

**MINUTES OF REGULAR MONTHLY MEETING OF  
SAN MIGUEL COUNTY BOARD OF COMMISSIONERS  
HELD TUESDAY, JUNE 23, 2015 BEGINNING AT 2:00 P.M.**

**CALL TO ORDER**

The San Miguel County Board of Commissioners held its regular monthly meeting on Tuesday, June 23, 2015, beginning at 2:00 p.m. The meeting convened at the County Commission Chambers, San Miguel County Courthouse, 2<sup>nd</sup> floor, 500 West National Ave., Suite 200, Las Vegas, New Mexico 87701.

**ROLL CALL:**

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

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

Commissioners, staff and citizens in attendance joined in the pledge and salute.

**APPROVAL OF AGENDA**

County Manager Les Montoya advised the Commission to remove item #36, Commissioner Ortiz advised the Commission to move item #16 up to item #1A. Motion made by Commissioner Leger to approve agenda with amendments. Second by Commissioner Sena. Motion carried.

**APPROVAL OF MINUTES**

Motion made by Commissioner Ortiz to approve the minutes of the regular monthly meeting held May 12, 2015. Second by Commissioner Ulibarri. Motion carried.

Motion made by Commissioner Ortiz to approve the minutes of the special meeting held May 27, 2015. Second by Commissioner Ulibarri. Motion carried.

**PUBLIC INPUT FORUM**

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The public input forum began at 2:06 p.m., and the following persons addressed the Commission, the subject of their comments indicated parenthetically following each name: **Ralph Laumbach** (issues on the attorney hired); **Ron Mahafey** (complimented the road work done in his area and commended the following San Miguel County employees: Livorio Vigil, Rico Rubio, Larry Alires, Mike Vigil, and Nash Roybal); **Ben Martinez** (bad roads on County Road C50C); **Bill Madison** (spoke on fracking); **Salvador Higgins** (fracking)

The public input forum ended at 2:30 p.m.

**PRESENTATION:**

Ron and Elaine Querry presented briefly the schedule for the Las Vegas Cowboys' Reunion Centennial Celebration that will be held August 1, 2015 through August 9, 2015.

**REGULAR ORDER**

**1. DISASTER DECLARATION FOR SAN MIGUEL COUNTY RESOLUTION NO. SMC-06-23-15**

SMC Emergency Manager Dennis English advised the Commission San Miguel County received damages as a result of flooding that occurred on June 7<sup>th</sup> through June 10<sup>th</sup>, 2015 to its public roadways in the Big Mesa Subdivision in the Conchas Dam area of San Miguel. The damages are to an existing recovery project that was being completed on several roadways. San Miguel County is now requesting financial assistance through the New Mexico Department of Homeland Security/Emergency Management to the Governor's Office for emergency funding. Mr. English is requesting signature and approval of Resolution.

Motion made by Commissioner Ortiz to approve Resolution No. SMC-06-23-15. Second by Commissioner Sena. Motion carried.

**2. PRESENTATION OF THE 2015-2017 SAN MIGUEL COUNTY PROTEST BOARD MEMBERS**

San Miguel County Assessor Patricia Gallegos advised the Commission at the Commission she is requesting approval of the following Protest Board Members: Roland Medrano, Lorraine Garduno; Ted Winston and Richard Small as alternate protest board members.

Motion made by Commissioner Sena to approve the Board members. Second by Commissioner Ulibarri. Motion carried.

**3. R.V. TRANSPORTATION, LLC (RICHARD VIGIL) REQUEST TO CONSIDER COUNTY REIMBURSING HIS COMPANY FOR EXPENDITURES INCURRED TO SCHOOL BUS 0628, AND REQUEST TO REPAIR AND MAINTAIN COUNTY ROADS IN THE GONZALES RANCH AREA**

Richard Vigil was not present at the meeting; therefore, motion made by Commissioner Leger to table the motion. Second by Commissioner Sena. Motion carried.

**4. ORDINANCE NO. 06-09-15-INTERGALACTICA**

SMC Planning and Zoning Division Supervisor Alex Tafoya advised the Commission at its May 12, 2015 meeting, the Board of County Commissioners approved and adopted Resolution No. 05-12-15-LED, which authorized the adoption of proposed Ordinance No. 06-09-15-

INTERGALACTICA. The proposed ordinance provides for the termination of the Intergalactica, LLC, project.

