

**MINUTES OF THE REGULAR MONTHLY MEETING OF**  
**SAN MIGUEL COUNTY BOARD OF COMMISSIONERS**  
**HELD ON TUESDAY, NOVEMBER 10<sup>TH</sup>, 2015, BEGINNING AT 2:00 P.M.**

**CALL TO ORDER**

The San Miguel County Board of Commissioners held its regular monthly meeting on Tuesday, November 10<sup>th</sup>, 2015, beginning approximately at 2:05 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 requested the Commission remove Items 10 through 14 as per not receiving State Appropriations at this point in time.

Upon a motion by Commissioner Ortiz, and a second by Commissioner Ulibarri, 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 Ulibarri, and a second by Commissioner Sena, the approval of the minutes for the Regular Meeting held on October 13<sup>th</sup>, 2015 was approved unanimously.

**[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**

**PETER VIGIL-MOTOR GRADER OPERATOR-SAN MIGUEL COUNTY PUBLIC SERVICE OPERATIONS DIVISION-PROBATIONARY/FULL TIME EMPLOYEE**

**ROBERT WARD-MAINTENANCE WORKER II-SAN MIGUEL COUNTY PLANNING & ZONING DIVISION-PROBATIONARY/FULL TIME EMPLOYEE**

**NEW BUSINESS**

Commissioner Gilbert Sena presented San Miguel County Veteran Michael Canone with a plaque for his hard work and dedication shown for his country. Commissioner Nicolas Leger took time to recognize all the veterans in attendance to the Commissioner's Meeting as Veterans Day was the following day.

San Miguel County Emergency Manager Kurt Parkinson presented Connie Abila, San Miguel County Office of Emergency Management Administrative Assistant the New Mexico Emergency Management Association Support Staff of the Year Award.

**AT 2:49 P.M., THE COMMISSION PROCEEDED**

**TO REGULAR ORDER, AS FOLLOWS:**

**ITEM 1: ADOPTION OF SAN MIGUEL COUNTY ANIMAL CONTROL ORDINANCES AND PENALTY SCHEDULE**

On October 13<sup>th</sup>, 2015, the San Miguel County Board of Commissioners approved Resolution No. 10-13-2015-SO-San Miguel County Animal Control Ordinances. This Resolution proposed the adoption of San Miguel County Ordinance No. SMC-10-100R(B)-95 providing for animal control, imposing fees, charges and fines. Therefore creating and imposing certain misdemeanor penalties for violation of the ordinance and providing an effective date and directs the County Manager to do all things necessary and proper for the adoption of said Ordinance.

Roy Montibon expressed his gratitude to the Board of County Commissioners, the Animal Welfare Coalition (AWC) and the San Miguel County Sheriff's Office for the efforts made in producing an Ordinance for Animal Control. Mr. Montibon as well expressed his concern with the limitation of amount of dogs and cats allowed per household. Many ranchers in the area have several dogs and cats used to protect livestock and limiting the amount allowed would affect them greatly. Mr. Montibon asked San Miguel County Sheriff Gary Gold since the City of Las Vegas falls within the County of San Miguel, will the Sheriff's Office have any involvement with Animal Control within the city limits, per the response of County Sheriff Gary Gold, the Sheriff's Office can assist on Animal Control calls although do not have the man power to take over Animal Control within the City but the Sheriff's Office will assist the City of Las Vegas on a case by case basis as requested by the Municipality. Mr. Montibon also asked Sheriff Gary Gold as to where the revenue from the penalties and fines from the enforcement of the Animal Control Ordinance will be placed, to which County Manager Les Montoya informed Mr. Montibon that Mid-Fiscal Year, the Sheriff's Office budget will be re-established to allow income or revenue from these fees to be used for operational costs in the Sheriff's Office.

Martina Olguin who is the Director of the Animal Welfare Coalition Pet Center in Las Vegas thanked the Sheriff's Office and spoke to the Commission on instances the AWC faces on a daily basis.

Jade Dennis who is the President of the AWC thanked the Sheriff's Office for their efforts in the Animal Control Ordinance and informed the Commission of how having an Animal Control Ordinance benefits the AWC.

Barbara Yealing who lives in the Mineral Hill area and who is in the pure bred dog show competitions told the Commission the Ordinance is one of the better Ordinances she has seen but it fails to mention anything on owners who enters dog show competitions.

Catherine Kahn informed the Commission and the Sheriff's Office that constituents that reside along I-25 and the railroad often adopt stray dogs out of the kindness of their hearts and would not necessarily be willing to pay the permit fee for stray dogs.

Justin Burkell had a concern with the wording in the Ordinance in which the amount of dogs an individual is allowed to own as well as these dogs being fenced in. Mr. Burkell's family owns a ranch in which several dogs are working dogs and is on the ranch for the purpose of herding livestock as well as protecting livestock. Under-Sheriff Anthony Madrid informed Mr. Burkell he is safe from the Ordinance as per Section 10-51-B which permits an animal to run at large if it is a working dog.

Ralph Laumbach had concerns with paying to register an animal due to the fact of the cost of having his dogs checked yearly.

Upon a motion by Commissioner Leger, and a second by Commissioner Ortiz, the adoption of the Ordinance was adopted as written.

**ITEM 2: RESOLUTION 11-10-15-CM A RESOLUTION SUPPORTING THE 2016 LEGISLATIVE PRIORITIES OF THE NEW MEXICO ASSOCIATION OF COUNTIES**

The New Mexico Association of Counties (NMAC) requested each of the 33 Counties in the State of New Mexico present the 2016 NMAC Legislative Priorities to their Board of Commissioners for consideration and endorsement by resolution.

Chairman Arthur Padilla asked Commissioner Leger to inform the Commission of the priorities of the NMAC, that include restoration of Detention Center funding, supporting a state wide emergency medical services assessment, funding of a New Mexico 3D Evaluation Program and finally the Gross Receipts Tax Reform.

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

**ITEM 3: RESOLUTION #DWI 11-10-15 PROCLAIMING NOVEMBER 16-20, 2015 DWI AWARENESS WEEK**

The New Mexico DWI Coordinators Affiliate requested all counties join to support efforts to reduce DWI crashes, DWI fatalities and use of alcohol by residents throughout the State by proclaiming the week of November 16<sup>th</sup>-20<sup>th</sup>, 2015 as DWI Awareness Week.

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

**ITEM 4: REQUEST APPROVAL TO ACCEPT SUB-GRANT AGREEMENT EMW-2015-SS-00110-S01-SAN MIGUEL COUNTY WITH THE NEW MEXICO DEPARTMENT OF HOMELAND SECURITY/EMERGENCY MANAGEMENT IN THE AMOUNT OF \$34,000.00**

The New Mexico State Homeland Security Grant Program awarded San Miguel County a grant in the amount of \$34,000.00, (EMW-2015-SS-00110-S01-San Miguel County) for Project 1: EOC Computer Enhancement of Equipment.

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

**ITEM 5: ADMINISTRATIVE REGULATION NO. ADM-CM-11-10-15-SAN MIGUEL COUNTY PUBLIC BUILDING NAMING POLICY**

In order to address the possibility of naming buildings or property owned by San Miguel County, a formal process will be in place to either approve or deny a request to do so. County staff developed an administrative regulation to address naming of public building and properties owned by San Miguel County. The criteria for a building to be named would be after the neighborhood or geographical location of where the building is located, the building purpose or use, a natural or geographic feature, or a historical figure or place. If the proposed building is to be named after an individual, the criteria would include the individual be deceased for at least one (1) year, be of high integrity, good moral character, the individual shall be a resident of the County, the individual shall have contributed outstanding civic service or charitable contributions of time or money to the County, if the individual is a former holder of political office, than the individual should be out of office for at least three (3) years.

Commissioner Sena questioned the requirements including integrity, mentioning this would be a difficult factor to consider. Commissioner Leger agreed and discussion to clarify ensued.

Further requirements of the criteria 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. Discussion ensued.

