

MINUTES OF THE REGULAR MONTHLY MEETING OF
SAN MIGUEL COUNTY BOARD OF COMMISSIONERS
HELD ON TUESDAY, OCTOBER 13TH, 2015, BEGINNING AT 2:00 P.M.

CALL TO ORDER

The San Miguel County Board of Commissioners held its regular monthly meeting on Tuesday, October 13th, 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, Chairman Arthur J. Padilla, 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 Chairman Arthur J. Padilla.

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

San Miguel County Manager Les Montoya notified Chairman Arthur Padilla that San Miguel County Finance Division Supervisor Melinda Gonzales was not present for the beginning of the meeting due to meeting with the auditors and that Item 38 would have an additional transfer of funds for a road construction project.

Upon a motion by Commissioner Sena, and a second by Commissioner Ortiz, and the changing of the agenda was approved unanimously.

[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 Sena, and a second by Commissioner Ulibarri, the Commission approved the minutes of the regular monthly meeting held September 8th, 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.

INTRODUCTION OF NEW SAN MIGUEL COUNTY EMPLOYEES

LYNDA JANSSEN-ADMINISTRATIVE FINANCIAL AID- SAN MIGUEL COUNTY SHERIFF'S DIVISION-PROBATIONARY/FULL TIME EMPLOYEE.

ROBERT ARCHULETA-PUBLIC SERVICE OPERATIONS SUPERVISOR-SAN MIGUEL COUNTY PUBLIC SERVICE OPERATIONS DIVISION-EXEMPT EMPLOYEE

MARTHA HACKETT-CONVENIENCE CENTER OPERATOR-PUBLIC SERVICE OPERATIONS DIVISION-PROBATIONARY/FULL TIME EMPLOYEE

DANELLE DURAN-DWI TRANSIT OPERATOR FOR THE SAFE RIDE HOME AND VETERANS TRANSPORTATION SERVICE-SAN MIGUEL COUNTY DWI DIVISION-TEMPORARY/PART TIME EMPLOYEE

NEW BUSINESS

Commissioner Gilbert Sena presented San Miguel County Veteran Sergio P. Abila with a plaque for his hard work and dedication shown for his country.

Commissioner Nicolas Leger presented to the Commission New Mexico Highlands University President Dr. Sam Minner, Jr., the newly hired president for NMHU. Dr. Sam Minner, Jr. told the Commission it is a great pleasure and an honor to serve NMHU and reside within the city of Las Vegas and the County of San Miguel. Dr. Sam Minner, Jr. said he is here to serve NMHU and

the city of Las Vegas and the region. Dr. Minner's goals are to grow the involvement at NMHU, more opportunities for students, the city, and the state of New Mexico.

San Miguel County Sheriff Gary Gold commended Deputy Sheriff Darin Romero. Deputy Sheriff Darin Romero has proven to be a dedicated public servant and shown a level of professionalism worthy of the promotion to Sergeant. Newly appointed Sergeant Darin Romero thanked County Sheriff Gary Gold, Under-Sheriff Anthony Madrid, the Commission and the County Manager for the opportunity and stated he looks forward to better serving San Miguel County.

San Miguel County Planning and Zoning Division Supervisor Alex Tafoya presented Kenneth Alcon who is the District Conservationist for the Natural Resources Conservation Service. Kenneth Alcon is the District Conservationist for Colfax, Mora and San Miguel County. The Natural Resource Conservation Service was established to assist ranchers and farmers deal with any of the natural resource issues they may have, such as forest thinning and brush control and is available for assistance to help anyone who meets the criteria.

Annette Velarde, who is the City of Las Vegas Even Planner/Film Liaison, presented to the Commission the plans and events for the upcoming Las Vegas Day at the Legislature.

AT 3:45 P.M., THE COMMISSION PROCEEDED

TO REGULAR ORDER, AS FOLLOWS:

ITEM 1: RESOLUTION NO. 10-13-2015-SO-SAN MIGUEL COUNTY ANIMAL CONTROL ORDINANCES

The San Miguel County Sheriff's office had been working to revise the existing County Animal Ordinance. The revisions had been reviewed by County Legal and local animal care providers. The ordinance revisions that were included constitute the proposed final draft for review by the Commission.

Commissioner Rock Ulibarri asked San Miguel County Sheriff Gary Gold if the Ordinance included all the concerns recently that constituents have come forth informing the Commission. Sheriff Gary Gold replied yes, he believes it is one of the best ordinances he has seen from a legal standpoint.

Chairman Arthur Padilla asked Sheriff Gary Gold if the Ordinance contains reprimands for citations given to the public in which Sheriff Gary Gold answered yes.

San Miguel County Manager Les Montoya included that the Ordinance sets up the law to enforce the Animal Control issues within San Miguel County. A result of what the Ordinance contains, the County Sheriff's Division compliance and enforcement of the Ordinance, it will

require some operational changes as well. These operational changes will come in the form of additional expenses for the management and enforcement of the Ordinance.

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

ITEM 2: RESOLUTION NUMBER 10-13-2015-CLERK- DESIGNATING POLLING PLACES

San Miguel County Clerk Geraldine Gutierrez presented to the Commission a resolution designating the polling places for the 2016 Primary and General Elections.

Upon a motion by Commissioner Sena, and a second by Commissioner Ortiz, the adoption of the resolution was approved unanimously.

ITEM 3: RESOLUTION NO. 10-13-15-RA01; ADDITION OF CAMINO DE VIDA, A NEWLY NAMED PRIVATE ROAD TO THE OFFICIAL ROAD LIST OF SAN MIGUEL COUNTY, NEW MEXICO

A taxpayer submitted a Road Name Petition to name a private driveway located off of County Road A-11-E North of Las Vegas. While there are no buildings on this road, San Miguel County Ordinance No. SMC-07-13-99-OED-2 states, "Any private road that provides access to less than three buildings may be named for a fee according to Section 4.3." The San Miguel County Rural Addressing Staff confirmed the payment was made, and that the proposed road name is in compliance with San Miguel County Ordinance No. SMC-07-13-99-OED-2.

Upon a motion by Commissioner Ortiz, and a second by Commissioner Sena, the adoption of the resolution was approved unanimously.

ITEM 4: RESOLUTION NO. 10-13-15-RA02; ADDITION OF CAMINO ANGELES, A NEWLY NAMED PRIVATE ROAD TO THE OFFICIAL ROAD LIST OF SAN MIGUEL COUNTY, NEW MEXICO

A taxpayer submitted a Road Name Petition to name a private driveway located off of Frontage Road 2116 near the community of Blanchard. While there are only two addressed buildings on this road, San Miguel County Ordinance No. SMC-07-13-99-OED-2 states, "Any private road that provides access to less than three buildings may be named for a fee according to section 4.3." The San Miguel County Rural Addressing Staff confirmed the payment made, and that the proposed road name is in compliance with San Miguel County Ordinance No. SMC-07-13-99-OED-2.

Upon a motion by Commissioner Sena, and a second by Commissioner Ortiz, the adoption of the resolution was approved unanimously.

ITEM 5: ACCEPTANCE OF THE FY15 EMERGENCY MANAGEMENT PERFORMANCE GRANT

The San Miguel County/City of Las Vegas Office of Emergency Management requested acceptance of the FY15 Emergency Management Performance Grant in the amount of \$79,134.76 toward the salary and benefits for the Emergency Manager, NIMS Coordinator and the OEM Administrative Assistant positions.

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

ITEM 6: STATUS UPDATES AND REVISIONS TO COUNTY ROAD LOG

The San Miguel County IT/Rural Addressing department had undertaken the project of revising and modernizing the San Miguel County Road Log. The project is progressing, but at a slow pace. The final product will be a much more accurate and descriptive County Road Log. The new updates include much more detailed descriptions, GPS coordinates for road starting and ending points, and improved road lengths.

Commissioner Marcellino Ortiz asked County Manager Les Montoya if the County Staff can add a page to the Monthly Public Service Road Improvement Report to provide information on the amount of funds spent on County Roads. County Manager Les Montoya informed Commissioner Ortiz the County has records of every dime spent on every County Road and this information can be provided monthly.

Chairman Arthur Padilla asked County Manager Les Montoya to explain the reason for the update and revision of the County Road Log. County Manager Les Montoya informed the public the Department of Transportation requires the County to submit its Road Log every year. Another issue that has come forth is there are roads on the County Road Log that are not being maintained and roads that are not on the County Road Log that are receiving maintenance as County Roads.

This item was for informational purposes only.

ITEM 7: CARE OF PRISONER(S) 3RD RENEWAL AGREEMENT-COLFAX COUNTY, NEW MEXICO AND SAN MIGUEL COUNTY, NEW MEXICO

San Miguel County Warden Patrick Snedeker presented to the Commission the 3rd renewal agreement between Colfax County and San Miguel County. The agreement provides housing and care of Colfax County adult inmates at the San Miguel County Detention Center. The cost of housing is eighty dollars (\$80.00) per day per inmate, with a twenty dollar (\$20.00) booking fee.

Upon a motion by Commissioner Ulibarri, and a second by Commissioner Ortiz, the approval of the renewal agreement was approved unanimously.