3:59 p.m. Chairman Padilla opens up public hearing. Commissioner Padilla announced anybody in opposition 3 times, no answer; Commissioner Padilla announced anybody for the Ordinance 3 times, no answer. Public hearing closes at 3:59 p.m.

Motion made by Commissioner Ulibarri to approve the Ordinance. Second by Commissioner Ortiz. Motion carried.

**5. RESOLUTION NO. 06-23-15-ICIP –INFRASTRUCTURE CAPITAL IMPROVEMENT PROJECT**

Planning and Zoning Division Supervisor Alex Tafoya advised the Commission San Miguel County is in the process of preparing its infrastructure Capital Improvements Plan for 2017-2021. The process requires public comment and adoption of the ICIP by resolution.

4:03 p.m. Chairman Padilla opened up public hearing at this time.

Warden Patrick Snedeker advised he is in support of the ICIP Plan for projects at the detention center.

Commissioner Ortiz advised to move item #11 up to #3.  
Commissioner Ulibarri advised to move item #11 to #5.

Motion made by Commissioner Ortiz to adopt Resolution No. 06-23-15-ICIP with the amendments. Second by Commissioner Ulibarri. Motion carried.

**6. ADDENDUM TO AGREEMENT-ENGINEERS, INC.-PROFESSIONAL SERVICES AGREEMENT EXTENSION**

Planning and Zoning Division Supervisor Alex Tafoya advised the Commission the professional services agreement between San Miguel County and Engineers Inc., is for one year term that may extend each year not to exceed four years. Engineers Inc, has indicated that they wish to extend the agreement for a third year.

Motion made by Commissioner Ortiz to approve addendum to agreement. Second by Commissioner Sena. Motion carried.

**7. ADDENDUM TO AGREEMENT-MILLER ENGINEERING-PROFESSIONAL SERVICES AGREEMENT EXTENSION**

Planning and Zoning Division Supervisor Alex Tafoya advised the Commission the professional services agreement between San Miguel County and Miller Engineering Consultants is for a one year term that may be extended each year not to exceed four years. Miller Engineering Consultants has indicated that they wish to extend the agreement for a third year.

Motion made by Commissioner Sena to approve addendum to agreement. Second by Commissioner Ortiz. Motion carried.

**8. ADDENDUM TO ENGINEERING AGREEMENT-SOUDER MILLER AND ASSOCIATES-PROFESSIONAL SERVICES AGREEMENT EXTENSION**

Planning and Zoning Division Supervisor Alex Tafoya advised the Commission San Miguel County has an agreement with Souder Miller and Associates for professional engineering services. The agreement is for a one year term nor to exceed four years. Souder Miller and Associates has indicated that they wish to extend the agreement for a third year.

Motion made by Commissioner Ortiz to approve addendum agreement. Second by Commissioner Sena. Motion carried.

**9. DOUGLAS BOOTH SC-0085 RE-SUBDIVISION**

Planning and Zoning Division Supervisor Alex Tafoya advised the Commission San Miguel County has received an application from Douglas Booth for the purpose of a proposed lot consolidation and lot line adjustment of Lot 6 and Lot 7 located with the Pinon Estates Subdivision in the vicinity of Rowe, New Mexico. Mr. Booth proposes to change the current lot lines of Lot 6 and Lot 7 and then consolidate the lots with an adjoining parcel of land that is not a part of the subdivision, which will increase the acreage of each lot. The number of lots within the subdivision will remain the same.

4:27 p.m. public hearing opens at this time.

Douglas Booth was present to explain the mobile home is parked in the middle of the lot line. Mr. Booth is requesting to move lot line about 50 feet to avoid the home.

Public hearing closes at 4:30.

Motion made by Commissioner Ortiz to approve re-subdivision. Second by Commissioner Ulibarri. Motion carried.

**10. CAPITAL APPROPRIATION NO. 15-L-1152-REAUTHORIZATION OF LEGISLATIVE FUNDING 2015**

Planning and Zoning Division Supervisor Alex Tafoya advised the Commission San Miguel County received a re-authorized grant agreement for Capital Appropriation No. 15-L-1152, which provides \$97,500 to purchase and equip a fire truck for the Pecos Canyon volunteer fire and rescue department in San Miguel County. Action was taken by County staff to obtain signature from Commission Chairman Arthur J. Padilla so that the grant agreement could be returned to DFA-Local Government Division quickly.