Upon a motion by Commissioner Leger, and a second by Commissioner Ulibarri, the item was tabled until the Commission can further review the criteria.

**ITEM 6: RESOLUTION NO. 11-10-15-NMFA-ROADS-1 IMPROVEMENT PROJECT-\$1.5 MILLION**

San Miguel County prepared an application in the amount of \$1.5 million for financial assistance to the New Mexico Finance Authority for the financing of road and drainage

improvements to County roads. The application process required approval of the submission of the application by adoption of a resolution.

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

**ITEM 7: RESOLUTION NO. 11-10-15-NMFA-ROADS-2 IMPROVEMENT PROJECT-\$2 MILLION**

San Miguel County prepared an application in the amount of \$1.5 million for financial assistance to the New Mexico Finance Authority for the financing of road and drainage improvements to County roads. The application process required approval of the submission of the application by adoption of a resolution.

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

**ITEM 8: ADDENDUM-SUPERIOR AMBULANCE SERVICES AGREEMENT-ADDITIONAL SERVICES-SAN MIGUEL COUNTY DETENTION CENTER**

San Miguel County Warden Patrick Snedeker presented to the Commission an addendum specific to the existing San Miguel County-Superior Ambulance Services Agreement which will provide additional after hours emergency response inmate health care assessment and treatment services at the San Miguel County Detention Center.

Commissioner Leger asked San Miguel County Warden Patrick Snedeker why aren't these services covered by the County's underlined contract for medical services with the medical care provider the County has on staff at the Detention facility. San Miguel County Warden Patrick Snedeker informed the Commission currently Detention Officers communicate with an off-site medical officer who works under a provider network via telephone to determine if an inmate needs additional care. Mr. Snedeker informed the Commission he is uncomfortable with those circumstances and does not want the liability and the exposure to have an additional health care provider at the Detention Center. To which Superior Ambulance would provide qualified health care personnel to assist inmates at the Detention Center.

Commissioner Ortiz asked County Manager Les Montoya if the contract with Superior Ambulance exclude the San Miguel County Detention Center in which County Manager Les Montoya informed Commissioner Ortiz that it does not exclude the Detention Center but it is only for emergency response but does not include the medical advisement that Mr. Snedeker spoke of.

San Miguel County Legal Counsel asked San Miguel County Warden Patrick Snedeker if Superior Ambulance agreed to the added language on the agreement in which Mr. Snedeker replied that Superior Ambulance agreed to the language that would hold San Miguel County harmless from claims or actions resulting from medical evaluations and treatment performed by Superior Ambulances and will add San Miguel County to its insurance policy.

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

**ITEM 9: RATIFICATION OF THE EMNRD GRANT APPLICATION SUBMITTED BY CABO LUCERO FIRE DEPARTMENT**

The Cabo Lucero Fire Department submitted a grant request for \$20,000.00 to the New Mexico Energy Minerals and Natural Resources Department for Equipment needed to prepare for wildland fire.

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

**\*NOTE\* ITEMS 10-14 WERE REMOVED FROM THE AGENDA**

**ITEM 15: RESOLUTION NO. 11-10-15-PROCUREMENT – CDBG FUNDING**

As a condition of receiving grant funds, the Community Development Block Grant Program requires entities that receive grant funds to establish and adopt a procurement policy annually by resolution approved by the governing body.

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

**ITEM 16: RESOLUTION NO. 11-10-15-CITIZEN PARTICIPATION PLAN – CDBG FUNDING**

As per Federal requirement, adopting a Citizen Participation Plan is a federal requirement for grantees receiving Community Development Block Grant funds. The Plan must be adopted annually by resolution.

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

**ITEM 17: RESOLUTION NO. 11-10-15-RESIDENTIAL ANIT-DISPLACEMENT-WITH EXHIBIT 1-R, RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLAN AND CERTIFICATION – CDBG FUNDING**

The Small Cities Community Block Grant Program (CDBG) requires grantees to adopt a Residential Anti-Displacement and Relocation Assistance Plan and Certification by Resolution on an annual basis.

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

**ITEM 18: RESOLUTION NO. 11-10-15-SECTION 3 – CDBG FUNDING**

The Community Development Block Grant Program (CDBG) requires recipients of CDBG funds to adopt a Section 3 Plan by resolution, which Plan encourages the use of small local businesses and the hiring of low income residents.

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

**ITEM 19: PUBLIC SERVICE DIVISION MONTHLY REPORT FOR THE MONTH OF OCTOBER 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 20: REQUEST TO REJECT ALL BIDS AND RE-ADVERTISE FOR THE CINDER ROAD DROP OFF PROJECT**

The San Miguel County Public Service Division recently held a bid opening on October 21, 2015. San Miguel County Public Service Operations Supervisor Robert Archuleta requested to reject and re-advertise all bids for the Cinder Road Drop Off Project due to a technicality.

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



**ITEM 21: ROWE FIRE STATION IMPROVEMENTS TO INCLUDE A RETAINING WALL FOR THE DRIVEWAY AND WATER STORAGE TANK INSTALLATION**

San Miguel County Fire Chief Russell Pacheco requested from the Commission to advertise for improvements to be made to the Rowe Fire Station such as a retaining wall for the driveway and water storage tank installation.

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

**ITEM 22: RIVER STEWARDSHIP PROGRAM IMPROVEMENT PROJECTS AGREEMENT WITH THE HERMIT'S PEAK WATERSHED ALLIANCE**

The Hermits Peak Watershed Alliance had 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 requested the item be tabled in the October Regular Meeting due to the fact of obtaining approval from the City of Las Vegas for the project who which in fact is the owner of the property. San Miguel County Counsel advised the Commission the City of Las Vegas authority to the County to proceed with the project.

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

**ITEM 23: RATIFICATION OF APPROVAL OF AGREEMENT #16-CD-05-087 CDWI – SAFE RIDE HOME SERVICE**

San Miguel County received the CDWI project agreement from the New Mexico Department of Transportation. The Funding comes from a \$75.00 fee imposed on convicted drunk drivers. 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 the New Mexico Department of Transportation. The goal of the 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 County DWI Program has traditionally used this funding to support the Safe Ride Home Service, which provided over 2,400 rides home in FY14. The amount of the award was \$8,723.

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

#### **ITEM 24: FY15 END OF YEAR REPORT FOR SAN MIGUEL COUNTY DWI PROGRAM**

The San Miguel County DWI Program submitted the End of Year 2015 Report to the New Mexico Department of Finance and administration in October 2015. San Miguel County DEI Coordinator Yolanda Cruz informed the Commission the statistics on the report.

This item was for informational purposes only.

#### **ITEM 25: REVIEW RECOMMENDATION FOR COUNTY COMMISSION MEETING BEING BROADCAST ON THE RADIO**

During the October 2015 Regular Meeting, the San Miguel County Board of Commissioners directed staff to proceed with the Request for Proposals (RFP) for the purpose for broadcasting the Board of County Commissioners meetings on the radio. The proposals were opened on October 30<sup>th</sup>, 2015. A selection committee consisting of SMCDC Warden Patrick Snedeker, Planning & Zoning Supervisor Alex Tafoya, and IT Supervisor John Tiernan reviewed the proposals on November 3<sup>rd</sup>, 2015. The committee determined that one of the proposals did not meet the scope of work set forth in the RFP. The other proposal did meet the scope of work, however, that proposal failed to identify possible conflicts of interest as required in the proposal. The vendor that submitted said proposal contacted Mr. Tiernan on November 2<sup>nd</sup>, 2015 and informed him that it was an oversight as he read the question wrong, then informed him of two employees that met the conflict of interest criteria of the RFP. Based on that, the selection committee's recommendation was to reject all proposals and re-advertise with a clarification to the "Conflict of Interest" section. The County Attorney reviewed the situation and indicated that the Conflict of Interest section "can be waived by the Commission. However, County Officials related to employees of the radio station in question should disclose this, and should not vote on the waiver issue or on the final award of the contract."