ITEM 8: UNIVERSAL ADCOM DISTRIBUTION AGREEMENT (SMSO MAGNETS)

The San Miguel County Sheriff's Office requested review of the Universal AdCom Distribution Agreement, in which the community is provided with San Miguel County Sheriff's Office Magnet Calendars. Local businesses can purchase a spot on the magnet to advertise their goods and services. The revenue generated from the sales will be used to help reach the community and talk to them about crimes within the County.

Commissioner Leger expressed his concerns with this form of advertisement.

San Miguel County Legal Counsel advised the Commission to make it part of the record that the Commission is not requesting the public to participate.

No action was required on this item.

ITEM 9: 1ST EXTENSION AGREEMENT CONTRACT-CARE OF PRISONER(S) CONTRACT-CITY OF LAS VEGAS, NEW MEXICO AND SAN MIGUEL COUNTY, NEW MEXICO

The 1st Extension Agreement between the City of Las Vegas and San Miguel County for providing housing and care for City of Las Vegas Municipal Court adult arrestees at the San Miguel County Detention Center was presented to the Commission for review and approval. The cost of housing is eighty (\$80.00) per day/per inmate.

Upon a motion by Commissioner Ulibarri, and a second by Ortiz, the approval of the Extension Agreement was approved unanimously.

ITEM 10: AWARD OF BID FOR THE 2014-2015 LGRF COOP PROJECT FOR LOS ALAMITOS A-6

The San Miguel County Public Service Division recently advertised for bids for the 2014-2015 LGRF Cooperative Project in San Miguel County, specifically County Road A-6 (Los Alamos). Bids were scheduled for opening on Thursday, October 8th, 2015, after which time County Staff makes a recommendation to award the bid to the lowest most qualified bidder. The lowest bidder was Rocky Road Gravel Products in the amount of \$108,619.50.

San Miguel County Manager Les Montoya requested the motion be made with the contingency of the budget adjustment in Item 38.

Upon a motion by Commissioner Leger, and a second by Commissioner Sena, the approval of the bid award was approved unanimously.

San Miguel County Manager Les Montoya explained to the Commission as to why the County was able to work on County Road A-6 this year as opposed to next year. San Miguel County received LGRF for the Fiscal Year 15/16 for the Los Alamitos Road. San Miguel County has an ongoing project currently in the Tecolotito area for the Fiscal Year 14/15. San Miguel County came across some easement and acquisition cost associated with that project that wouldn't allow completion of the project by December 31st, 2015. Rather than not completing the 14/15 Local Government project this fiscal year by December 31st, 2015, San Miguel County Manager Les Montoya inquired of Commissioner Sena and Commissioner Padilla if it would be ok to switch the funding for the two projects. This would allow the Los Alamitos Road to be completed before December 31st, 2015.

ITEM 11: RIVER STEWARDSHIP PROGRAM IMPROVEMENT PROJECTS AGREEMENT

The Hermits Peak Watershed Alliance obtained notice to proceed to conduct a project called Gallinas Village River and Floodplain Restoration. The project will restore a 1/3 mile stretch of river and its associated flood plain in order to improve water quality and water quantity, buffer river flows from droughts and floods, and improve fish and wildlife habitat.

Commissioner Leger stated that in the agreement it says the owner being San Miguel County. Commissioner Leger asked San Miguel County Fire Chief Russell Pacheco if the County was the owner of the property in which Fire Chief Russel Pacheco answered San Miguel County leases the property from the City of Las Vegas.

Discussion ensued with Legal Counsel advising the Commission.

Upon a motion by Commissioner Leger to table the item pending approval by the City of Las Vegas to proceed with the project given the terms of the lease, Commissioner Ortiz seconded, and the motion to table the item was approved unanimously.

ITEM 12: MAINTENANCE/WORKSHOP BUILDING-SAN MIGUEL COUNTY DETENTION CENTER-AWARD FOR REMODEL/CONSTRUCTION PROJECT-NORTHEASTERN CONSTRUCTION

On May 12th, 2015, the Board of County Commissioners took action to reject bids received for the maintenance/workshop building remodel project at the Detention Center. A new invitation for bids was requested. The Board of County Commissioners took action on August 11th, 2015 to reject those bids. Consistent with NMSA 13-1-131, the construction was solicited in the open market to the lowest bidder. NorthEastern Construction has submitted the lowest bid at \$60,972.64, including tax. Funds are available for the completion of the project.

Upon a motion by Commissioner Ortiz, and a second by Commissioner Sena, the approval for the bid award was approved unanimously.

ITEM 13: ADDENDUM TO AGREEMENT BETWEEN COUNTY AND SOLEIL WEST ARCHITECTURAL SERVICES ON AN AS NEEDED BASIS

San Miguel County has an agreement with Soleil West for architectural services as-needed for a one (1) year term that can be extended annually not to exceed four (4) years. Soleil West indicated they wish to extend the agreement for a third year.

Upon a motion by Commissioner Ortiz, and a second by Commissioner Sena, the addendum was approved unanimously.

ITEM 14: 3RD RENEWAL AGREEMENT-INMATE HEALTH CARE SERVICES/HEALTH CARE MANAGEMENT SERVICES AT THE SAN MIGUEL COUNTY DETENTION CENTER. THE AGREEMENT PROVIDES FOR THE HEALTH SERVICES TO THE DETAINEES OF THE SAN MIGUEL COUNTY DETENTION CENTER

San Miguel County Detention Center Warden Patrick Snedeker presented to the Commission the 3rd Renewal Agreement between Health Care Partner's Foundation, Inc. and the San Miguel County Detention Center.

Commissioner Leger asked Mr. Snedeker if this agreement was the last of the renewals of the underlining contract. Mr. Snedeker then answered yes it was the 3rd renewal and in one (1) years' time, the County will bid for services. Commissioner Leger then asked if Legal Counsel has reviewed the agreement in which Mr. Snedeker answered yes, legal has reviewed the agreement.

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

ITEM 15: ADDENDUM TO AGREEMENT-LEE GAMELSKY & ASSOCIATES ARCHITECTURAL SERVICES ON AN AS NEEDED BASIS

The professional services agreement between San Miguel County and Lee Gamelsky & Associates is for a one year term that may be extended each year, not to exceed four years total. Lee Gamelsky & Associates indicated they wished to extend the agreement for a third year.

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

ITEM 16: HERO PRESS 2016 CALENDAR PROGRAM (SMSO CALENDAR)

San Miguel County Sheriff Gary Gold presented to the Commission the advertisement in conjunction with Item 8.

No action was taken on this item.

ITEM 17: REQUEST FOR PROPOSALS FOR BROADCASTING OF SAN MIGUEL COUNTY COMMISSION MEETINGS

During the Regular Meeting of the Board of County Commissioners held September 8th, 2015, the Commission was presented with information regarding the cost of broadcasting Commission meetings on the radio. Given that information, the board made the decision to proceed with the procurement process for these services.

Commissioner Sena asked San Miguel County IT Supervisor John Tiernan if there were any other radio stations within Las Vegas other than the two that had shown interest thus far. IT Supervisor John Tiernan answered Commissioner Sena there is the Highlands radio station and a Christian radio station that also airs audio, as well as Comcast but has no interest in the proposal.

Commissioner Ortiz asked IT Supervisor John Tiernan if there was any type of survey that the County would be able to conduct to see if the public has any interest in hearing live meetings over the radio. IT Supervisor was not aware of any study that could be done but the County Manager Les Montoya notified the Commission a survey is a possibility.

Commissioner Leger requested the Commission to instruct staff to pursue finding means in which to see if the public has any interest in listening broadcasted County Commissioners Meeting over the radio.

Commissioner Ulibarri asked County Manager Les Montoya how many RFP's are put out a year and how many are approved by the Commission, in which County Manager Les Montoya replied 10-15 RFP's are put out a year and most if not all are approved by the Commission prior to advertising.

Discussion ensued.

Upon a motion by Commissioner Ulibarri, and a second by Commissioner Sena, the approval to advertise request for proposals was approved by majority vote.

ITEM 18: ELECTRIC AND ACCESS EASEMENTS PUBLIC SERVICE COMPANY OF NEW MEXICO/WOOD BUSINESS PARK

At the September 8th, 2015 Commission meeting, the Board of County Commissioners voted to table the approval of easements requested by PNM for access through the Wood Business Park for a proposed solar facility until such time that language in the easement documents could be addressed. The County, PNM representatives and the County Attorney have agreed on the language of concern.

Commissioner Leger suggested Legal Counsel to explain the process, the language and the amendments to the easement. Legal Counsel stated they met with PNM and proposed different wording within the easement and PNM accepted the amendments.

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

ITEM 19: RECOMMENDATION TO AWARD \$75,000.00 OF ECONOMIC DEVELOPMENT FUNDS TO NON-PROFIT ENTITIES WHO WILL PERFORM ECONOMIC DEVELOPMENT SERVICES FOR SAN MIGUEL COUNTY

Local Gross Receipt Tax revenues were set aside by the San Miguel County Board of County Commissioners in the amount of \$75,000.00 in an attempt to improve upon the economic standing of the County. The scope of work identified by the County includes efforts to expand existing businesses, recruit new businesses, create new jobs, train the local work force to promote San Miguel County as a location to live and work as well as implement the San Miguel County Economic Development Strategic Plan and facilitate the San Miguel County Collaborative to develop collaboration of all members on all existing and future San Miguel County Economic Development initiatives and to manage the Wood Business Park. San Miguel County Manager Les Montoya informed the Commission \$10,000 was set aside for Main Street de Las Vegas, \$40,000 for the purpose of expanding existing businesses, recruit new businesses, create new jobs and train the local workforce to promote San Miguel County as a place to work and live, \$20,000 for the Center of Southwest Culture to work specifically with Agriculture Committee identified in the strategic plan for San Miguel County, and \$5,000 to be used for other Economic Development initiatives that come forth to San Miguel County within the present Fiscal Year.

