of July 28th, 2015. Commissioner Leger asked Finance Division Supervisor Melinda Gonzales if there was anything unusual that stands out in the cash balance report and Ms. Gonzales replied there was not anything unusual.

This item was for informational purposes only.

ITEM 21: BUDGET ADJUSTMENT RESOLUTION 2015-08-11-F1

San Miguel County Finance Division Supervisor Melinda Gonzales presented to the Commission funds that San Miguel County will be receiving from Legislative Appropriations. In Fund 202, San Miguel County will be receiving funds to improve County roads in the Pendaries Area. In Fund 220, which is the Vehicle Capital Outlay fund, San Miguel County will be budgeting \$286,100. \$81,000.00 will be dispersed to purchase transportation vans and transportation vehicles for the San Miguel County Detention Center. \$50,000.00 will be dispersed to purchase and equip transport trucks for Solid Waste. \$155,000.00 will be dispersed to purchase and equip patrol vehicles and equipment for the Sheriff's Department. In Fund 221, which is the Detention Center Capital Outlay fund, \$60,000.00 will be spent on security cameras for the Detention Center. In Fund 414, which is the Trementina Volunteer Fire Department fund, the \$10,000.00 grant from the Energy, Minerals and Natural Resources Department will be added to the fund. Fund 753 is a new fund which is for the Justice Assistance Grant for the amount of \$5,647.00 through the City of Las Vegas.

Upon a motion by Commissioner Ulibarri, and a second by Commissioner Leger, the approval of the Budget Adjustment was approved unanimously.

ITEM 22: EXTEND THE CONTRACT FOR SOLID WASTE SERVICES TIED TO PRINTING AND MAILING OF SOLID WASTE BILLS

In 2013, San Miguel County put out bids for Solid Waste services for printing and mailing of solid waste bills. San Miguel County Finance Division Supervisor Melinda Gonzales requested the Commission renewal of the contract for Solid Waste services.

Upon a motion by Commissioner Leger, and a second by Commissioner Ortiz, the renewal for Solid Waste services was approved unanimously.

ITEM 23: FARM AND RANGE IMPROVEMENT FUND ACCOUNTING FORM

Each year the County receives Farm and Range Improvement Funds (FRIF). The funds can be spent on one or more of the following purposes:

1. Conservation of soil and water.
2. Control of rodents and predatory animals
3. Extermination of poisonous and noxious weeds.
4. Construction of dipping vats, spraying machines, and other structures to control parasites on livestock.
5. Repair and maintenance of said vats, machines and structures.
6. Construction and maintenance of secondary roads.

At the close of each fiscal year, the County is required to complete the FRIF accounting Form. This report is submitted to the New Mexico Department of Agriculture (NMDA), Agricultural Programs and Resources Division of New Mexico State University. NMDA staff will sign all vouchers issued against and FRIF account to verify the expenditure is a legal disbursement.

This item was for informational purposes only.

ITEM 24: AMENDMENT TO ADMINISTRATIVE REGULATION GOVERNING PER DIEM AND MILEAGE IN SAN MIGUEL COUNTY

The County Commission approved the first section of the Finance Procedure Manual on May 30th, 2014. This section has been modified to address concerns of the Volunteer Fire Departments.

Upon a motion by Commissioner Ortiz, and a second by Commissioner Leger, the approval of the Amendment was approved unanimously.

**HAVING CONCLUDED ITS BUSINESS AS THE
COUNTY BOARD OF FINANCE, AT 4:15 P.M. THE COMMISSION
PROCEEDED TO RETIRE INTO EXECUTIVE SESSION
AS THE BOARD OF COUNTY COMMISSIONERS OF SAN MIGUEL COUNTY, NEW MEXICO,
UNDER THE FOLLOWING ORDER AND PROCEDURE:**

The County Manager recommended that the Commission retire into executive/closed session to consider the following matter: 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 4:15 p.m., Commissioner Leger 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, four of the 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 5:02 p.m. Commissioner Leger moved and Commissioner Ortiz seconded, that the Commission reconvene in public session, and the motion carried. Whereupon Vice-Chairman Sena 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 5:03 p.m. Commissioner Ortiz moved and Commissioner Leger seconded, adjournment of the meeting, the motion carried and the meeting was duly adjourned.

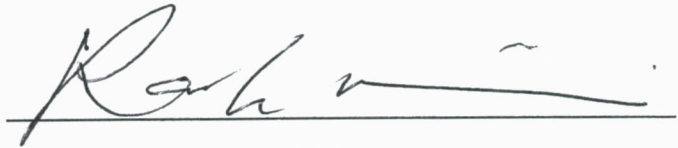
MOVED, SECONDED AND ADOPTED this 8th day of September, 2015, by the Board of County Commissioners of San Miguel County, New Mexico, as the official minutes of its regular monthly meeting held August 11th, 2015.



Arthur J. Padilla, Chairman



Gilbert J.B. Sena, Vice Chairman



Rock G. Ulibarri, Member



Marcellino A. Ortiz, Member



Nicolas T. Leger, Member

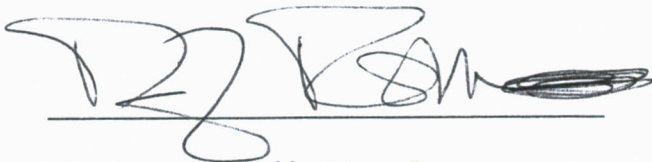
ATTEST:



Geraldine E. Gutierrez

Geraldine E. Gutierrez

San Miguel County Clerk



Diego Romero

Minutes prepared by Diego Romero