Commissioner Leger asked IT Supervisor John Tiernan if his recommendation was to reject all bids and re-advertise the RFP in which IT Supervisor John Tiernan answered yes with the clarification of the Conflict of Interest section.

Commissioner Ulibarri disclosed that his son is a low level, part time, minimum wage employee at KNMX and has been for several years but stated that it is not a conflict of interest in the RFP. Commissioner Ulibarri informed the Commission his son does not work for the bidder in the area of the bidders business; he specifically works part time in radio advertising. Commissioner Ulibarri informed the Commission himself nor his son stand to gain anything from the contract. Commissioner Ulibarri then proceeded to identify possible conflicts of interests in which the Commission may be involved in, which were, where the Commission approved \$10,000 to be given to Mainstreet and a Commissioner's spouse sits on the Board, in which Commissioner

Ulibarri stated she does a fantastic job in the community and did not see that as a conflict of interest. Another example made by Commissioner Ulibarri was that a County employee at the Detention Center, in which Commissioner Ulibarri has a great deal of respect for, has a County salary and a father who signs off on the budget and does not see that as a conflict of interest. Both circumstances Commissioner Ulibarri stated the possible conflicts of interest benefit from business with the County, in which his son does not benefit from anything and there is no conflict of interest in this contract.

Upon a motion by Commissioner Leger, and a second by Commissioner Ulibarri, the rejection of all bids and re-advertisement was approved unanimously.

**ITEM 26: SURVEY/POLLING OF SAN MIGUEL COUNTY RESIDENTS TO DETERMINE NEED FOR BROADCASTING COMMISSION MEETINGS ON THE RADIO**

The San Miguel County Board of County Commissioners directed staff to look into the options for determining if there is a need to have the Commission meetings broadcasted on the radio. After researching the subject, it was determined by staff the best approach would be to have a professional polling company perform this task. This is to ensure an unbiased, scientific approach to the poll with a guaranteed accuracy and population representation. IT Supervisor John Tiernan informed the Commission he received several responses back, two companies that he reached out to did not respond, another company indicated they would not be to perform the service because they thought they wouldn't get a sample size of 400 from our County. The lowest bidder was a company out of Albuquerque with a price a little over \$10,000.

Commissioner Sena believed \$10,000 was a lot of money to spend when that amount of money can go to road improvements.

Commissioner Leger also shared the same concerns on the matter. Commissioner Leger informed the Commission his constituents in his district would much rather have road improvements as opposed to airing Commission Meetings over the radio.

Commissioner Ulibarri was opposed to spending \$10,000 on the survey of seeing if constituents are interested on Commission Meetings over the radio.

Upon a motion by Commissioner Ulibarri, and a second by Commissioner Sena, the rejection to proceed with the polling of the public was rejected unanimously.

**ITEM 27: OUT OF STATE TRAVEL FOR COMMISSIONER ROCK ULIBARRI TO ATTEND THE NACO BOARD OF DIRECTORS MEETING AND THE SAFE AND SECURE COUNTIES SYMPOSIUM IN COLORADO SPRINGS, COLORADO FROM DECEMBER 2<sup>ND</sup> THROUGH DECEMBER 4<sup>TH</sup>, 2015**

Commissioner Rock Ulibarri will be traveling to Colorado Springs in December 2015 to attend the National Association of Counties Board of Directors Meeting as well as the Safe and Secure Counties Symposium.

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

**ITEM 28: REVISE APPRAISER II MOBILE HOME JOB DESCRIPTION TO MOBILE HOME SPECIALIST**

San Miguel County Assessor Patricia Gallegos presented to the Commission the revised job description for the Appraiser II H/H position. The position will no longer require field work.

Commissioner Leger asked County Assessor Patricia Gallegos if an improvement has been made to a mobile home, without the mobile home specialist going out into the field to inspect the mobile homes, how would the improvements be assessed. County Assessor Patricia Gallegos informed Commissioner Leger the Appraisers will be assessing the mobile homes in the future.

**ITEM 29: PERSONNEL ACTIONS OR CHANGES FOR THE MONTH OF OCTOBER 2015**

The personnel actions or changes that have taken place in San Miguel County for the month of October 2015 were submitted for ratification and approval by the San Miguel County Board of Commissioners.

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

**ITEM 30: 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 EMPLOYEE**

**DAVID JAMES-DETENTION OFFICER-EFFECTIVE DATE OF HIRE: NOVEMBER 9<sup>TH</sup>, 2015-  
PROBATIONARY SALARY: \$20,900.00**

**RYAN KING-DETENTION OFFICER-EFFECTIVE DATE OF HIRE: NOVEMBER 9<sup>TH</sup>, 2015-  
PROBATIONARY SALARY: \$20,900.00**

**DANNY VIGIL-DETENTION OFFICER-EFFECTIVE DATE OF HIRE: NOVEMBER 9<sup>TH</sup>, 2015-  
PROBATIONARY SALARY: \$20,900.00**

Upon a motion by Commissioner Ortiz, and a second by Commissioner Leger, the approval for hire of the Detention Officers was approved unanimously.

**ITEM 31: SAN MIGUEL COUNTY MANAGER'S RECOMMENDATION TO HIRE THE FOLLOWING INDIVIDUALS TO FILL THE VACANT POSITIONS OF APPRAISER I AS PER THE RECOMMENDATION OF PATRICIA GALLEGOS, SAN MIGUEL COUNTY ASSESSOR**

**PROBATIONARY/FULL TIME EMPLOYEE**

**RAYMOND A. MONTANO-APPRAISER I-DATE OF HIRE: NOVEMBER 23<sup>RD</sup>, 2015-PROBATIONARY SALARY: \$23,750.00**

**FELIPE A. GARCIA-APPRAISER I-DATE OF HIRE: NOVEMBER 23<sup>RD</sup>, 2015-PROBATIONARY SALARY: \$23,750.00**

Upon a motion by Commissioner Sena, and a second by Commissioner Leger, the approval for hire of the Appraiser I positions were approved unanimously.

**ITEM 32: SAN MIGUEL COUNTY MANAGERS RECOMMENDATION TO HIRE 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, SAN MIGUEL COUNTY PLANNING & ZONING DIVISION SUPERVISOR**

**PROBATIONARY/FULL TIME EMPLOYEE**

**GERALDINE GALLEGOS-MAINTENANCE WORKER II-DATE OF HIRE: NOVEMBER 23<sup>RD</sup>, 2015-PROBATIONARY SALARY: \$23,218.00**

Upon a motion by Commissioner Sena, and a second by Commissioner Ortiz, the approval for hire of the Maintenance Worker II was approved unanimously.

**BOARD OF FINANCE MEETING**

**ITEM 33: ACCOUNTS PAYABLE LISTING ITEMS 2016-03-265 THROUGH 2016-03-268 AND 2016-04-01 THROUGH 2016-04-217**

San Miguel County Finance Division Supervisor Melinda Gonzales submitted the payments made between September 24<sup>th</sup>, 2015 and October 21<sup>st</sup>, 2015.

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

**ITEM 34: CASH BALANCE REPORT AS OF OCTOBER 26<sup>TH</sup>, 2015**

San Miguel County Finance Division Supervisor Melinda Gonzales informed the Commission of the cash balance report. The balances reflected were unreconciled balances. Reconciliations are done in the following month.

This item was for informational purposes only

**ITEM 35: RESOLUTION 2015-11-10-F1, AUTHORIZING THE CREATION OF FUND 327**

San Miguel County Finance Division Supervisor Melinda Gonzales informed the Commission the County received a new grant from the Department of Homeland Security and Emergency Management. The resolution was created to account for the EMW-2015-SS-00110 Grant.

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

**ITEM 36: BUDGET ADJUSTMENT RESOLUTION 2015-11-10-F2**

The first adjustment was to transfer \$20,000.00 from the General Fund (101) to Fund 215 (Road and Health Projects). This money will be utilized to obtain conceptual design estimates from our engineers for the road projects which will be tied to the new revenue bond or loan.