Motion made by Commissioner Ulibarri to approve. Second by Commissioner Sena. Motion carried.

**11. CAPITAL APPROPRIATION NO. 15-L-1153-REAUTHORIZATION OF LEGISLATIVE FUNDING 2015**

Planning and Zoning Division Supervisor Alex Tafoya advised the Commission San Miguel County received the re-authorized Legislative Grant Agreement No. 15-L-1153 which provides \$30,000 to purchase and equip a fire truck for the Pecos Canyon Volunteer fire and rescue department. County staff took action to obtain signature on the grant agreement from Commission Chairman Arthur J. Padilla so that the grant agreement could be returned to DFA-Local Government Division quickly.

Motion made by Commissioner Ortiz to accept appropriation. Second by Commissioner Sena. Motion carried.

**12. OLD WOOD LLC, LEASE OF 10,000 SQ. FT PREMISES AT WOOD BUSINESS PARK**

EDC Executive Director Bill Hendrickson advised the Commission Meadow City Mfg. is vacating premises at the Wood Business Park. Old Wood LLC wishes to lease that property and move their entire business from Dee Bibb Park. The EDC has completed the due diligence of Old Wood presently has 16-20 employees and has plans to expand to 75 employees for its wood flooring business alone.

Mr. Hendrickson presented a slide and explained the benefits of the expansion, including jobs.

County Manager Les Montoya advised the Commission of the future developments at the park.

Motion made by Commissioner Leger to approve. Second by Commissioner Ortiz. Motion carried.

Commissioner Leger advised to amend with approval to motion for item #13 as well at this time by the same Commissioners.

**13. OLD WOOD LLC, LEASE OF 20,000 SQ FT PREMISES AT WOOD BUSINESS PARK**

EDC Executive Director Bill Hendrickson advised the Commission Old Wood LLC wishes to lease the 20,000 sq. ft. facility presently being used by SMC Public Works, and move their entire business from Dee Bibb Park. The EDC has completed the due diligence of Old Wood, LLC. Old Wood, LLC requires the property for its wood flooring business expansion as well as a new fire wood business. Old Wood presently has 16-20 employees and has plans to expand to 75 employees and has plans to expand to 75 employees for its wood flooring business alone.

Motion made by Commissioner Leger to approve. Second by Commissioner Ortiz. Motion carried

#### **14. CDWI GRANT 16-CD-05-087 APPLICATION-SAFE RIDE HOME PROGRAM**

SMC DWI Coordinator Yolanda B. Cruz advised the Commission the community DWI Grant Fund is established to support programs, services, or activities to prevent or reduce the incidence of DWI. The grant is funded by DWI prevention fees collected from each DWI conviction in the County and goes thru NM Department of Transportation. The goal of this grant program is to decrease the number of injuries and fatalities in New Mexico caused by alcohol impaired drivers. The funds should complement the LDWI grant funds and address unmet needs. The San Miguel DWI Program has traditionally used this funding to support the SAFE RIDE HOME SERVICE, which provided over 2,400 rides home in FY14. Amount of funding awarded for FY16 is \$8,723. This application will fund the project year July 1, 2015 through June 30, 2016.

Motion made by Commissioner Ulibarri to ratify the application. Second by Commissioner Ortiz. Motion carried.

#### **15. RESOLUTION NO. 06-23-15-EXCESS PROPERTY-WITH REQUEST TO OBTAIN AUTHORIZATION TO SELL PROPERTY**

Planning and Zoning Division Supervisor Alex Tafoya advised the Commission San Miguel County is the owner of a tract of land in the area of Montezuma. The County does not appear to have a need for this property.

County Manager Les Montoya advised that the Stetson Law Firm advised that the property cannot be sold.

Attorney Diaz stated that the County is proposing to sell the property and the owners that donated the property to the county have the first right to purchase for one dollar. The options the County have is to fix the property to avoid any liabilities, return the property to the previous owners, or get permission from the previous owners to sell the property.

Commissioner Leger made a motion to direct counsel to notify the City schools, offer to sell back for one dollar, or allow the County to sell the property. Second by Commissioner Ulibarri. Motion carried.