Commissioner Ulibarri asked County Manager Les Montoya if the County ever asked for a report of how successful the funds given were for the entities. County Manager Les Montoya stated if the recommendation gets approval then the County will turn it into a funding

agreement. As the year progresses, the agency will submit their work as to what has been accomplished and the amount of funding they requested compensated for.

Commissioner Leger expressed his concerns with dispersing funds to multiple entities.

Upon a motion by Commissioner Ulibarri, and a second by Commissioner Ortiz, the approval of the award was approved by majority vote with opposition by Commissioner Leger.

ITEM 20: 3RD RENEWAL AGREEMENT-BY AND BETWEEN JUSTICE SOFTWARE, INC. AND THE SAN MIGUEL COUNTY DETENTION CENTER FOR AN AUTOMATED INMATE JAIL MANAGEMENT SYSTEM/B.O.S.S. SOFTWARE SYSTEM, AT THE SAN MIGUEL COUNTY DETENTION CENTER

San Miguel County Detention Center Warden Patrick Snedeker presented to the Commission the 3rd Renewal Agreement for the provision of an Inmate Jail Management System/B.O.S.S. Software System between Justice Software Inc. and the San Miguel County Detention Center.

Upon a motion by Commissioner Ortiz, and a second by Commissioner Ulibarri, the approval of the renewal agreement was approved unanimously.

ITEM 21: SIERRA 4 CONSULTING CONTRACT FOR MANAGEMENT OF MILITARY SURPLUS EQUIPMENT (10-33 PROGRAM)

San Miguel County Sheriff Gary Gold informed the Commission of the 10-33 Program in which it is a program to purchase pre-owned law enforcement equipment. Sheriff Gary Gold persisted to notify the Commission he has no intent of militarizing the Sheriff's Office and is looking into purchasing a conics box to be used as storage unit for the Sheriff's Office Equipment. Sheriff Gary Gold then notified the Commission the 10-33 Program can also be used to purchase heavy equipment that would help the Public Service Division.

Chairman Arthur Padilla requested that Sheriff Gary Gold re-paint or alter the equipment's appearance that way it could appear as property of San Miguel County rather than military equipment. Under-Sheriff Anthony Madrid informed the Commission that the Sheriff's Office is unable to alter the appearance of the equipment in any way as it would be a breach of contract.

Discussion ensued.

Upon a motion by Commissioner Leger, and a second by Commissioner Ortiz, the approval of the contract was approved unanimously with the condition San Miguel County Sheriff Gary Gold presents to the Commission prior to requesting any equipment and Sheriff Gary Gold obtain Commission concurrence on the equipment being requested.

ITEM 22: PUBLIC SERVICE DIVISION MONTHLY REPORT FOR THE MONTH OF AUGUST 2015

San Miguel County Public Service Operations Transportation Foreman Arnold Lopez presented to the Commission the monthly report including blading of county roads and/or special projects with the county roads.

Discussion ensued.

This item was for informational purposes only.

ITEM 23: OUT OF STATE TRAVEL REQUEST FOR YOLANDA CRUZ, DWI COORDINATOR TO ATTEND NATIONAL EQUITY SUMMIT IN LOS ANGELES, CALIFORNIA

San Miguel County DWI Coordinator Yolanda Cruz had been invited to attend the 2015 National Equity Summit as part of a New Mexico Delegation. The NM Health Equity Partnership will cover all associated costs for the NM Delegation, including conference registration, travel, lodging and meals. Participation in the Equity Summit offers opportunities to participate in sessions that focus on creating policy and community changes to build more support and resiliency for those most in need. This is an important step in preventing many DWIs, especially subsequent DWIs-as the root causes of many social ills are rooted in the conditions of a person's life.

Upon a motion by Commissioner Sena, and a second by Commissioner Ulibarri, the approval of out of state travel was approved unanimously.

ITEM 24: REQUEST APPROVAL FROM THE SAN MIGUEL COUNTY BOARD OF COMMISSIONERS FOR OUT OF STATE TRAVEL TO THE INTERNATIONAL ASSOCIATION OF EMERGENCY MANAGERS (IAEM) 63RD ANNUAL CONFERENCE AND EMEX 2015 IN LAS VEGAS, NEVADA FOR KURT PARKINSON, EMERGENCY MANAGERS OF SAN MIGUEL COUNTY/LAS VEGAS OFFICE OF EMERGENCY MANAGEMENT

Kurt Parkinson, the San Miguel County Emergency Manager requested approval to attend IAEM 63rd Annual Conference & EMEX 2015, in Las Vegas, Nevada on November 13th-18th, 2015. The conference will prepare Mr. Parkinson to understand the current trends and topics, give information about the latest tools and technology in Emergency Management and Homeland Security and to advance the work of IAEM.

Upon a motion by Commissioner Sena, and a second by Commissioner Ortiz, the approval of out of state travel was approved unanimously.

ITEM 25: JOB DESCRIPTION OIL AND GAS MANAGEMENT COORDINATOR

The San Miguel County Oil and Gas Ordinance No. 11-12-14-O&G provides for consultants to be engaged by the County for the purpose of assisting the County with various functions in regard to compliance with said Ordinance. To begin the process to obtain such consultants, it was necessary to prepare an appropriate job description.

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

ITEM 26: TRANSPORT OFFICER JOB DESCRIPTION-COUNTY SHERIFF'S OFFICE

San Miguel County Sheriff Gary Gold presented to the Commission a new job description for the Transport Officer that will be utilized by the San Miguel County Sheriff's Office. The new job description had been reviewed and approved by the San Miguel County Attorney prior to being presented.

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

ITEM 27: REVISED SERGEANT JOB DESCRIPTION-COUNTY SHERIFF'S OFFICE

San Miguel County Sheriff Gary Gold presented to the Commission a revised job description for Sergeant, which will be utilized by the San Miguel County Sheriff's Office. The revised job description had been reviewed and approved by the San Miguel County Attorney.

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

ITEM 28: AMEND APPRAISER II M/H JOB DESCRIPTION TO MOBILE HOME SPECIALIST

San Miguel County Manager Les Montoya informed the Commission the San Miguel County Assessor Patricia Gallegos made a recommendation to amend the job description for Appraiser II Mobile Home to Mobile Home Specialist. The amended job description would no longer require the Mobile Home Specialist to make field observations in the appraisal process.

Commissioner Leger asked County Manager Les Montoya if it is necessary for the employee filling the position to physical go out into the field and appraise the mobile homes. County Manager Les Montoya was not aware of any such requirement.

Upon a motion by Commissioner Leger to table the item due to lack of inability to discuss the item with the San Miguel County Assessor, and a second by Commissioner Ulibarri, the item was tabled until the County Assessor is present to discuss the item.

ITEM 29: SAN MIGUEL COUNTY SHERIFF'S OFFICE UPDATING STANDARD OPERATING PROCEDURES, RULES AND REGULATIONS NUMBER 1-2 DEPARTMENTAL ORGANIZATION AND AUTHORITY (GENERAL DUTIES)

San Miguel County Sheriff Gary Gold proposed a revised General Duties Policy to incorporate the newly created position of Transport Officer and the Sergeant position.

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

ITEM 30: SHERIFF'S OFFICE REVISED ORGANIZATIONAL CHART

San Miguel County Sheriff Gary Gold presented to the Commission a revised organizational chart. The new organizational chart will depict changes and new additions to the San Miguel County Sheriff's Office.

Chairman Arthur Padilla asked Sheriff Gary Gold if the organizational chart shows the chain of command in the order presented on the chart. Sheriff Gary Gold answered no it does not.

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

ITEM 31: PERSONNEL ACTIONS OR CHANGES FOR THE MONTH OF SEPTEMBER 2015

San Miguel County Human Resource Supervisor Kiki Arellano presented to the Commission the personnel actions or changes which have taken place in San Miguel County for the month of September 2015 for ratification and approval by the San Miguel County Board of Commissioners.

Upon a motion by Commissioner Sena, and a second by Commissioner Ulibarri, the ratification of personnel actions or changes was approved unanimously.

ITEM 32: SAN MIGUEL COUNTY MANAGER'S RECOMMENDATION TO RATIFY THE HIRING OF THE FOLLOWING INDIVIDUAL TO FILL THE POSITION OF MOTOR GRADER OPERATOR WITH THE SAN MIGUEL COUNTY PUBLIC SERVICE OPERATIONS DIVISION AS PER THE RECOMMENDATION OF ARNOLD LOPEZ, PUBLIC SERVICE TRANSPORTATION FOREMAN.