The next adjustment was to budget \$34,000.00 in revenue and expenditures in Fund 327 (OEM-EMW-2015-SS-0110). This is to account for the new grant agreement.

The Trementina Volunteer Fire Department (Fund 414) is in the process of purchasing a new tender/tanker. In order to purchase the unit the Trementina Volunteer Fire Department needed an additional \$64,022. The Fire Marshall Fund (Fund 403) will be providing \$40,000 to be budgeted as a transfer out of Fund 403 into Fund 414 and the Emergency Volunteer Fire Department (Fund 415) will be providing \$24,022 to be budgeted out of Fund 415 to Fund 414. These funds will not have to be repaid by the Trementina Volunteer Fire Department.

There were some adjustments that will be made to the Sapello Volunteer Fire Department (Fund 407/SR209), the Conchas Volunteer (Fund 409/SR209), Pecos Canyon Volunteer Fire Department (Fund 417/SR209), La Placitas Volunteer Fire Department (Fund 419/SR209) and the Rowe Volunteer Fire Department (Fund 420/SR209). The purpose of these adjustments is during the initial budgeting process San Miguel County Finance Division Supervisor didn't take into account the amount of revenues that would be intercepted by the New Mexico Finance

Authority. The funds intercepted are used for debt service. The debt service payments were budgeted but the incoming revenue was not. In these cases the budgeted expenditures will also be increased and posted to capital outlay.

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

**ITEM 37: INDIGENT BURIAL PAYMENT TO ROGERS MORTUARY AND NELSON FUNERAL HOME, BOTH IN THE AMOUNT \$1,200**

The San Miguel County Finance Office received, reviewed and processed two indigent burial payments and sought ratification from the Commission.

Upon a motion by Commissioner Sena, and a second by Commissioner Leger, the approval of the ratification for indigent burial payment was approved unanimously.

**HAVING CONCLUDED ITS BUSINESS AS THE  
COUNTY BOARD OF FINANCE, AT 5:45 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 5:45 p.m., Commissioner Leger moved and Commissioner Ortiz seconded, that the Commission retire into executive/closed session to consider the matters noted and recommended by the County Manager, as particularized above. Upon a call of the roll by the Clerk, 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.

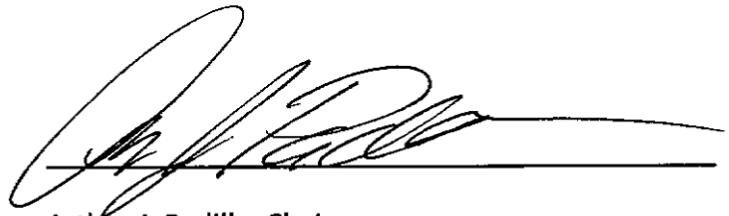
At 7:04 p.m. Commissioner Ortiz moved and Commissioner Sena seconded, that the Commission reconvene in public session, and the motion carried. Whereupon Chairman Padilla noted for the record that the Commission considered and discussed in executive/closed session, only those matters and subjects for 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 7:05 p.m. Commissioner Ortiz moved and Commissioner Sena seconded, adjournment of the meeting, the motion carried and the meeting was duly adjourned.

**MOVED, SECONDED AND ADOPTED** this 8<sup>th</sup> day of December, 2015, by the Board of County Commissioners of San Miguel County, New Mexico, as the official minutes of its regular monthly meeting held November 10<sup>th</sup>, 2015.

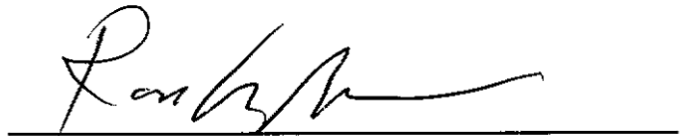




Arthur J. Padilla, Chairman



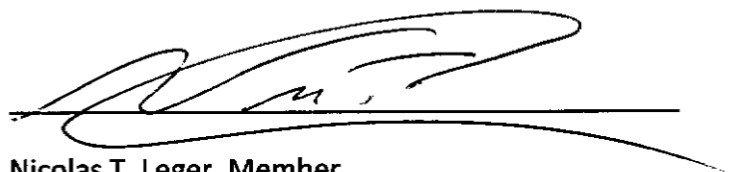
Gilbert J.B. Sena, Vice Chairman



Rock G. Ulibarri, Member

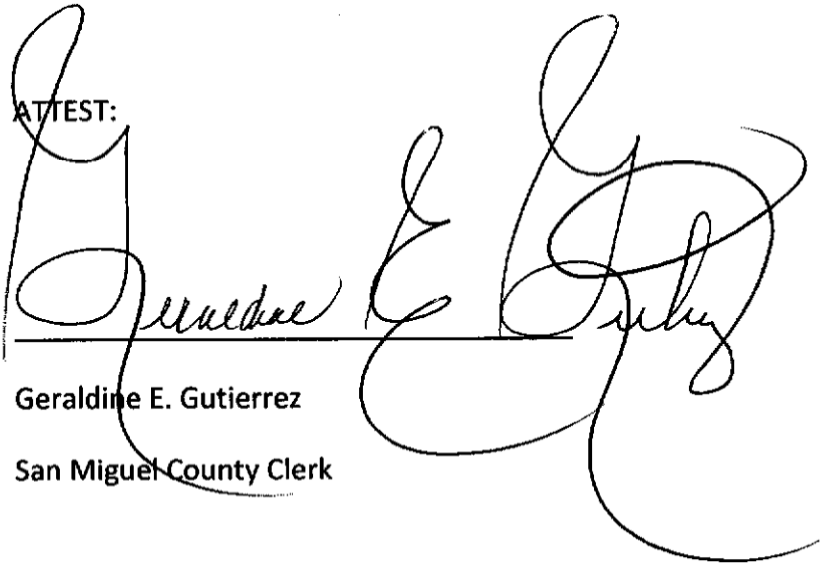


Marcellino A. Ortiz, Member

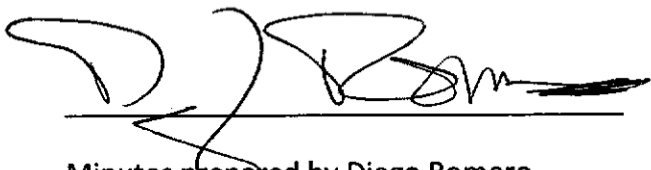


Nicolas T. Leger, Member

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. Mibarni*  
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, November 10, 2015, beginning at 2:00 p.m., at the Commission Chambers, 2<sup>nd</sup> 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: November 1, 2015

Disseminated to Radio Stations KFUN, KLVF, KNMX and KBLQ: November 1, 2015

Posted on the SMC Website at [www.smccounty.net](http://www.smccounty.net): November 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](http://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 October 13, 2015

(**BACKUP**)-Regular October 13, 2015 meeting minutes (Backup) (verified)

**PUBLIC INPUT FORUM**

**INTRODUCTION OF NEW SAN MIGUEL COUNTY EMPLOYEES**

**PETER VIGIL** - MOTOR GRADER OPERATOR - SAN MIGUEL COUNTY PUBLIC SERVICE OPERATIONS DIVISION - PROBATIONARY/FULL TIME EMPLOYEE

**ROBERT WARD** - MAINTENANCE WORKER II- SAN MIGUEL COUNTY PLANNING & ZONING DIVISION- PROBATIONARY/FULL TIME EMPLOYEE

**NEW BUSINESS**

PRESENTATION: Recognition of San Miguel County Veteran, Michael Canone

PRESENTER: Gilbert J. B. Sena, San Miguel County Board of Commissioners, Vice Chair, District 4

(**BACKUP**)-Documentation (Backup) (verified)

PRESENTATION: Presentation of New Mexico Emergency Management Association Support Staff of the Year Award to Connie Abila, SMC Office of Emergency Management Administrative Assistant

PRESENTER: Kurt Parkinson, SMC Emergency Manager

(**BACKUP**)-Photo (Backup) (verified)

**REGULAR ORDER**

**1. ADOPTION OF SAN MIGUEL COUNTY ANIMAL CONTROL ORDINANCES AND PENALTY SCHEDULE**

(**BACKUP**)-Animal Control Ordinances (Backup) (verified)

**BACKGROUND INFORMATION:** On October 13, 2015, the San Miguel County Board of Commissioners approved Resolution No. 10-13-2015-SO-San Miguel County Animal Control Ordinances. This Resolution proposed the adoption of San Miguel County Ordinance No. SMC-10-100R(B)-95 Providing for Animal Control, Imposing Fees, Charges and Fines Therefore

Creating and Imposing Certain Misdemeanor Penalties for Violation of the Ordinance and Providing an Effective Date and directs the County Manager to do all things necessary and proper for the adoption of said Ordinance.