#### **16. (1A) RESOLUTION NO. 05-12-15-PECOS WILDERNESS**

SMC Planning and Zoning Division Supervisor Alex Tafoya advised the Commission San Miguel County has received a request from local wildlife organization representatives to consider adopting a resolution which endorses wilderness designation of inventoried road less areas adjacent to the Pecos Wilderness. A resolution was prepared for consideration by the Board of County Commission at its meeting of May 12, 2015. The County Commission took action to table this matter at that time.

2:51 p.m.-Public hearing opens up at this time

In opposition of Resolution:

**Tommy Ortiz**  
**Eric Roybal**  
**Zack Rally**  
**Andres Aragon**  
**Gabe Estrada**  
**Joe Quintana**

In favor of Resolution:

**Max Trujillo**  
**Carol Johnson**  
**John Olivas**  
**Douglas Booth**

County Manager Les Montoya advised the Commission he received two e-mails in support of the Resolution: **Jane Salsbury** and **Andrew Varela**.

Mike Frasier and Steve Romero from the Forestry Division were present to answer any questions the Commission has.

Discussion ensued.

3:26 p.m. Public hearing ends at this time.

Motion made by Commissioner Leger to approve Resolution. Second by Commissioner Ulibarri. Motion carried. Commissioner Ortiz opposes.

## **17. CDBG REPORT TO COUNTY COMMISSION-SABINOSO PROJECT-2016 APPLICATION**

Planning and Zoning Division Supervisor Alex Tafoya advised the Commission Community Development Block Grant (CDBG) process requires that grantees present a report to the governing body on current and future (CDBG) proposed activities.

Mr. Tafoya advised the Commission of the eligibilities and requirements of the application. The current CDBG is in Sabinoso C-55-A road and drainage project.

Mr. Tafoya is requesting direction to proceed with submitting 2016 CDBG application.

Mr. Montoya recommended to look into 8<sup>th</sup> street extension, the upper town community roads, and Tecolotito road and drainage.

Commissioner Ortiz advised Arnold Lopez to look at a road at Gonzales ranch road.

No action taken on this item at this time.

### **18. PUBLIC SERVICE OPERATIONS DIVISION MONTHLY REPORT FOR THE MONTH OF MAY 2015**

Public Work Foreman Arnold Lopez advised the Commission the San Miguel County Public Service Operations Division submits a report to the County Commission on a monthly basis on any maintenance including blading of County Roads and/or special projects with County Roads that are addressed.

Discussion ensued.

For informational purposes only. No action needed.

### **19. NEW MEXICO STATE POLICE DISPATCH CONTRACT**

SMC Sheriff Gary Gold advised the San Miguel County Sheriff's Office is presenting the renewed agreement between San Miguel County and New Mexico State Police D2 for communications/dispatch services.

Motion made by Commissioner Ulibarri to approve contract. Second by Commissioner Sena. Motion carried.

### **20. CITIZEN RIDE ALONG REQUEST FORM/WAIVER**

SMC Sheriff Gary Gold advised the San Miguel County Sheriff's Office is implementing a citizen ride along program, strictly for recruiting and community outreach purposes only.

Attorney Diaz advised to receive confirmation on the coverage for the waiver for the ride along due to liability issues. Mr. Gold advised the confirmation was confirmed via e-mail and will submit that to his office.

Motion made by Commissioner Leger to approve waiver contingent upon review of revised form being sent to Mr. Diaz. Second by Commissioner Ulibarri. Motion carried.

### **21. SHERIFF'S OFFICE PROPOSED ORGANIZATIONAL CHART**

San Miguel County Sheriff's Office will be presenting the proposed organizational chart. The proposed chart will depict proposed changes and new additions to the San Miguel County Sheriff's Office.

Motion made by Commissioner Ortiz to approve organizational chart. Second by Commissioner Sena. Motion carried.



## **22. ADMINISTRATIVE FINANCIAL AID JOB DESCRIPTION**

San Miguel County Sheriff's Office is presenting a job description for a new position that will be added to the San Miguel County Sheriff's Office.

Motion made by Commissioner Ulibarri to approve description. Second by Commissioner Ortiz. Motion carried.