PROBATIONARY/FULL TIME EMPLOYEE:

**PETER L. VIGIL-MOTOR GRADER OPERATOR-EFFECTIVE DATE OF HIRE: SEPTEMBER 14TH, 2015-
PROBATIONARY SALARY: \$31,350.00**

Upon a motion by Commissioner Sena, and a second by Commissioner Ortiz, the approval for hire of Peter L. Vigil was approved unanimously.

ITEM 33: 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 MANAGER

PROBATIONARY/FULL TIME EMPLOYEES:

**VIDAL L. CRESPIN-DETENTION OFFICER- EFFECTIVE DATE OF HIRE: SEPTEMBER 28TH, 2015-
PROBATIONARY SALARY: \$20,900.00**

**FRANK A. GRASTON-DETENTION OFFICER-EFFECTIVE DATE OF HIRE: SEPTEMBER 28TH, 2015-
PROBATIONARY SALARY: \$20,900.00**

Upon a motion by Commissioner Leger, and a second by Commissioner Sena, the approval for hires of Vidal L. Crespin and Frank A. Graston was approved unanimously.

ITEM 34: SAN MIGUEL COUNTY MANAGER'S RECOMMENDATION TO RATIFY THE HIRING OF THE FOLLOWING INDIVIDUAL TO FILL THE VACANT POSITION OF MAINTENANCE WORKER II WITH THE SAN MIGUEL COUNTY PLANNING & ZONING DIVISION AS PER THE RECOMMENDATION OF ALEX TAFOYA, PLANNING & ZONING DIVISION SUPERVISOR.

PROBATIONARY FULL TIME EMPLOYEE:

**ROBERT L. WARD-MAINTENANCE WORKER II-DATE OF HIRE: SEPTEMBER 28TH, 2015-
PROBATIONARY SALARY: \$23,218.00**

Upon a motion by Commissioner Leger, and a second by Commissioner Sena, the approval for hire of Robert L. Ward was approved unanimously.

BOARD OF FINANCE MEETING

ITEM 35: TAX DOLLAR REPORT AND STATE OF NEW MEXICO AUCTION TO BE HELD OCTOBER 27TH, 2015

San Miguel County Treasurer Bertha Bustamante informed the Commission the Property Tax collections are at 98% for the year of 2014 and that there will be a delinquent property tax auction to be held October 27th, 2015.

This Item was for informational purposes only.

ITEM 36: ACCOUNTS PAYABLE LISTING ITEM 2016-02-163 THROUGH 2016-02-295 AND ITEMS 2016-03-1 THROUGH 2016-03-204

San Miguel County Finance Division Supervisor Melinda Gonzales presented to the Commission all payments processed between August 19th, 2015 and September 22th, 2015.

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

ITEM 37: CASH BALANCE REPORT AS OF SEPTEMBER 28TH, 2015

San Miguel County Finance Division Supervisor Melinda Gonzales informed the Commission of the September 28th, 2015 cash balance. The balances that were reflected are unreconciled balances. Reconciliations are done in the following month.

ITEM 38: BUDGET ADJUSTMENT RESOLUTION 2015-10-13-F1

San Miguel County Finance Division Supervisor Melinda Gonzales informed the Commission there will be an increase in the General fund expenditures for the amount of \$20,000 to fund the Samaritan House as well as a transfer out of \$21,000 to Fund 202 tied to change orders within the fund.

In Fund 202, in addition to the transfer of \$21,000 from the General Fund, the 2016 Local Government Road Fund (LGRF) Projects was budgeted, which consists of an increase in revenue of \$243,270, an increase in transfers of \$81,090 and a total increase of expenditures of \$324,360.

In Fund 210, an increase of \$5,000 in revenues from the District Attorney's Office was budgeted for additional cost to the parking lot. The expenditures were also increased by the \$5,000.

In Fund 470, Lodgers Tax was increased by \$18,000 to cover the award to the Pecos Business Association and to cover other costs that will be handles by the County.

In Fund 523 and Fund 527, which are EMS funds, the first budget adjustment was made to each fund due to a reversion that needs to be made to the Department of Health to prior year unused grants. The second adjustment was to account for the difference between the budgeted and actual FY15/16 EMS funds received.

In Fund 704, a transfer was made of \$81,090 to Fund 202 for the 2016 LGRF.

Upon a motion by Commissioner Ulibarri, and a second by Commissioner Sena, the approval of the budget adjustment was approved unanimously.

ITEM 39: LETTER DATED SEPTEMBER 1ST, 2015 AND SIGNED BUDGET REQUEST RECAPITULATION

San Miguel County received a letter informing the County the final budget for Fiscal Year 2015-2016 approved by the Board of County Commissioners had been examined and reviewed by the Local Government Division and had found that it has been developed in accordance with applicable statutes and budgeting guidelines.

Section 6-6-5 NMSA 1978 requires the budgets approved by the division be made part of the minutes.

Section 6-6-6 NMSA 1978 states the approved budget will be binding on local officials and governing authorities. Any official or governing authority approving claims or paying warrants in excess of the approved budget or available funds will be liable for such claims and warrants allowed.

The final matter of the letter advised the Commission that approval by the Local Government Division is required by Section 6-6-2(H) NMSA 1978, of all transfers between funds and all budget increases.

**HAVING CONCLUDED ITS BUSINESS AS THE
COUNTY BOARD OF FINANCE, AT 6:30 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.

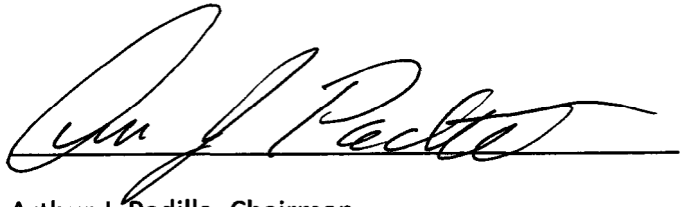
Whereupon, at 6:30 p.m., Commissioner Ortiz moved and Commissioner Leger seconded, that the Commission retire into executive/closed session to consider the matters noted and recommended by the County Manager, as particularized above. Upon a call of the roll by the Clerk, all five Commissioners answered 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 7:20 p.m. Commissioner Sena moved and Commissioner Ortiz seconded, that the Commission reconvene in public session, and the motion carried. Whereupon Chairman Padilla 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.

ADJOURNMENT

There being no further business to come before the Commission, and no person seeking recognition by the Commission, at 7:22 p.m. Commissioner Ulibarri moved and Commissioner Ortiz seconded, adjournment of the meeting, the motion carried and the meeting was duly adjourned.

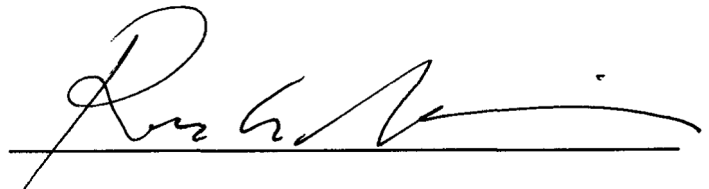
MOVED, SECONDED AND ADOPTED this 10th day of November, 2015, by the Board of County Commissioners of San Miguel County, New Mexico, as the official minutes of its regular monthly meeting held October 13th, 2015.



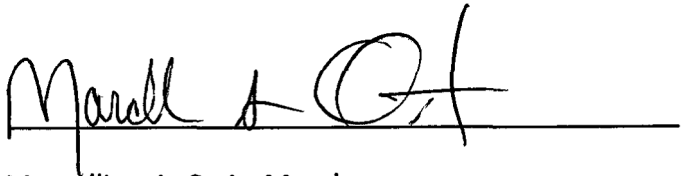
Arthur J. Padilla, Chairman



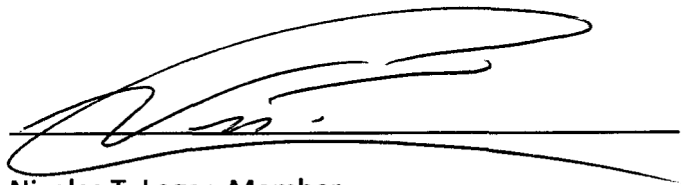
Gilbert J.B. Sena, Vice Chairman



Rock G. Ulibarri, Member


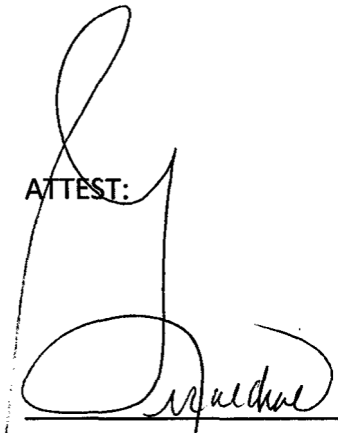


Marcellino A. Ortiz, Member



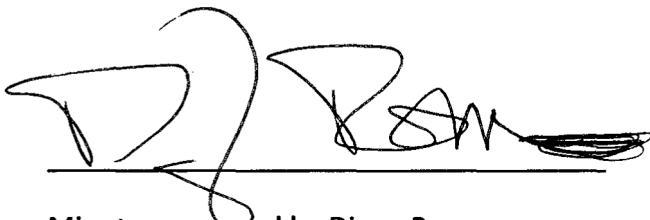
Nicolas T. Leger, Member

ATTEST:



Geraldine E. Gutierrez

San Miguel County Clerk



Minutes prepared by Diego Romero



Board of County Commissioners

Arthur J. Padilla
Chairman - District 3

Gilbert J. B. Sena
Vice Chair - District 4

Rock G. Ulibarri
Commissioner - District 1

Marcellino A. Ortiz
Commissioner - District 2

Nicolas T. Leger
Commissioner - District 5

Les W. J. Montoya
County Manager

PUBLIC NOTICE DISSEMINATED FOR TODAY'S MEETING

The San Miguel County Board of Commissioners will hold a regular monthly meeting on Tuesday, October 13, 2015, beginning at 2:00 p.m., at the Commission Chambers, 2nd Floor, San Miguel County Administration Complex, 500 West National Avenue, Suite 200, Las Vegas, New Mexico 87701. During the meeting, a Board of Finance Meeting will take place. Any person requiring special assistance or service to attend or participate at the meeting should call the County Manager's office at 1.505.425.9333.