**ACTION REQUESTED OF COMMISSION:** Hold and conduct a public hearing on the adoption of San Miguel County Ordinance No. SMC-10-100R(B)-95 Providing for Animal Control, Imposing Fees, Charges and Fines Therefore Creating and Imposing Certain Misdemeanor Penalties for Violation of the Ordinance and Providing an Effective Date and, upon conclusion of the hearing, adopt the Ordinance.

**STAFF RECOMMENDATION:** Hold and conduct a public hearing and adopt San Miguel County Ordinance No. SMC-10-100R(B)-95 Providing for Animal Control, Imposing Fees, Charges and Fines Therefore Creating and Imposing Certain Misdemeanor Penalties for Violation of the Ordinance and Providing an Effective Date.

**PRESENTER:** Gary Gold, SMC Sheriff

**2. RESOLUTION 11-10-15-CM A RESOLUTION SUPPORTING THE 2016 LEGISLATIVE PRIORITIES OF THE NEW MEXICO ASSOCIATION OF COUNTIES**

**(BACKUP)-2016 NMAC Legislative Priorities** (Backup) (verified)

**(BACKUP)-Resolution** (Backup) (verified)

**(BACKUP)-Resolution Signature Page** (Backup) (verified)

**BACKGROUND INFORMATION:** The New Mexico Association of Counties (NMAC) has requested that each of the 33 Counties in the State of New Mexico present the 2016 NMAC Legislative Priorities to their Board of Commissioners for consideration and endorsement by resolution.

**ACTION REQUESTED OF COMMISSION:** Review the 2016 NMAC Legislative Priorities and if in agreement, consider approving Resolution 11-10-15-CM a Resolution Supporting the 2016 Legislative Priorities of the New Mexico Association of Counties.

**STAFF RECOMMENDATION:** Review the 2016 NMAC Legislative Priorities and if in agreement, consider approving the Resolution 11-10-15-CM a Resolution Supporting the 2016 Legislative Priorities of the New Mexico Association of Counties.

**PRESENTER:** Les W. J. Montoya, SMC Manager

**3. RESOLUTION #DWI 11-10-15 PROCLAIMING NOVEMBER 16-20, 2015 DWI AWARENESS WEEK**

**(BACKUP)-Resolution** (Backup) (verified)

**BACKGROUND INFORMATION:** The New Mexico DWI Coordinators Affiliate is requesting all counties join to support efforts to reduce DWI crashes, DWI fatalities and use of alcohol by residents throughout the State by proclaiming the week of November 16-20, 2015 as DWI Awareness Week.

**ACTION REQUESTED OF COMMISSION:** Approve Resolution #DWI 11-10-15 proclaiming November 16-20, 2015 as DWI Awareness Week.

**STAFF RECOMMENDATION:** Approval

**PRESENTER:** Yolanda B. Cruz, SMC DWI Coordinator

**4. REQUEST APPROVAL TO ACCEPT SUB-GRANT AGREEMENT EMW-2015-SS-00110-S01-SAN MIGUEL COUNTY WITH THE NEW MEXICO DEPARTMENT OF HOMELAND SECURITY/EMERGENCY MANAGEMENT IN THE AMOUNT OF \$34,000.00.**

**(BACKUP)-Award Letter** (Backup) (verified)

**(BACKUP)-Sub Grant Agreement** (Backup) (verified)

**(BACKUP)-Sub Grant Agreement Amendment** (Backup) (verified)

**BACKGROUND INFORMATION:** New Mexico State Homeland Security Grant Program awarded San Miguel County a grant in the amount of \$34,000.00, (EMW-2015-SS-00110-S01-San Miguel County) for Project 1: EOC Computer Enhancement of Equipment.

**ACTION REQUESTED OF COMMISSION:** Request for approval to accept the grant.

**STAFF RECOMMENDATION:** Approval to allow Mr. Les Montoya; County Manager, Ms. Melinda Gonzales; Finance Director, and Mr. Kurt Parkinson; Emergency Manager, to sign the agreement and allow for San Miguel County Finance to budget in the amount of \$34,000.00.

**PRESENTER:** Kurt Parkinson, SMC Emergency Manager

**5. ADMINISTRATIVE REGULATION NO. ADM-CM-11-10-15 – SAN MIGUEL COUNTY PUBLIC BUILDING NAMING POLICY**

**(BACKUP)-Memo** (Backup) (verified)

**(BACKUP)-Administrative Regulation** (Backup) (verified)

**BACKGROUND INFORMATION:** In order to address the possibility of naming buildings or property owned by San Miguel County, a formal process should be in place to either approve or deny a request to do so. County staff has developed an administrative regulation to address naming of public building and properties owned by San Miguel County.

**ACTION REQUESTED OF COMMISSION:** Consider Administrative Regulation ADM-CM-11-10-15 and approve the Regulation should the County Commission determine the Regulation is acceptable.

**STAFF RECOMMENDATION:** Consider and approve the Administrative Regulation.

**PRESENTER:** Alex Tafoya, SMC Planning and Zoning Supervisor

**6. RESOLUTION NO. 11-10-15-NMFA-ROADS-1 - -IMPROVEMENT PROJECT - \$1.5 MILLION**

**(BACKUP)-Memo** (Backup) (ver: 1.0)

**(BACKUP)-Resolution** (Backup) (ver: 1.0)

**BACKGROUND INFORMATION:** San Miguel County is preparing an application in the amount of \$1.5 million for financial assistance to the New Mexico Finance Authority for the financing of road and drainage improvements to County roads. The application process requires approval of the submission of the application by adoption of a resolution.

**ACTION REQUESTED OF COMMISSION:** Approve and adopt Resolution No. 11-10-15-NMFA-ROADS-1 authorizing submittal of an application for funding assistance to the New Mexico Finance Authority.

**STAFF RECOMMENDATION:** Approve and adopt Resolution No. 11-10-15-NMFA-ROADS-1

**PRESENTER:** Alex Tafoya, SMC Planning and Zoning Division Supervisor

**7. RESOLUTION NO. 11-10-15-NMFA-ROADS-2 - -IMPROVEMENT PROJECT - \$2 MILLION**

**(BACKUP)-Memo** (Backup) (ver: 1.0)

**(BACKUP)-Resolution** (Backup) (ver: 1.0)

**BACKGROUND INFORMATION:** San Miguel County is preparing an application in the amount of \$2 million for financial assistance to the New Mexico Finance Authority for the financing of road and drainage improvements to County roads. The application process requires approval of the submission of the application by adoption of a resolution.

**ACTION REQUESTED OF COMMISSION:** Approve and adopt Resolution No. 11-10-15-NMFA-ROADS-2 authorizing submittal of an application for funding assistance to the New Mexico Finance Authority.

**STAFF RECOMMENDATION:** Approve and adopt Resolution No. 11-10-15-NMFA-ROADS-2.

**PRESENTER:** Alex Tafoya, SMC Planning and Zoning Division Supervisor

**8. ADDENDUM - SUPERIOR AMBULANCE SERVICES AGREEMENT - ADDITIONAL SERVICES - SAN MIGUEL COUNTY DETENTION CENTER**

**(BACKUP)-Agreement** (Backup) (verified)

**BACKGROUND INFORMATION:** An Addendum is presented, specific to the existing San Miguel County - Superior Ambulance Services Agreement; that will provide additional after hours emergency response inmate health care assessment and treatment services at the San Miguel County Detention Center.