## **23. MEMORANDUM OF AGREEMENT GED/PREPARATION/LITERACY IMPROVEMENT/WORK READINESS CLASSES-SAN MIGUEL COUNTY DETENTION CENTER-LUNA COMMUNITY COLLEGE**

Warden Patrick Snedeker advised the Commission a memorandum of agreement by and between Luna Community College and San Miguel County, New Mexico., specific to the provision of GED preparation/literacy improvement/work readiness classes for detainees at the San Miguel County detention center is presented for Commission review and approval. The agreement is for the period beginning July 1, 2015 and ending June 30, 2016.

Commissioner Ulibarri expressed concerns on the wording on line 19.

Motion made by Commissioner Sena to approve memorandum of agreement. Second by Commissioner Ulibarri. Motion carried.

## **24. NEW MEXICO DETENTION CENTER(S)-TRAINING ACADEMY PROGRAM**

Warden Patrick Snedeker advised the Commission the contractual agreement by and between Luna Community College and San Miguel County, New Mexico for the provision of educational services for a New Mexico Detention Center(s) Training Academy Program is presented for commission review and approval.

Motion made by Commissioner Ortiz to approve contract. Second by Commissioner Ulibarri. Motion carried.

## **25. DETENTION CENTER BILLING-OUTSTANDING BALANCES-NOT COLLECTIBLE**

Warden Patrick Snedeker advised the Commission a listing has been compiled of detention center outstanding balances that are specific to the housing/care of other public agency detainees that are uncollectible. The enumerated public agency locations are unidentifiable within terms of collecting payment(s) submitted and/or have cited NMSA 33-3-14 confinement in county other than in which crime committed expense borne by county as valid justification for non-payment.

Motion made by Commissioner Ortiz to expunge the outstanding balances, as enumerated, as uncollectible. Second by Commissioner Sena. Motion carried.

**26. AGREEMENT/CONTRACT FOR INMATE CONFINEMENT-HARDING COUNTY, NM AND SAN MIGUEL COUNTY, NM**

Warden Patrick Snedeker advised the Commission the contract agreement by and between Harding County, NM and San Miguel County, NM for the housing and care of Harding County inmates, at the San Miguel County Detention Center; is presented for Commission review and approval. The cost per inmate/day is \$80.00, and there is a \$20.00 booking fee for each Harding County detainee booked into the San Miguel County Detention Center.

Attorney Joe Diaz advised the Warden the agreement should contain prior and unforeseen medical expenses should be the responsibility of the County the inmate is from.

Motion made by Commissioner Leger to approve the contingent to upon review of contract by Stetson Law Firm. Second by Commissioner Ulibarri. Motion carried.

**27. CONTRACT-CARE OF PRISONER(S) CONTRACT-CITY OF LAS VEGAS, NEW MEXICO AND SAN MIGUEL COUNTY, NEW MEXICO**

Warden Patrick Snedeker advised the Commission the care of prisoner(s) contract by and between the City of Las Vegas, New Mexico and San Miguel County, New Mexico providing for housing and care of City of Las Vegas Municipal Court arrestees at the San Miguel County Detention Center is presented for Commission review and approval. The cost of housing is \$80.00 per day/per inmate.

Motion made by Commissioner Leger for approval of agreement contingent upon review of contract by Stetson Law Firm. Second by Commissioner Ulibarri. Motion carried.

**28. RATIFICATION OF OUT OF STATE TRAVEL REQUEST-DETENTION OFFICER JESUS ROMERO-INSTRUCTOR CERTIFICATION TRAINING**

Warden Patrick Snedeker advised the Commission detention officer Jesus Romero will be the new Certified Trainer for Lever 1 and 2 arrest control and defense tactics. Mr. Romero will be attending the Certified Instructor Training in Lamar, Colorado, sponsored by Prowers County Sheriff's Office, the dates of June 15-17, 2015.

Motion made by Commissioner Ortiz to approve out of state travel. Second by Commissioner Sena. Motion carried.

**29. SAN MIGUEL COUNTY ASSESSOR POLICY 2015-01 ASSESSOR/APPRaiser ADDITIONAL COMPENSATION FOR COMPLETION OF IAAO CERTIFICATION**

San Miguel County Assessor Patricia Gallegos advised the Commission qualification incentive pay for appraisers was acted upon by the New Mexico Legislature allowing for cumulative increments to the salary of any qualifying appraisers employed in the office of the County Assessor for obtaining greater qualification levels.

Mrs. Gallegos advised the increase will be for Mario Gutierrez, Lorenzo Aragon and Elaine Estrada.