Published, Las Vegas Optic: October 2, 2015

Disseminated to Radio Stations KFUN and KNMX: October 2, 2015

Posted on the SMC Website at www.smccounty.net: October 2, 2015

At least 72 hours in advance of the meeting, the following agenda for today's meeting was posted and available for public inspection on the San Miguel County Website at www.smccounty.net, and also available in hard copy at the office of the San Miguel County Manager, Suite 201 of the location noted above.

AGENDA

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

SALUTATION TO THE NEW MEXICO STATE FLAG:

"I salute the flag of the State of New Mexico and the Zia Symbol of perfect friendship among United Cultures."

APPROVAL OF AGENDA

APPROVAL OF MINUTES

Regular meeting held on September 8, 2015

(BACKUP)-Regular September 8, 2015 meeting minutes (Backup) (verified)

PUBLIC INPUT FORUM

INTRODUCTION OF NEW SAN MIGUEL COUNTY EMPLOYEES

LYNDA JANSSEN - ADMINISTRATIVE FINANCIAL AID - SAN MIGUEL COUNTY SHERIFF'S DIVISION - PROBATIONARY/FULL TIME EMPLOYEE.

ROBERT ARCHULETA - PUBLIC SERVICE OPERATIONS SUPERVISOR - SAN MIGUEL COUNTY PUBLIC SERVICE OPERATIONS DIVISION - EXEMPT EMPLOYEE.

MARTHA HACKETT - CONVENIENCE CENTER OPERATOR - PUBLIC SERVICE OPERATIONS DIVISION - PROBATIONARY/FULL TIME EMPLOYEE.

DANELLE DURAN - DWI TRANSIT OPERATOR FOR THE SAFE RIDE HOME AND VETERANS TRANSPORTATION SERVICE- SAN MIGUEL COUNTY DWI DIVISION- TEMPORARY/PART TIME EMPLOYEE.

NEW BUSINESS

PRESENTATION: Introduction of New Mexico Highlands University President, Dr. Sam Minner, Jr.
PRESENTER: Nicolas T. Leger, San Miguel County Board of Commissioners, District 5

PRESENTATION: Presentation of Newly Promoted Sergeant, Darin Romero
PRESENTERS: Gary Gold, SMC Sheriff
Romero Family Members

PRESENTATION: Recognition of San Miguel County Veteran Sergio P. Abila
PRESENTERS: Gilbert J. B. Sena, San Miguel County Board of Commissioners, Vice-Chair, District 4

PRESENTATION: 2016 Environmental Quality Incentives Program (EQIP)
PRESENTERS: Alex Tafoya, SMC Planning and Zoning Division Supervisor
Kenneth Alcon, District Conservationist for the Natural Resources Conservation Service

(BACKUP)-Memo (Backup) (verified)

PRESENTATION: City of Las Vegas Informing San Miguel County Board of Commissioners of the Plans
for the Upcoming Las Vegas Day at the Legislature

PRESENTERS: Annette Velarde, City of Las Vegas Event Planner/Film Liaison

REGULAR ORDER

- 1. RESOLUTION NO. 10-13-2015-SO – SAN MIGUEL COUNTY ANIMAL CONTROL ORDINANCES**
(BACKUP)-Resolution (Backup) {verified}
(BACKUP)-Animal Control Ordinance (Backup) {verified}

BACKGROUND INFORMATION: San Miguel County Sheriff's Office has been working to revise the existing County Animal Ordinance. The revisions have included review by County legal and local animal care providers. The ordinance revisions included today constitute the proposed final draft for review by the Commission.

ACTION REQUESTED OF COMMISSION: The proposed resolution is presented for approval authorizing publication with the intent to adopt the County Animal Control Ordinance.

STAFF RECOMMENDATION: Review and consider approval authorizing the publication of intent to adopt as a County Ordinance.

PRESENTER: Gary Gold, SMC Sheriff

- 2. RESOLUTION NUMBER 10-13-2015-CLERK – DESIGNATING POLLING PLACES**
(BACKUP)-Resolution (Backup) {verified}

BACKGROUND INFORMATION: A Resolution Designating the Polling Places for the 2016 Primary and General Election.

ACTION REQUESTED OF COMMISSION: Requesting Commission approval to designating polling places.

STAFF RECOMMENDATION: Approve Resolution Number 10-13-2015-Clerk. A Resolution Designating the Polling Places for the 2016 Primary and General Election.

PRESENTER: Geraldine Gutierrez, SMC Clerk

3. **RESOLUTION NO. 10-13-15-RA01; ADDITION OF CAMINO DE VIDA., A NEWLY NAMED PRIVATE ROAD TO THE OFFICIAL ROAD LIST OF SAN MIGUEL COUNTY, NEW MEXICO**
(BACKUP)-Resolution (Backup) (verified)
(BACKUP)-Documentation (Backup) (verified)

BACKGROUND INFORMATION: A Taxpayer has submitted a Road Name Petition to name a private driveway located off of County Road A11E North of Las Vegas. While there are no buildings on this road, San Miguel County Ordinance No. SMC-07-13-99-OED-2 states, "Any private road that provides access to less than three buildings may be named for a fee according to section 4.3.". The San Miguel County Rural Addressing Staff has confirmed that the payment was made, and that the proposed road name is in compliance with San Miguel County Ordinance No. SMC-07-13-99-OED-2.

ACTION REQUESTED OF COMMISSION: Review and approve

STAFF RECOMMENDATION: Approval of Resolution

PRESENTER: John Tiernan, SMC IT Supervisor



4. **RESOLUTION NO. 10-13-15-RA02; ADDITION OF CAMINO ANGELES., A NEWLY NAMED PRIVATE ROAD TO THE OFFICIAL ROAD LIST OF SAN MIGUEL COUNTY, NEW MEXICO**
(BACKUP)-Resolution (Backup) (verified)
(BACKUP)-Documentation (Backup) (verified)

BACKGROUND INFORMATION: A Taxpayer has submitted a Road Name Petition to name a private driveway located off of Frontage Road 2116 near the community of Blanchard. While there are only two addressed buildings on this road, San Miguel County Ordinance No. SMC-07-13-99-OED-2 states, "Any private road that provides access to less than three buildings may be named for a fee according to section 4.3.". The San Miguel County Rural Addressing Staff has confirmed that the payment was made, and that the proposed road name is in compliance with San Miguel County Ordinance No. SMC-07-13-99-OED-2.

ACTION REQUESTED OF COMMISSION: Review and approve

STAFF RECOMMENDATION: Approval of Resolution

PRESENTER: John Tiernan, SMC IT Supervisor



5. ACCEPTANCE OF THE FY15 EMERGENCY MANAGEMENT PERFORMANCE GRANT
(BACKUP)-Sub Grant Agreement (Backup) (verified)
(BACKUP)-Amendment (Backup) (verified)

BACKGROUND INFORMATION: The San Miguel County/City of Las Vegas Office of Emergency Management is requesting acceptance of the FY15 Emergency Management Performance Grant in the amount of \$79,134.76 toward the salary and benefits for the Emergency Manager, NIMS Coordinator and The OEM Administrative Assistant positions.

ACTION REQUESTED OF COMMISSION: Allow administrative staff to sign the grant agreement

STAFF RECOMMENDATION: Approve the grant agreement

PRESENTER: Kurt Parkinson, SMC Emergency Manager

6. STATUS UPDATES AND REVISIONS TO COUNTY ROAD LOG PROJECT
(BACKUP)-Progress Report (Backup) (verified)
(BACKUP)-Revision Sample (Backup) (verified)

BACKGROUND INFORMATION: The San Miguel County IT\Rural Addressing department has undertaken the project of revising and modernizing the San Miguel County Road Log. The project is progressing, but at a slow pace. Several unforeseeable setbacks have caused delays in this project. The final product will be a much more accurate, descriptive, and modern County Road Log. Updates include much more detailed descriptions, GPS coordinates for road starting and ending points, and improved road lengths.

ACTION REQUESTED OF COMMISSION: Informational purposes only.

STAFF RECOMMENDATION: Informational purposes only.