**ACTION REQUESTED OF COMMISSION:** Review and approval of the Addendum as presented.

**STAFF RECOMMENDATION:** Approval

**PRESENTER:** Patrick W. Snedeker, Warden

**9. RATIFICATION OF THE EMNRD GRANT APPLICATION SUBMITTED BY CABO LUCERO FIRE DEPARTMENT**

**(BACKUP)-Documentation** (Backup) (verified)

**BACKGROUND INFORMATION:** The Cabo Lucero Fire Department has submitted a grant request for \$20,000.00 to the New Mexico Energy Minerals and Natural Resources Department for Equipment needed to prepare for wildland fire.

**ACTION REQUESTED OF COMMISSION:** We are requesting ratification of the grant application submitted to EMNRD for the Cabo Lucero Fire Department.

**STAFF RECOMMENDATION:** We are requesting ratification of the grant application submitted to EMNRD fir Cabo Lucero Fire Department.

**PRESENTER:** Russell Pacheco, SMC Fire Chief



**10. LEGISLATIVE APPROPRIATION NO. 15-0833 (\$155,000)**

**(BACKUP)-Memo** (Backup) (verified)

**(BACKUP)-Agreement** (Backup) (verified)

**BACKGROUND INFORMATION:** San Miguel County has received the grant agreement for Legislative Appropriation No. 15-0833 for the amount of \$155,000 to purchase and equip patrol vehicles and purchase equipment for the County Sheriff's department.

**ACTION REQUESTED OF COMMISSION:** Accept the grant agreement and authorize Commission Chairman Arthur J. Padilla to sign the agreement.

**STAFF RECOMMENDATION:** Accept the grant agreement and authorize Commission Chairman Arthur J. Padilla to sign the agreement.

**PRESENTER:** Alex Tafoya, SMC Planning and Zoning Division Supervisor

**11. LEGISLATIVE APPROPRIATION NO. 15-0834 (\$50,000)**

**(BACKUP)-Memo** (Backup) (verified)

**(BACKUP)-Agreement** (Backup) (verified)

**BACKGROUND INFORMATION:** San Miguel County has received Legislative Appropriation No. 15-0834 which provides \$50,000 to purchase and equip transport trucks for solid waste in San Miguel County.

**ACTION REQUESTED OF COMMISSION:** Approve the agreement and authorize Commission Chairman Arthur J. Padilla to sign the agreement.

**STAFF RECOMMENDATION:** Approve the agreement and authorize Commission Chairman Arthur J. Padilla to sign the agreement.

**PRESENTER:** Alex Tafoya, SMC Planning and Zoning Division Supervisor

**12. LEGISLATIVE APPROPRIATION NO. 15-0837 (\$81,100)**

**(BACKUP)-Memo** (Backup) (verified)

**(BACKUP)-Agreement** (Backup) (verified)

**BACKGROUND INFORMATION:** San Miguel County has received Legislative Appropriation No. 15-0837 which provides \$81,100 to purchase and equip inmate transportation vans and special operations and transport vehicles for the Detention Center in San Miguel County.

**ACTION REQUESTED OF COMMISSION:** Accept the agreement and authorize Commission Chairman Arthur J. Padilla to sign the agreement.

**STAFF RECOMMENDATION:** Accept the agreement and authorize Commission Chairman Arthur J. Padilla to sign the agreement.

**PRESENTER:** Alex Tafoya, SMC Planning and Zoning Division Supervisor

**13. LEGISLATIVE APPROPRIATION NO. 15-0836 (\$60,000)**

**(BACKUP)-Memo** (Backup) (verified)

**(BACKUP)-Agreement** (Backup) (verified)

**BACKGROUND INFORMATION:** San Miguel County has received legislative appropriation No. 15-0836 which provides \$60,000 to purchase and install security cameras for the Detention Center in San Miguel County.

**ACTION REQUESTED OF COMMISSION:** Accept the agreement and authorize Commission Chairman Arthur J. Padilla to sign the agreement.

**STAFF RECOMMENDATION:** Accept the agreement and authorize Commission Chairman Arthur J. Padilla to sign the agreement.

**PRESENTER:** Alex Tafoya, SMC Planning and Zoning Division Supervisor

**14. LEGISLATIVE APPROPRIATION NO. 15-0951 (\$20,000)**

**(BACKUP)-Memo** (Backup) (verified)

**(BACKUP)-Agreement** (Backup) (verified)

**BACKGROUND INFORMATION:** San Miguel County has received Legislative Appropriation No. 15-0951 which provides \$20,000 for improvements to County roads in the Pendaries area in San Miguel County.

**ACTION REQUESTED OF COMMISSION:** Accept the legislative agreement and authorize Commission Chairman Arthur J. Padilla to sign the agreement.

**STAFF RECOMMENDATION:** Accept the legislative agreement and authorize Commission Chairman Arthur J. Padilla to sign the agreement.

**PRESENTER:** Alex Tafoya, SMC Planning and Zoning Division Supervisor

**15. RESOLUTION NO. 11-10-15-PROCUREMENT- - -CDBG FUNDING**

**(BACKUP)-Memo** (Backup) (see file)

**(BACKUP)-Exhibit A** (Backup) (see file)

**(BACKUP)-Resolution** (Backup) (see file)

**BACKGROUND INFORMATION:** As a condition of receiving grant funds, the Community Development Block Grant program requires entities that receive grant funds to establish and adopt a procurement policy annually by resolution approved by the governing body.

**ACTION REQUESTED OF COMMISSION:** Adopt Resolution No. 11-10-15-Procurement.

**STAFF RECOMMENDATION:** Adopt Resolution No. 11-10-15-Procurement.

**PRESENTER:** Alex Tafoya, SMC Planning and Zoning Division Supervisor

**16. RESOLUTION NO. 11-10-15-CITIZEN PARTICIPATION PLAN- - -CDBG FUNDING**

**(BACKUP)-Memo** (Backup) (see file)

**(BACKUP)-Exhibit 1-P** (Backup) (see file)

**(BACKUP)-Resolution** (Backup) (see file)

**BACKGROUND INFORMATION:** Adopting a Citizen Participation Plan is a Federal requirement for grantees receiving Community Development Block Grant funds. The Plan must be adopted annually by resolution.

**ACTION REQUESTED OF COMMISSION:** Adopt Resolution No. 11-10-15-Citizen Participation Plan.

**STAFF RECOMMENDATION:** Adopt the Resolution.

**PRESENTER:** Alex Tafoya, SMC Planning and Zoning Division Supervisor

**17. RESOLUTION NO. 11-10-15-RESIDENTIAL ANTI-DISPLACEMENT - WITH EXHIBIT 1-R, RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLAN AND CERTIFICATION- - CDBG FUNDING**

**(BACKUP)-Memo** (Backup) (verified)

**(BACKUP)-Resolution** (Backup) (verified)

**BACKGROUND INFORMATION:** The Small Cities Community Development Block Grant Program (CDBG) requires grantees to adopt a Residential Anti-Displacement and Relocation Assistance Plan and Certification by Resolution on an annual basis.

**ACTION REQUESTED OF COMMISSION:** Review and Approve Resolution No. 11-10-15-Residential Anti-Displacement - with Exhibit 1-R, Residential Anti-Displacement and Relocation Assistance Plan and Certification.

**STAFF RECOMMENDATION:** Review and Approve Resolution No. 11-10-15-Residential Anti-Displacement.

**PRESENTER:** Alex Tafoya, SMC Planning and Zoning Division Supervisor

**18. RESOLUTION NO. 11-10-15-SECTION 3- - CDBG FUNDING**

**(BACKUP)-Memo** (Backup) (verified)

**(BACKUP)-Exhibit 1-T** (Backup) (verified)

**(BACKUP)-Resolution** (Backup) (verified)

**BACKGROUND INFORMATION:** The Community Development Block Grant program (CDBG) requires recipients of CDBG funds to adopt a Section 3 Plan by resolution, which Plan encourages the use of small local businesses and the hiring of low income residents.