Motion made by Commissioner Ulibarri to award incentive. Second by Commissioner Ortiz. Motion carried. Commissioner Leger calls point of order to advise that Mrs. Estrada's primary responsibility is not appraising, therefore, the incentive should not apply to Mrs. Elaine Estrada. Commissioner Ulibarri advised his motion stands. Commissioner Leger opposes.

**30. GENERAL COUNSEL CONTRACT BY AND BETWEEN THE BOARD OF COMMISSIONERS, SAN MIGUEL COUNTY, NEW MEXICO AND THE STETSON LAW OFFICES, P.C.**

County Manager Les Montoya advised the Commission San Miguel County Board of Commissioners solicited a request for proposals for legal services. Firms were evaluated and short listed. Stetson Law Offices, P.C. was selected as the firm to provide legal services to San Miguel County effective June 1, 2015.

Commissioner Leger stated for the record the timeline for the hiring of Stetson Law Firm. Mr. Leger expressed that legal notice was published and public meetings were conducted with no public attending.

Motion made by Commissioner Ortiz to approve the contract with Stetson Law Firm. Second by Commissioner Sena. Motion carried.

**31. SAN MIGUEL COUNTY MANAGER'S RECOMMENDATION TO APPROVE AND RATIFY THE AGREEMENT BETWEEN SAN MIGUEL COUNTY AND AFSCME COUNCIL 18**

County Manager Les Montoya advised the Commission the agreement is between San Miguel County and AFSCME Council 18. This agreement has been worked on by the negotiating team on both ends for approximately 2 years. The County and the Union agree to uphold the wellbeing and care of the citizens of San Miguel County.

Motion made by Commissioner Sena to approve the contract. Second by Commissioner Ortiz. Motion carried.

**32. PERSONNEL ACTIONS OR CHANGES FOR THE MONTH OF MAY 2015**

Human Resource Division Supervisor Kiki Arellano advised the Commission Personnel actions or changes which have taken place in San Miguel County for the month of May 2015.

Motion made by Commissioner Ortiz to ratify the Personnel Actions. Second by Commissioner Sena. Motion carried.

**33. SAN MIGUEL COUNTY MANAGER'S RECOMMENDATION TO RATIFY THE HIRING OF THE FOLLOWING INDIVIDUAL TO FILL THE POSITION OF**

**ANIMAL CONTROL OFFICER WITH THE SAN MIGUEL COUNTY SHERIFF'S DIVISION AS PER THE RECOMMENDATION OF GARY GOLD, SAN MIGUEL COUNTY SHERIFF**

**PROBATIONARY/FULL TIME EMPLOYEE:**

**JOSEPH MASCARENAS-ANIMAL CONTROL OFFICER-EFFECTIVE DATE OF HIRE: MAY 26, 2015-PROBATIONARY SALARY; \$23,750.00**

Motion made by Commissioner Ortiz to approve the hiring. Second by Commissioner Sena. Motion carried.

**34. SAN MIGUEL COUNTY MANAGER'S RECOMMENDATION TO RATIFY THE HIRING OF THE FOLLOWING INDIVIDUALS TO FILL THE VACANT POSITIONS OF DETENTION OFFICER AT THE SAN MIGUEL COUNTY DETENTION CENTER AS PER THE RECOMMENDATION OF PATRICK SNEDEKER, WARDEN/FACILITY ADMINISTRATOR**

**PROBATIONARY/FULL TIME EMPLOYEES:**

**JULIE SILVA-DETENTION OFFICER-EFFECTIVE DATE OF HIRE: MAY 26, 2015-PROBATIONARY SALARY: \$20,900.00**

**JOSEPH MARTINEZ-DETENTION OFFICER-EFFECTIVE DATE OF HIRE: MAY 26, 2015-PROBATIONARY SALARY: \$20,900.00**

Motion made by Commissioner Sena to approve the hiring. Second by Commissioner Ortiz. Motion carried.