PRESENTER: John Tiernan, SMC IT Supervisor

7. CARE OF PRISONER(S) 3RD RENEWAL AGREEMENT - COLFAX COUNTY, NEW MEXICO AND SAN MIGUEL COUNTY, NEW MEXICO.
(BACKUP)-Documentation (Backup) (verified)

BACKGROUND INFORMATION: A care of prisoner(s) 3rd Renewal Agreement, by and between Colfax County, New Mexico and San Miguel County, NM; providing for housing and care of Colfax County inmates, at the San Miguel County Detention Center; is presented for commission review and approval. The cost of housing is eighty dollars (\$80.00) per day per inmate, with a twenty dollar (\$20.00) booking fee.

ACTION REQUESTED OF COMMISSION: Review and Approval of the 3rd Extension of Agreement, as presented.

STAFF RECOMMENDATION: Approval

PRESENTER: Patrick W. Snedeker, SMC Warden



**8. UNIVERSAL ADCOM DISTRIBUTION AGREEMENT (SMSO MAGNETS)
(BACKUP)-Documentation** (Backup) (verified)

BACKGROUND INFORMATION: The San Miguel County Sheriff's Office is requesting review of the Universal AdCom Distribution Agreement, in which the community is provided with San Miguel County Sheriff's Office Magnet Calendars. Local businesses can purchase a spot on the magnet to advertise their goods and services.

ACTION REQUESTED OF COMMISSION: Review

STAFF RECOMMENDATION: Review and discuss

PRESENTER: Gary Gold, SMC Sheriff



**9. 1ST EXTENSION AGREEMENT CONTRACT - CARE OF PRISONER(S) CONTRACT - CITY OF LAS VEGAS, NEW MEXICO AND SAN MIGUEL COUNTY, NEW MEXICO
(BACKUP)-Documentation** (Backup) (verified)

BACKGROUND INFORMATION: The 1st Extension Agreement- 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 eighty (\$80.00) per day/per inmate.

ACTION REQUESTED OF COMMISSION: Review and approval of the Agreement, as presented.

STAFF RECOMMENDATION: Approval

PRESENTER: Patrick W. Snedeker, SMC Warden

**10. AWARD OF BID FOR THE 2014-2015 LGRF COOP PROJECT FOR LOS ALAMITOS A-6
(BACKUP)-Documentation** (Backup) (verified)

BACKGROUND INFORMATION: The San Miguel County Public Service Division recently advertised for Bids for the 2014-2015 LGRF Cooperative Project in San Miguel County, specifically Road A-6 (Los Alamitos). Bids are scheduled for opening on Thursday, October 8, 2015, after which time staff will make a recommendation to Award the Bid to the lowest most qualified bidder.

ACTION REQUESTED OF COMMISSION: Award bid to the lowest most qualified bidder based on bids opened on Thursday, October 8, 2015

STAFF RECOMMENDATION: Award Bid to Lowest Most Qualified Bidder.

PRESENTER: Robert Archuleta, SMC Public Service Operations Supervisor

**11. RIVER STEWARDSHIP PROGRAM IMPROVEMENT PROJECTS AGREEMENT
(BACKUP)-Agreement** (Backup) (verified)

BACKGROUND INFORMATION: The Hermits Peak Watershed Alliance has obtained notice to proceed to conduct a project called Gallinas Village River and Floodplain Restoration. This project will restore a 1/3 mile stretch of river and its associated flood plain in order to improve water quality and water quantity, buffer river flows from droughts and floods, and improve fish and wildlife habitat.

ACTION REQUESTED OF COMMISSION: We are requesting your approval of the agreement and permission to sign the agreement.

STAFF RECOMMENDATION: We are requesting your approval of the agreement and permission to sign the agreement.

PRESENTER: Russell Pacheco, SMC Fire Chief

12. MAINTENANCE/WORKSHOP BUILDING - SAN MIGUEL COUNTY DETENTION CENTER - AWARD FOR REMODEL/CONSTRUCTION PROJECT- NORTHEASTERN CONSTRUCTION (BACKUP)-Documentation (Backup) (verified)

BACKGROUND INFORMATION: The Board of Commissioners took action on May 12, 2015, to reject bids received for a maintenance/workshop building remodel project, at the detention center. A new invitation for bids was requested. The Board of Commissioners took action on August 11, 2015, to reject those bids. Consistent with NMSA 13-1-131, the construction was solicited in the open market at the best obtainable price. NorthEastern Construction has submitted a best obtainable price of \$60,972.64, including tax. Funds are available for completion of the project

ACTION REQUESTED OF COMMISSION: Award for completion of the project to NorthEastern.

STAFF RECOMMENDATION: Approval and award

PRESENTER: Patrick W. Snedeker, SMC Warden

13. ADDENDUM TO AGREEMENT BETWEEN COUNTY AND SOLEIL WEST ARCHITECTURAL SERVICES ON AN AS NEEDED BASIS

(BACKUP)-Memo (Backup) (verified)

(BACKUP)-Addendum (Backup) (verified)

BACKGROUND INFORMATION: San Miguel County has an agreement with Soleil West for architectural services as-needed for a one (1) year term that can be extended annually not to exceed four (4) years. Soleil West has indicated that they wish to extend the agreement for a third year.

ACTION REQUESTED OF COMMISSION: Adopt and approve the addendum to agreement by and between San Miguel County and Soleil West for a third year.

STAFF RECOMMENDATION: Adopt and approve the addendum to agreement.

PRESENTER: Alex Tafoya, SMC Planning and Zoning Division Supervisor

14. 3rd RENEWAL AGREEMENT - INMATE HEALTH CARE SERVICES/ HEALTH CARE MANAGEMENT SERVICES AT THE SAN MIGUEL COUNTY DETENTION CENTER. THE AGREEMENT PROVIDES FOR THE HEALTH SERVICES TO THE DETAINEES OF THE SAN MIGUEL COUNTY DETENTION CENTER

(BACKUP)-Documentation (Backup) (verified)

BACKGROUND INFORMATION: The 3rd Renewal Agreement, by and between Health Care Partners Foundation, Inc. and the San Miguel County Detention Center; is presented for commission review and approval.

ACTION REQUESTED OF COMMISSION: Review and Approval of the Contract Agreement, as presented.

STAFF RECOMMENDATION: Approval

PRESENTER: Patrick W. Snedeker, SMC Warden and Rita Torres, Health Care Partners Foundation, Inc. CEO/President



15. ADDENDUM TO AGREEMENT - LEE GAMELSKY & ASSOCIATES ARCHITECTURAL SERVICES ON AN AS NEEDED BASIS

(BACKUP)-Memo (Backup) (verified)

(BACKUP)-Addendum (Backup) (verified)

BACKGROUND INFORMATION: The professional services agreement between San Miguel County and Lee Gamelsky & Associates is for a one year term that may be extended each year not to exceed four years total. Lee Gamelsky & Associates has indicated that they wish to extend the agreement for a third year.

ACTION REQUESTED OF COMMISSION: Approve the Addendum to Agreement between San Miguel County and Lee Gamelsky & Associates for a third year.

STAFF RECOMMENDATION: Approve the Addendum to Agreement.

PRESENTER: Alex Tafoya, SMC Planning and Zoning Division Supervisor

**16. HERO PRESS 2016 CALENDAR PROGRAM (SMSO CALENDARS)
(BACKUP)-Documentation** (Backup) (verified)

BACKGROUND INFORMATION: The San Miguel County Sheriff's Office is requesting review of the Hero Press Calendar Program, in which the community is provided with San Miguel County Sheriff's Office Calendars. Local businesses can purchase a spot on the magnet to advertise their goods and services.

ACTION REQUESTED OF COMMISSION: Review

STAFF RECOMMENDATION: Review and discuss

PRESENTER: Gary Gold, SMC Sheriff



**17. REQUEST FOR PROPOSALS FOR BROADCASTING OF SAN MIGUEL COUNTY COMMISSION MEETINGS
(BACKUP)-RFP** (Backup) (verified)

BACKGROUND INFORMATION: During the September San Miguel County, Board of County Commissioners regular meetings, the Commission was presented with information regarding the cost of broadcasting Commission meetings on the radio. Given that information, the board made the decision to proceed with the procurement process for these services. San Miguel County staff decided the best way to proceed with the procurement of these services was through a Request for Proposals.

ACTION REQUESTED OF COMMISSION: Review, make recommendations, and authorize advertisement of request for proposals.

STAFF RECOMMENDATION: Authorize advertisement of Request for Proposals.

PRESENTER: John Tiernan, SMC IT Supervisor



**18. ELECTRIC AND ACCESS EASEMENTS PUBLIC SERVICE COMPANY OF NEW MEXICO/WOOD BUSINESS PARK
(BACKUP)-Memo** (Backup) (verified)
(BACKUP)-Easements (Backup) (verified)

BACKGROUND INFORMATION: At the September 8, 2015 Commission meeting, the Board of County Commissioners voted to table the approval of easements requested by PNM for

access through the Wood Business Park for a proposed solar facility until such time that language in the easement documents could be addressed. The County, PNM representatives and the County Attorney have agreed on the language of concern.

ACTION REQUESTED OF COMMISSION: Review and approve the easement documents.

STAFF RECOMMENDATION: Review and approve the easement documents.