**ACTION REQUESTED OF COMMISSION:** Resolution No. 11-10-15-Section 3 and authorize the County Manager to sign the Plan.

**STAFF RECOMMENDATION:** Resolution No. 11-10-15-Section 3 and authorize the County Manager to sign the Plan.

**PRESENTER:** Alex Tafoya, SMC Planning and Zoning Division Supervisor

**19. PUBLIC SERVICE DIVISION MONTHLY REPORT FOR THE MONTH OF OCTOBER 2015**

**(BACKUP)-Monthly Report** (Backup) (verified)

**(BACKUP)-Expenditures** (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 Road Foreman

**20. REQUEST TO REJECT ALL BIDS AND RE-ADVERTISE FOR THE CINDER ROAD DROP OFF PROJECT**

**(BACKUP)-Letter** (Backup) (scanned)

**BACKGROUND INFORMATION:** The San Miguel County Public Service Division recently held a bid opening on October 21, 2015. We will be requesting to Reject and re advertise all bids for Cinder Road Drop off Project.

**ACTION REQUESTED OF COMMISSION:** Reject all Bids and Re-Advertise for the Cinder Road Drop off Project.

**STAFF RECOMMENDATION:** Reject all Bids and Re-Advertise for the Cinder Road Drop off Project.

**PRESENTER:** Robert Archuleta, SMC Public Service Operations Supervisor

**21. ROWE FIRE STATION IMPROVEMENTS TO INCLUDE A RETAINING WALL FOR THE DRIVEWAY AND WATER STORAGE TANK INSTALLATION**

**(BACKUP)-Documentation** (Backup) (scanned)

**BACKGROUND INFORMATION:** Rowe fire station improvements to include a retaining wall for the driveway and water storage tank installation.

**ACTION REQUESTED OF COMMISSION:** Permission to advertise so we may proceed with the projects.

**STAFF RECOMMENDATION:** Permission to advertise so we may proceed with the projects.

**PRESENTER:** Russell Pacheco, SMC Fire Chief

**22. RIVER STEWARDSHIP PROGRAM IMPROVEMENT PROJECTS AGREEMENT WITH THE HERMITS PEAK WATERSHED ALLIANCE**

**(BACKUP)-Documentation** (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

**23. RATIFICATION OF APPROVAL OF AGREEMENT #16-CD-05-087 CDWI- --SAFE RIDE HOME SERVICE**

**(BACKUP)-Agreement** (Backup) (verified)

**(BACKUP)-Signature Page** (Backup) (verified)

**BACKGROUND INFORMATION:** We have received the CDWI project agreement from NM Department of Transportation. Funding comes from a \$75 fee imposed on convicted drunk drivers. 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 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. The amount of the award is \$8,723. In order to submit the agreement in a timely manner, Les Montoya, County Manager signed the document.

**ACTION REQUESTED OF COMMISSION:** Ratify the approval of Agreement #16-CD-05-087

**STAFF RECOMMENDATION:** Ratify the approval of Agreement #16-CD-05-087

**PRESENTER:** Yolanda B. Cruz, SMC DWI Coordinator

**24. FY15 END OF YEAR REPORT FOR SAN MIGUEL COUNTY DWI PROGRAM  
(BACKUP)-Report** (Backup) (verified)

**BACKGROUND INFORMATION:** The San Miguel County DWI Program submitted the End of Year 2015 Report to NM Department of Finance and Administration in October 2015. A copy of the report is attached for your information.

**ACTION REQUESTED OF COMMISSION:** Information only

**STAFF RECOMMENDATION:** Information only

**PRESENTER:** Yolanda B. Cruz, SMC DWI Coordinator

**25. REVIEW RECOMMENDATION FOR COUNTY COMMISSION MEETINGS BEING BROADCAST ON  
THE RADIO  
(BACKUP)-Documentation** (Backup) (verified)

**BACKGROUND INFORMATION:** During their October 2015 meeting, the San Miguel County Board of County Commissioners directed staff to proceed with the Request for Proposals (RFP) for the purpose for broadcasting the Board of County Commissioners meetings on the radio. The proposals were opened on October 30, 2015. A selection committee consisting of SMCDC Warden Patrick Snedeker, Planning & Zoning Supervisor Alex Tafoya, and IT Supervisor John Tiernan reviewed the proposals on November 3, 2015. The committee determined that one of the proposals did not meet the scope of work set forth in the RFP. The other proposal did meet the scope of work; however, that proposal failed to identify possible conflicts of interest as required in the proposal. The vendor that submitted said proposal contacted Mr. Tiernan on November 2, 2015 and informed him that it was an oversight as he read the question wrong, then informed him of two employees that met the conflict of interest criteria of the RFP. Based on this, the selection committee's recommendation is to reject all proposals and re-advertise with a clarification to the "Conflict of Interest" section. The County Attorney reviewed the situation and indicated that the Conflict of Interest section, "...can be waived by the County Commission. However, County Officials related to employees of the radio station in question should not vote on the waiver issue or on the final award of the contract."

**ACTION REQUESTED OF COMMISSION:** 1) Vote on the waiver of the conflict of interest section of the proposal and if approved vote on the award of the proposal, or 2) reject all proposals and re advertise with a clarification of the "Conflict of Interest".

**STAFF RECOMMENDATION:** Reject all proposals and re advertise.

**PRESENTER:** John Tiernan, SMC IT Supervisor

**26. SURVEY \ POLLING OF SAN MIGUEL COUNTY RESIDENTS TO DETERMINE NEED FOR BROADCASTING COMMISSION MEETINGS ON THE RADIO**

**(BACKUP)-Research and Polling** (Backup) (verified)

**(BACKUP)-EMC Research** (Backup) (verified)

**(BACKUP)-Polling Company** (Backup) (verified)

**BACKGROUND INFORMATION:** The San Miguel County Board of County Commissioners has directed staff to look into the options for determining if there is a need to have the Commission meeting broadcast on the radio. After researching the subject, it was determined by staff the best approach would be to have a professional polling company perform this task. This is to ensure an unbiased, scientific approach to the poll with a guaranteed accuracy and population representation.

**ACTION REQUESTED OF COMMISSION:** Review cost estimates of this service and determine if the Board of County Commissioners wishes to proceed with this service.

**STAFF RECOMMENDATION:** Review cost estimates of this service and determine if the Board of County Commissioners wishes to proceed with this service.

**PRESENTER:** John Tiernan, SMC IT Supervisor

**27. OUT OF STATE TRAVEL FOR COMMISSIONER ROCK ULIBARRI TO ATTEND THE NACO BOARD OF DIRECTORS MEETING AND THE SAFE AND SECURE COUNTIES SYMPOSIUM IN COLORADO SPRINGS COLORADO FROM DECEMBER 2 THROUGH DECEMBER 4, 2015**

**(BACKUP)-Agenda** (Backup) (verified)

**BACKGROUND INFORMATION:** Commissioner Rock Ulibarri will be traveling to Colorado Springs in December 2015 to attend the National Association of Counties Board of Directors Meeting as well as the Safe and Secure Counties Symposium

**ACTION REQUESTED OF COMMISSION:** Approval of Out of State Travel for Commissioner Rock Ulibarri

**STAFF RECOMMENDATION:** Same as above



**PRESENTER:** Les W. J. Montoya, SMC Manager

**28. REVISE APPRAISER II MOBILE HOME JOB DESCRIPTION TO MOBILE HOME SPECIALIST  
(BACKUP)-Documentation** (Backup) (verified)

**BACKGROUND INFORMATION:** The San Miguel County Assessor's Office is presenting a revised job description for the Appraiser II H/H position. The revised job description will be utilized by the San Miguel County Assessor's Office.