**35. SAN MIGUEL COUNTY MANAGER'S RECOMMENDATION TO RATIFY THE HIRING OF THE FOLLOWING INDIVIDUAL TO FILL THE VACANT POSITION OF DEPUTY SHERIFF WITH SAN MIGUEL COUNTY SHERIFF'S DIVISION AS PER THE RECOMMENDATION OF GARY GOLD, SAN MIGUEL COUNTY SHERIFF**

**PROBATIONARY/FULL TIME EMPLOYEE:**

**CHRISTOPHER GARCIA-DEPUTY SHERIFF-EFFECTIVE DATE OF HIRE: MAY 26, 2015-PROBATIONARY SALARY: \$23,750.00**

Motion made by Commissioner Ortiz to approve the hiring. Second by Commissioner Sena. Motion carried.

**36. SAN MIGUEL COUNTY MANAGER'S RECOMMENDATION TO HIRE THE FOLLOWING INDIVIDUAL TO FILL THE VACANT POSITION OF CONVENIENCE CENTER OPERATOR AS PER THE RECOMMENDATION OF ARNOLD LOPEZ PUBLIC SERVICES ROAD FOREMAN**

Item 36 was removed as per County Manager Les Montoya.

**BOARD OF FINANCE MEETING**

**37. RESOLUTION 2015-06-23-F1 AUTHORIZING THE CREATION OF FUND 752**

Finance Division Supervisor Melinda Gonzales advised the Commission they approved a budget adjustment resolution to account for two new grants from the NM Department of Transportation. Both grants were budgeted under Fund 314, Selective Traffic Enforcement. One of the grants was for ENDDWI and the other for 100 days and nights. Fund 752 is being requested to separately track the 100 days and nights grant funds.

Motion made by Commissioner Ulibarri to approve. Second by Commissioner Sena. Motion carried.

**38. BUDGET ADJUSTMENT RESOLUTION 2015-06-23-F2**

Finance Division Supervisor Melinda Gonzales advised the Commission the County received a grant through the Recreational Trails Program which is a Federal Grant through the New Mexico Department of Transportation.

Motion made by Commissioner Sena to approve fund. Second by Commissioner Ulibarri. Motion carried.

**39. RESOLUTION 2015-06-23-F3, INSURANCE PREMIUMS-AFFORDABLE CARE ACT**

Finance Division Supervisor Melinda Gonzales advised the Commission of the revisions of Resolution 2-10-2015-HR, Insurance Premiums Affordable Care Act. The change is to base affordability solely on the medical insurance as required where previously it was based on the combination of medical, dental and vision. In addition to this change and based on a 3% increase in insurance, new insurance tiers will be implemented.

Motion made by Commissioner Ortiz to approve Resolution. Second by Commissioner Ulibarri. Motion carried.

**40. ACCOUNTS PAYABLE LISTING ITEMS 2015-10-265 THROUGH 2015-10-342 AND ITEMS 2015-11-1 THRUUGH 2015-1-299**

Finance Division Supervisor Melinda Gonzales advised the Commission of payments from April 24, 2015 through May 19, 2015.

Motion made by Commissioner Sena to approve the accounts payable listing. Second by Commissioner Ortiz. Motion carried.

#### **41. INDIGENT BURIAL PAYMENT NM MORTUARY SERVICES**

Finance Supervisor Melinda Gonzales advised the Commission that the finance office received notification from the Office of the Medical Investigator that the deceased had been unclaimed. The Finance Office was able to find a mortuary in Albuquerque, New Mexico that was able to perform cremation.

Ms. Gonzales advised services would not be cost efficient to send someone to Albuquerque to perform the services and was advised to contact NM Mortuary Services to perform services.

Motion made by Commissioner Sena to approve payment. Second by Commissioner Ulibarri. Motion carried.

#### **41. CASH BALANCE REPORT AS OF MAY 21, 2015**

Finance Division Supervisor Melinda Gonzales advised the Commission of all payments made since the last regular meeting. Ms. Gonzales advised the balances reflected are unreconciled balances, and are done the following month.

For informational purposes only.