PRESENTER: Alex Tafoya, SMC Planning and Zoning Division Supervisor

19. RECOMMENDATION TO AWARD \$75,000.00 OF ECONOMIC DEVELOPMENT FUNDS TO NON PROFIT ENTITIES WHO WILL PERFORM ECONOMIC DEVELOPMENT SERVICES FOR SAN MIGUEL COUNTY

(BACKUP)-Letter (Backup) (verified)

BACKGROUND INFORMATION: Local GRT Tax revenues were set aside by the San Miguel County Board of Commissioners in the amount of \$75,000.00 in an attempt to improve upon the economic standing of the County. The scope of work identified by the County includes efforts to expand existing businesses, recruit new businesses, create new jobs, train the local work force to promote San Miguel County as a location to live and work as well as implement the San Miguel County Economic Development Strategic Plan and facilitate the San Miguel County Collaborative to develop collaboration of all members on all existing and future San Miguel County Economic Development initiatives and to Manage the Wood Business Park.

ACTION REQUESTED OF COMMISSION: Review the recommendations of the San Miguel County Economic Development Services Evaluation Committee and decide whether or not to concur with said recommendations and then take action to approve should it be appropriate.

STAFF RECOMMENDATION: Approve the San Miguel County Economic Development Services Evaluation Committee's recommendation as submitted.

PRESENTER: Les W. J. Montoya, SMC Manager

20. 3RD RENEWAL AGREEMENT - BY AND BETWEEN JUSTICE SOFTWARE, INC. AND THE SAN MIGUEL COUNTY DETENTION CENTER FOR AN AUTOMATED INMATE JAIL MANAGEMENT SYSTEM/B.O.S.S. SOFTWARE SYSTEM, AT THE SAN MIGUEL COUNTY DETENTION CENTER

(BACKUP)-Documentation (Backup) (verified)

BACKGROUND INFORMATION: The 3rd Renewal Agreement for the provision of an Inmate Jail Management System/B.O.S.S. Software System; by and between Justice Software Inc., and the San Miguel County Detention Center; is presented for San Miguel County Commission review and approval.

ACTION REQUESTED OF COMMISSION: Review and approval of the Agreement; as presented.

STAFF RECOMMENDATION: Approval

PRESENTER: Patrick W. Snedeker, SMC Warden



21. SIERRA 4 CONSULTING CONTRACT FOR MANAGEMENT OF MILITARY SURPLUS EQUIPMENT (10-33 PROGRAM)

(BACKUP)-Internal Departmental Correspondence (Backup) (verified)

(BACKUP)-Sole Source Justification Form (Backup) (verified)

(BACKUP)- Sierra 4 Consulting Proposal (Backup) (verified)

BACKGROUND INFORMATION: The San Miguel County Sheriff's Office will be contracting and utilizing Sierra 4 Consulting to manager and obtain military surplus equipment through a Federal Assistance (10-33) Program. The contract is not to exceed \$12,000.00. Sierra 4 Consulting is a sole source service provider. Refer to attached documentation for further information.

ACTION REQUESTED OF COMMISSION: Review and approval.

STAFF RECOMMENDATION: Review, discuss and approve as submitted.

PRESENTER: Gary Gold, SMC Sheriff



22. PUBLIC SERVICE DIVISION MONTHLY REPORT FOR THE MONTH OF AUGUST 2015

(BACKUP)-Report (Backup) (verified)

BACKGROUND INFORMATION: The San Miguel County Public Service 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.

ACTION REQUESTED OF COMMISSION: For information purposes only

STAFF RECOMMENDATION: For information purposes only

PRESENTER: Arnold Lopez, SMC Public Service Operations Transportation Foreman

23. OUT OF STATE TRAVEL REQUEST FOR YOLANDA CRUZ, DWI COORDINATOR TO ATTEND NATIONAL EQUITY SUMMIT IN LOS ANGELES CALIFORNIA

(BACKUP)-Invitation (Backup) (verified)

BACKGROUND INFORMATION: Yolanda Cruz has been invited to attend the 2015 National Equity Summit as part of a New Mexico Delegation. The NM Health Equity Partnership will cover all associated costs for the NM Delegation, including conference registration, travel, lodging and meals. Participation in the Equity Summit offers opportunities to participate in sessions that focus on creating policy and community changes to build more support and resiliency for those most in need. This is an important step in preventing many DWIs and, especially subsequent DWIs – as the root causes of many social ills are rooted in the conditions of a person's life.

ACTION REQUESTED OF COMMISSION: Consider approving request.

STAFF RECOMMENDATION: Approval of request.

PRESENTER: Yolanda Cruz, SMC DWI Coordinator

24. REQUEST APPROVAL FROM THE SAN MIGUEL COUNTY BOARD OF COMMISSIONER FOR OUT OF STATE TRAVEL TO THE INTERNATIONAL ASSOCIATION OF EMERGENCY MANAGERS (IAEM) 63RD ANNUAL CONFERENCE AND EMEX 2015 IN LAS VEGAS, NEVADA FOR KURT PARKINSON, EMERGENCY MANAGER OF SAN MIGUEL COUNTY/ LAS VEGAS OFFICE OF EMERGENCY MANAGEMENT

(BACKUP)-Documentation (Backup) (verified)

BACKGROUND INFORMATION: Kurt Parkinson, Emergency Manager is requesting approval to attend IAEM 63rd Annual Conference & EMEX 2015, in Las Vegas, Nevada on October 13-18, 2015. This conference will prepare Mr. Parkinson to understand the current trends and topics, information about the latest tools and technology in Emergency Management and Homeland Security and to advance the work of IAEM.

ACTION REQUESTED OF COMMISSION: Request approval for out-of-state travel

STAFF RECOMMENDATION: Request approval for out-of-state travel

PRESENTER: Kurt Parkinson, SMC Emergency Manager

25. JOB DESCRIPTION OIL AND GAS MANAGEMENT COORDINATOR

(BACKUP)-Memo (Backup) (verified)

(BACKUP)-Job Description (Backup) (verified)

BACKGROUND INFORMATION: San Miguel County Oil and Gas Ordinance No. 11-12-14-O&G provides for consultants to be engaged by the County for the purpose of assisting the County with various functions in regard to compliance with said Ordinance. To begin the process to obtain such consultants, it is necessary to prepare an appropriate job description.

ACTION REQUESTED OF COMMISSION: (1) review the Oil and Gas Management Coordinator Job Description; (2) determine if the job description is appropriate; and (3) approve the job description.

STAFF RECOMMENDATION: Review the job description; determine if the job description is appropriate and approve the job description.

PRESENTER: Alex Tafoya, SMC Planning and Zoning Division Supervisor

26. TRANSPORT OFFICER JOB DESCRIPTION – COUNTY SHERIFF’S OFFICE

(BACKUP)-Documentation (Backup) (verified)

BACKGROUND INFORMATION: San Miguel County Sheriff’s Office is presenting a new job description for the Transport Officer that will be utilized by the San Miguel County Sheriff’s Office. The new job description has been reviewed and approved by the San Miguel County Attorney.

ACTION REQUESTED OF COMMISSION: Review and approve

STAFF RECOMMENDATION: Review, discuss and approve as submitted.

PRESENTER: Gary Gold, SMC Sheriff

27. REVISED SERGEANT JOB DESCRIPTION – COUNTY SHERIFF’S OFFICE

(BACKUP)-Documentation (Backup) (verified)

BACKGROUND INFORMATION: San Miguel County Sheriff’s Office is presenting a revised job description for Sergeant, that will be utilized by the San Miguel County Sheriff’s Office. The revised Job Description has been reviewed and approved by the San Miguel County Attorney.

ACTION REQUESTED OF COMMISSION: Review and approval

STAFF RECOMMENDATION: Review, discuss and approve as submitted.

PRESENTER: Gary Gold, SMC Sheriff

28. AMEND APPRAISER II M/H JOB DESCRIPTION TO MOBILE HOME SPECIALIST

(BACKUP)-Job Description (Backup) (verified)

BACKGROUND INFORMATION: The Appraiser II M/H position is not an Appraisal position. The values for Mobile Homes are taken from the Manufactured Housing Cost Guide.

ACTION REQUESTED OF COMMISSION: Approval by Commission

STAFF RECOMMENDATION: Same as above

PRESENTER: Patricia Gallegos, SMC Assessor

29. SAN MIGUEL COUNTY SHERIFF’S OFFICE UPDATING STANDARD OPERATING PROCEDURES, RULES AND REGULATIONS NUMBER 1-2 DEPARTMENTAL ORGANIZATION AND AUTHORITY (GENERAL DUTIES)

(BACKUP)-Documentation (Backup) (verified)

BACKGROUND INFORMATION: The San Miguel County Sheriff’s Office is proposing a revised General Duties Policy to incorporate the newly created position of Transport officer. The proposed policy has been reviewed and approved by legal counsel.

ACTION REQUESTED OF COMMISSION: Review and approve.

STAFF RECOMMENDATION: Review, discuss and approve as submitted.

PRESENTER: Gary Gold, SMC Sheriff



**30. SHERIFF'S OFFICE REVISED ORGANIZATIONAL CHART
(BACKUP)-Documentation** (Backup) (verified)

BACKGROUND INFORMATION: San Miguel County Sheriff's Office will be presenting a revised organizational chart. The new organizational chart will depict changes and new additions to the San Miguel County Sheriff's Office.