**ACTION REQUESTED OF COMMISSION:** Approval by Commission.

**STAFF RECOMMENDATION:** Approval by Commission.

**PRESENTER:** Patricia Gallegos, SMC Assessor

**29. PERSONNEL ACTIONS OR CHANGES FOR THE MONTH OF OCTOBER 2015  
(BACKUP)-Documentation** (Backup) (verified)

**BACKGROUND INFORMATION:** Personnel actions or changes which have taken place in San Miguel County for the month of October 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 October 2015.

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

**PRESENTER:** Kiki Arellano, SMC Human Resource Supervisor

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

**PROBATIONARY/FULL TIME EMPLOYEE**

**DAVID JAMES - DETENTION OFFICER - EFFECTIVE DATE OF HIRE: NOVEMBER 9, 2015 - PROBATIONARY SALARY: \$20,900.00**

**RYAN KING - DETENTION OFFICER - EFFECTIVE DATE OF HIRE: NOVEMBER 9, 2015 - PROBATIONARY SALARY: \$20,900.00**

**DANNY VIGIL - DETENTION OFFICER - EFFECTIVE DATE OF HIRE: NOVEMBER 9, 2015 - PROBATIONARY SALARY: \$20,900.00**

**(BACKUP)-Documentation** (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 David James to fill the vacant position of Detention Officer.

**STAFF RECOMMENDATION:** Approval to ratify the hiring of David James to fill the vacant position of Detention Officer.

**PRESENTER:** Les W. J. Montoya, SMC Manager

**31. SAN MIGUEL COUNTY MANAGERS RECOMMENDATION TO HIRE THE FOLLOWING INDIVIDUALS TO FILL THE VACANT POSITIONS OF APPRAISER I AS PER THE RECOMMENDATION OF PATRICIA GALLEGOS, SAN MIGUEL COUNTY ASSESSOR**

**PROBATIONARY FULL TIME EMPLOYEES:**

**RAYMOND A. MONTANO - APPRAISER I - DATE OF HIRE: NOVEMBER 23, 2015 - PROBATIONARY SALARY: \$23,750.00.**

**FELIPE A. GARCIA - APPRAISER I - DATE OF HIRE: NOVEMBER 23, 2014 - PROBATIONARY SALARY: \$23,750.00**

**(BACKUP)-Documentation** (Backup) (verified)

**BACKGROUND INFORMATION:** The Appraiser I position was advertised several applications were received interviews were held and the interview committee is recommending Mr. Raymond Montano and Mr. Felipe Garcia to fill the vacant positions.

**ACTION REQUESTED OF COMMISSION:** Approval to hire Raymond Montano and Felipe Garcia to fill the vacant positions of Appraiser I with the San Miguel County Assessors Division.

**STAFF RECOMMENDATION:** Approval to hire Raymond Montano and Felipe Garcia to fill the vacant positions of Appraiser I with the San Miguel County Assessors Division.

**PRESENTER:** Les W. J. Montoya, SMC Manager

**32. SAN MIGUEL COUNTY MANAGERS RECOMMENDATION TO HIRE THE FOLLOWING INDIVIDUALS TO FILL THE VACANT POSITION OF MAINTENANCE WORKER II WITH THE SAN MIGUEL COUNTY PLANNING AND ZONING DIVISION AS PER THE RECOMMENDATION ALEX TAFOYA, SAN MIGUEL COUNTY PLANNING AND ZONING DIVISION**

**PROBATIONARY FULL TIME EMPLOYEE:**

**GERALDINE GALLEGOS – MAINTENANCE WORKER II - DATE OF HIRE: NOVEMBER 23, 2015 - PROBATIONARY SALARY: \$23,218.00.**

**(BACKUP)-Documentation** (Backup) (verified)

**BACKGROUND INFORMATION:** Ms. Geraldine Gallegos will be filling the vacant position of Maintenance Worker II. Two applicants were interviewed for the Maintenance Worker II position and Ms. Gallegos is the best qualified with her 23 years of custodial experience.

**ACTION REQUESTED OF COMMISSION:** Approval to hire Geraldine Gallegos for the vacant position of Maintenance Worker II.

**STAFF RECOMMENDATION:** Approval to hire Geraldine Gallegos for the vacant position of Maintenance Worker II.

**PRESENTER:** Les W. J. Montoya, SMC Manager

**BOARD OF FINANCE MEETING**

**33. ACCOUNTS PAYABLE LISTING ITEMS 2016-03-265 THROUGH 2016-03-268 AND 2016-04-01 THROUGH 2016-04-217**

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

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

**BACKGROUND INFORMATION:** To report all payments processed between September 24, 2015 and October 21, 2015.

**ACTION REQUESTED OF COMMISSION:** Review and approve.

**STAFF RECOMMENDATION:** Review and approve.

**PRESENTER:** Melinda Gonzales, SMC Finance Division Supervisor

**34. CASH BALANCE REPORT AS OF OCTOBER 26, 2015**

**(BACKUP)-Report** (Backup) (verified)

**BACKGROUND INFORMATION:** To inform the Commission of the October 26, 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

**35. RESOLUTION 2015-11-10-F1, AUTHORIZING THE CREATION OF FUND 327**

**(BACKUP)-Resolution** (Backup) (verified)

**BACKGROUND INFORMATION:** The County received a new grant from the Department of Homeland Security and Emergency Management. This resolution is created to account for the EMW-2015-SS-00110 grant.

**ACTION REQUESTED OF COMMISSION:** Review and approve Resolution 2015-11-10-F1.

**STAFF RECOMMENDATION:** Review and approve Resolution 2015-11-10-F1.

**PRESENTER:** Melinda Gonzales, SMC Finance Division Supervisor

**36. BUDGET ADJUSTMENT RESOLUTION 2015-11-10-F2**

**(BACKUP)-Report** (Backup) (verified)

**(BACKUP)-Transfer Form 403 to 414** (Backup) (verified)

**(BACKUP)-Transfer Form 415 to 414** (Backup) (verified)

**BACKGROUND INFORMATION:** The first adjustment is to transfer \$20,000 from the General Fund (101) to Fund 215 (Road and Health Projects). This money will be utilized to obtain conceptual design estimates from our engineers for the road projects which will be tied to the new revenue bond or loan.

The next adjustment is to budget \$34,000 in revenue and expenditures in Fund 327 (OEM-EMW-2015-SS-0110). This is to account for the new grant agreement.

The Trementina Volunteer Fire Department (VFD) (Fund 414) is in the process of purchasing a new tender/tanker. In order to purchase the unit the Trementina VFD needed an additional \$64,022. The Fire Marshall Fund (Fund 403) will be providing \$40,000 to be budgeted as a transfer out of Fund 403 into Fund 414 and the Emergency VFD (Fund 415) will be providing \$24,022 to be budgeted out of Fund 415 to Fund 414. These funds will not have to be repaid by the Trementina VFD.

Finally, there are some adjustments that will be made to the Sapello VFD (Fund 407/SR209), the Conchas VFD (Fund 409/SR209), Pecos Canyon VFD (Fund 417/SR209), La Placitas VFD (Fund 419/SR209) and the Rowe VFD (Fund 420/SR209). The purpose of these adjustments is during the initial budgeting process I didn't take into account the amount of revenues that would be intercepted by the New Mexico Finance Authority. The funds intercepted are used for debt service. The debt service payments were budgeted but the incoming revenue was not. In these cases the budgeted expenditures will also be increased and posted to capital outlay.

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

**STAFF RECOMMENDATION:** Review and approve the budget increase.

**PRESENTER:** Melinda Gonzales, SMC Finance Division Supervisor

**37. INDIGENT BURIAL PAYMENT TO ROGERS MORTUARY AND NELSON FUNERAL HOME, BOTH IN THE AMOUNT \$1,200**

**(BACKUP)-Documentation One** (Backup) (verified)

**(BACKUP)-Documentation Two** (Backup) (verified)

**BACKGROUND INFORMATION:** The Finance Office has received, reviewed and processed two indigent burial payment and is seeking ratification from the Commission.

**ACTION REQUESTED OF COMMISSION:** Review and ratification.

**STAFF RECOMMENDATION:** Review and ratification.

**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**