#### **Executive/Closed Session**

- A. Personnel Matters, as permitted by Section 10-15-1(H)(2) of the New Mexico Open Meetings Act, NMSA 1978.**
- B. Matters subject to the attorney client privilege pertaining to threatened or pending litigation in which SMC is or may become a participant, as permitted by Section 10-15-1(H)(7) of the New Mexico Open Meetings Act, NMSA 1978.**
- C. Matters pertaining to the discussion of the acquisition of real property, as permitted by Section 10-15-1(H)(8) of the Open Meetings Act, NMSA 1978.**

County Manager Les Montoya recommended to retire into Executive/Closed Session to discuss Personnel Matters, as permitted by Section 10-15-1(H) (2) of the New Mexico Open Meetings Act, NMSA 1978, matters subject to the attorney-client privilege pertaining to threatened or pending litigation in which SMC is or may become a participant, as permitted by Section 10-15-1(H) (7) of the New Mexico Open Meetings Act, NMSA 1978, and matters pertaining to the discussion of the acquisition or disposal

of real property, as permitted by Section 10-15-1-(H)(8) of the Open Meetings Act, NMSA 1978, and matters pertaining to collective bargaining strategy preliminary to collective bargaining negotiations, as permitted by Section 10-15-1(H)(5) of the Open Meetings Act, NMSA 1978, as amended.

Motion made by Commissioner Ulibarri to retire into Executive/Closed Session at 6:19 p.m. to discuss the matters outlined above by the County Manager. Second by Commissioner Ortiz. Roll call vote was conducted.

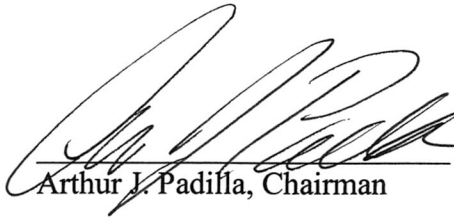
Commissioner Sena made a motion to return to regular session at 6:29 p.m. Second by Commissioner Ortiz. Motion carried.

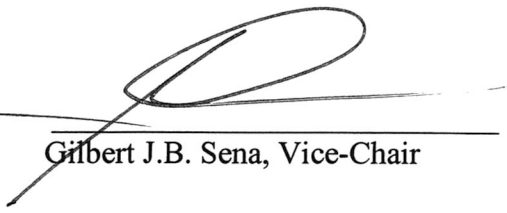
The record will show that no action was taken in the Executive Session, and matters discussed in the closed meeting were limited to those specified in the motion for closure.

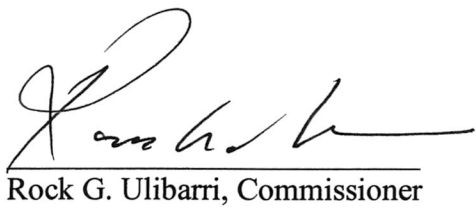
### **ADJOURNMENT**

Commissioner Sena made a motion to adjourn. Second by Commissioner Ortiz. Motion carried. The meeting ended at 6:30 P.M.

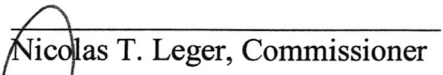
Approved this 14<sup>th</sup> day of July, 2015 as the Official Minutes of the Board of County Commissioners of San Miguel County, New Mexico, of its Regular Meeting held June 23, 2015.

  
Arthur J. Padilla, Chairman

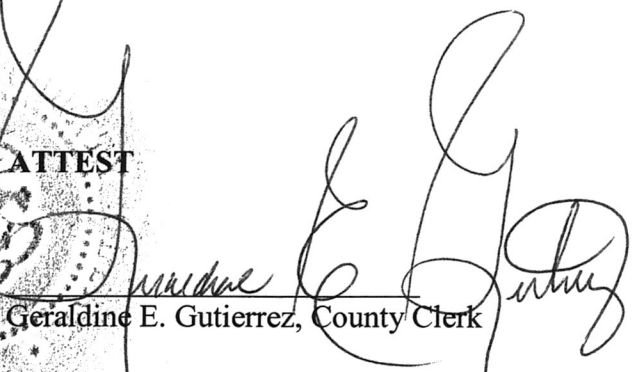
  
Gilbert J.B. Sena, Vice-Chair

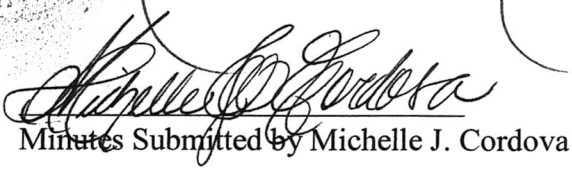
  
Rock G. Ulibarri, Commissioner

  
Marcellino A. Ortiz, Commissioner

  
Nicolas T. Leger, Commissioner



  
Geraldine E. Gutierrez, County Clerk

  
Minutes Submitted by Michelle J. Cordova