ACTION REQUESTED OF COMMISSION: Review and approve.

STAFF RECOMMENDATION: Review, discuss and approve as submitted.

PRESENTER: Gary Gold, SMC Sheriff



**31. PERSONNEL ACTIONS OR CHANGES FOR THE MONTH OF SEPTEMBER 2015
(BACKUP)-Memo** (Backup) (verified)

BACKGROUND INFORMATION: Personnel actions or changes which have taken place in San Miguel County for the month of September 2015 are submitted for ratification and approval by the San Miguel County Board of Commissioners

ACTION REQUESTED OF COMMISSION: To approve and ratify the personnel actions or changes that have taken place during the month of September 2015

STAFF RECOMMENDATION: To approve and ratify the personnel actions or changes that have taken place during the month of September 2015

PRESENTER: Kiki Arellano, SMC Human Resource Supervisor



**32. COUNTY MANAGER'S RECOMMENDATION TO RATIFY THE HIRING OF THE FOLLOWING
INDIVIDUAL TO FILL THE POSITION OF MOTOR GRADER OPERATOR WITH THE SAN MIGUEL
COUNTY PUBLIC SERVICE OPERATIONS DIVISION AS PER THE RECOMMENDATION OF
ARNOLD LOPEZ, PUBLIC SERVICE TRANSPORTATION FOREMAN.**

PROBATIONARY/FULL TIME EMPLOYEE:

PETER L. VIGIL - MOTOR GRADER OPERATOR- EFFECTIVE DATE OF HIRE: SEPTEMBER 14, 2015 - PROBATIONARY SALARY: \$31,350.00

(BACKUP)-Memo (Backup) (verified)

BACKGROUND INFORMATION: Motor Grader Operator position was advertised and interviews were conducted on Monday, August 17, 2015 the interview committee selected Mr. Peter L. Vigil as the best qualified to fill the position.

ACTION REQUESTED OF COMMISSION: Approval to ratify the hiring of Peter Vigil to fill the position of Motor Grader Operator with the San Miguel County Public Service Operations Division.

STAFF RECOMMENDATION: Approval to ratify the hiring of Peter Vigil to fill the position of Motor Grader Operator with the San Miguel County Public Service Operations Division.

PRESENTER: Les W. J. Montoya, SMC Manager



- 33. 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

VIDAL L. CRESPIN - DETENTION OFFICER - EFFECTIVE DATE OF HIRE: SEPTEMBER 28, 2015 - PROBATIONARY SALARY: \$20,900.00.

FRANK A. GRASTON - DETENTION OFFICER - EFFECTIVE DATE OF HIRE: SEPTEMBER 28, 2015 - PROBATIONARY SALARY: \$20,900.00.

(BACKUP)-Memo (Backup) (verified)

BACKGROUND INFORMATION: The Detention Officer position became vacant due to employees resigning or that have been dismissed from their positions as Detention Officers.

ACTION REQUESTED OF COMMISSION: Approval to ratify the hiring of Vidal Crespin and Frank Graston to fill the vacant positions of Detention Officer.

STAFF RECOMMENDATION: Approval to ratify the hiring of Vidal Crespin and Frank Graston to fill the vacant positions of Detention Officer.

PRESENTER: Les W. J. Montoya, SMC Manager



34. COUNTY MANAGER'S RECOMMENDATION TO RATIFY THE HIRING OF THE FOLLOWING INDIVIDUAL TO FILL THE VACANT POSITION OF MAINTENANCE WORKER II WITH THE SAN MIGUEL COUNTY PLANNING & ZONING DIVISION AS PER THE RECOMMENDATION OF ALEX TAFOYA, PLANNING & ZONING DIVISION SUPERVISOR.

PROBATIONARY FULL TIME EMPLOYEE:

ROBERT L. WARD - MAINTENANCE WORKER II - DATE OF HIRE: SEPTEMBER 28, 2015 - PROBATIONARY SALARY: \$23,218.00.

(BACKUP)-Memo (Backup) (verified)

BACKGROUND INFORMATION: Planning & Zoning staff interviewed three individuals for the position of Maintenance Worker II due to the retirement of the former Maintenance Worker II employee. Upon conclusion of the interviews Mr. Robert L. Ward is the best suited and qualified for the vacant Maintenance Worker II position.

ACTION REQUESTED OF COMMISSION: Approval to ratify the hiring of Robert Ward for the vacant position of Maintenance Worker II.

STAFF RECOMMENDATION: Approval to ratify the hiring of Robert Ward for the vacant position of Maintenance Worker II.

PRESENTER: Les W. J. Montoya, SMC Manager

BOARD OF FINANCE MEETING

35. TAX DOLLAR REPORT AND STATE OF NEW MEXICO AUCTION TO BE HELD OCTOBER 27, 2015

(BACKUP)-Report (Backup) (verified)

BACKGROUND INFORMATION: Tax Dollar Report, the State of New Mexico sent out letters to our delinquent taxpayers owing three years or more, this week two State of New Mexico employees, Joe Barela and Jim Fagaile will be out red tagging homes that will be put up for auction unless taxes are paid in full or arrangements are made to bring taxes current.

ACTION REQUESTED OF COMMISSION: Information only.

STAFF RECOMMENDATION: None

PRESENTER: Bertha Bustamante, SMC Treasurer

36. ACCOUNTS PAYABLE LISTING ITEMS 2016-02-163 THROUGH 2016-02-295 AND ITEMS 2016-03-1 THROUGH 2016-03-204

(BACKUP)-Report 1 (Backup) (verified)

(BACKUP)-Report 2 (Backup) (verified)

BACKGROUND INFORMATION: To report all payments processed between August 19, 2015 and September 22, 2015.

ACTION REQUESTED OF COMMISSION: Review and approve.

STAFF RECOMMENDATION: Review and approve.

PRESENTER: Melinda Gonzales, SMC Finance Division Supervisor

37. CASH BALANCE REPORT AS OF SEPTEMBER 28, 2015

(BACKUP)-Report (Backup) (verified)

BACKGROUND INFORMATION: To inform the Commission of the September 28, 2015 cash balance. The balances reflected are unreconciled balances. Reconciliations are done in the following month.

ACTION REQUESTED OF COMMISSION: Information purposes only

STAFF RECOMMENDATION: Information purposes only

PRESENTER: Melinda Gonzales, SMC Finance Division Supervisor

38. BUDGET ADJUSTMENT RESOLUTION 2015-10-13-F1

(BACKUP)-Resolution (Backup) (verified)

BACKGROUND INFORMATION: The General Fund expenditures will be increased by \$20,000 to fund the Samaritan House. There is also a transfer out of \$21,000 to Fund 202 tied to change orders within the fund.

Regarding Fund 202, in addition to the transfer in of \$21,000 from the general fund, the 2016 Local Government Road Fund (LGRF) Projects will be budgeted, which consists of an increase in revenue of \$243,270, an increase in transfers of \$81,090 and increase of expenditures of \$324,360.

Regarding Fund 210, an increase \$5,000 in revenues from the District Attorney's Office for additional cost to the parking lot. The expenditures are also increased by the \$5,000.

Fund 470, lodgers tax is being increased by \$18,000 to cover the award to the Pecos Business Association and to cover other cost that will be handled by the county.

Regarding Fund 523 and Fund 527, both EMS funds. The first budget adjustment to each fund is due to a reversion that needs to be made to the Department of Health of prior year unused grants. The second adjustment to each is to account for the difference between the budgeted and actual FY15/16 EMS funds received.

Finally, Fund 704 a transfer out of \$81,090 to Fund 202 for the 2016 LGRF.

ACTION REQUESTED OF COMMISSION: Review and approve the budget increase.

STAFF RECOMMENDATION: Review and approval.

PRESENTER: Melinda Gonzales, SMC Finance Division Supervisor

**39. LETTER DATED SEPTEMBER 1, 2015 AND SIGNED BUDGET REQUEST RECAPITULATION
(BACKUP)-Resolution** {Backup} (verified)

BACKGROUND INFORMATION: The letter informs the county that the final budget for fiscal year 2015-2016 approved by the Board of County Commissioners has been examined and reviewed and the Local Government Division (division) has found that it has been developed in accordance with applicable statutes and budgeting guidelines.

Section 6-6-5 NMSA 1978, requires the budgets approved by the division be made part of the minutes.

Section 6-6-6 NMSA 1978 states the approved budget will be binding on local officials and governing authorities. Any official or governing authority approving claims or paying warrants in excess of the approved budget or available funds will be liable for such claims and warrants allowed.

The final matter of the letter is to advise the commission that approval by the local government division is required by section 6-6-2(h) NMSA 1978, of all transfers between funds and all budget increases.

ACTION REQUESTED OF COMMISSION: Informational purposes and for letter to be made part of the Commission Meeting.

STAFF RECOMMENDATION: Informational purposes and for letter to be made part of the Commission Meeting.

PRESENTER: Melinda Gonzales, SMC Finance Division Supervisor

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 or disposal of real property, as permitted by Section 10-15-1(H)(8) of the Open Meetings Act, NMSA 1978.

D. Matters pertaining to the discussion of bargaining strategy preliminary to collective bargaining negotiations, as permitted by Section 10-15-1 (H)(5), NMSA 1978.

ADJOURNMENT

