

**MINUTES OF REGULAR MONTHLY MEETING OF
SAN MIGUEL COUNTY BOARD OF COMMISSIONERS
HELD TUESDAY JULY 11, 2017 BEGINNING AT 2:00 P.M.**

CALL TO ORDER

The San Miguel County Board of Commissioners held its regular monthly meeting on Tuesday July 11, 2017, beginning at 2:00 p.m. The meeting convened at the San Miguel Administration Complex located at 500 West National Avenue, Suite 200, Las Vegas, New Mexico 87701.

ROLL CALL:

Upon a call of the roll, Chairman Rock Ulibarri present, Vice-Chairman Arthur J. Padilla not present, Commissioner Janice Varela present, Commissioner Maria Martinez present, and Commissioner Chris Najjar present and a quorum was duly noted.

PLEDGE OF ALLEGIANCE AND SALUTATION TO NM STATE FLAG

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

APPROVAL OF AGENDA

Motion made by Commissioner Maria Martinez to Move item two to number one and item one to number two. Second by Commissioner Chris Najjar. Motion carried.

APPROVAL OF MINUTES

Motion made by Commissioner Chris Najjar to approve the minutes of the Regular Meeting held on June 13, 2017. Second by Commissioner Janice Varela. Motion carried.

PUBLIC INPUT FORUM

Manuel Garcia- Addressed County matters and issues.
Catherine Kahn- Addressed items 5, 7, and 8 on the agenda
Emilio Aragon- Addressed the Lodgers Tax Board.
Morris Madrid- Introduced Workers for the summer youth program
Chris Trujillo- Addressed item 5 on the agenda
Chris Wolf- Alta Vista Hospital issues
Karla Molinar- Sanctuary in SMC
Jeineth Antillon- Sanctuary in SMC
Crystal Urioste- Issues with the SMC Detention Center
Eugene Urioste- Issues with the SMC Detention Center
Molly Smollet- Issues with the SMC Detention Center
Selina Fernandez- Sanctuary in SMC
Gustavo Chavarria- Sanctuary in SMC
Anai Hernandez- Sanctuary in SMC
Robert Pearson- Sanctuary in SMC

Arielle Hawney- Sanctuary in SMC
Pat Leahan- Sanctuary in SMC
Georgina Ortega- Sanctuary in SMC
Miguel Anjel- Sanctuary in SMC
Salvador Higgins- Religious issues

NEW BUSINESS

REGULAR ORDER

1. RECIPIENT OF 2017 RISK AWARENESS PROGRAM AWARD BY NEW MEXICO ASSOCIATION OF COUNTIES

San Miguel County Safety Compliance Officer Dawn Kryder informed the Commission that San Miguel County received the award due to the decrease in Workers Compensation claims, Multi-Line claims, and Law Enforcement claims.

This is for informational purposes only.

2. RESOLUTION 07-11-2017-CM

San Miguel County Chairman Board of Commissioners Rock Ulibarri informed the Commission of a resolution to safeguard residents' sensitive personal information, the commitment by San Miguel County to human and civil rights, the established rule of law, and its status as a welcoming community for immigrants and refugees; and directing the County Manager and County Attorney to assess the County's legal rights and responsibilities under applicable law.

Motion made by Commissioner Janice Varela to approve Resolution 07-11-2017-CM. Second by Commissioner Chris Najar. Motion carried.

3. ROBERTS RULES OF ORDER

San Miguel County Chairman Rock Ulibarri informed the Commission of the Roberts Rules of Order

Motion made by Commissioner Chris Najar to Approve and adopt Roberts Rules of Order. Second by Janice Varela. Motion carried.

4. FY18 LDWI GRANT AGREEMENT WITH DEA TO FUND THE SAN MIGUEL COUNTY DWI PROGRAM IN THE AMOUNT OF 32,000.

San Miguel County DWI Prevention Specialist Ebeby Mondragon informed the Commission that the NM DWI Grant Council has awarded the San Miguel DWI Program \$32,000.00 for FY18. The original requested amount was \$38,000.00. Although there were no areas of concern in the grant application that was submitted, and it was rated very high, the available funding was lower than previous years.

Motion made by Commissioner Maria Martinez to Ratify and Approve the FY18 LDWI Grant Agreement. Second by Commissioner Chris Najjar. Motion carried.

5. APPEAL OF CONDITIONAL USE PERMIT CU-0245

San Miguel County Planning and Zoning Supervisor Alex Tafoya informed the Commission that at the May 10, 2017 County Commission meeting, the Board of County Commissioners tabled the appeal of Conditional Use Permit CU-0245 until further notice from the New Mexico Department of Transportation (DOT) concerning an application for a junkyard approval submitted to DOT by Mr. Christopher Trujillo. Since that time, San Miguel County has been advised by the Department Transportation that the license for junkyard submitted by Mr. Trujillo not be approved. The matter of the appeal still remains.

Motion made by Commissioner Chris Najjar to grant the appeal. Second by Commission Maria Martinez. Motion carried.

6. LODGERS' TAX BOARD DISCUSSION

Lodgers' Tax Board Chairman Glen Post informed the Commission in regards to bed and breakfast operations and various other matters.

This is for informational purposes only

7. AUTHORIZE FIRE CHIEF TO ACT AS CO-APPLICANT

San Miguel County Planning and Zoning Supervisor Alex Tafoya informed the Commission that Commscapes LLC has been in contact with San Miguel County in regard to permitting and construction of wireless communications tower on property owned by San Miguel County. San Miguel County Ordinance No. SMC-10-09-2001-PZ provides that the property owner be listed as co-applicant should the landowner not be the actual applicant.

Motion made by Commissioner Chris Najjar to Approve a request for Chief Montano to serve as a co-applicant. Second by Commissioner Janice Varela. Motion carried.

8. ADDENDUM TO AGREEMENT GL ENVIRONMENTAL INC.

San Miguel County Planning and Zoning Supervisor Alex Tafoya informed the Commission that GL Environmental Inc. has indicated that they wish to extend its agreement with San Miguel for professional engineering and consulting services as needed, which agreement provides for technical services to ensure that the requirements of SMC Ordinance No. 11-12-14-O&G are complied with by applicants for conditional use permits for oil and gas drilling and exploration.

Motion made by Commissioner Janice Varela to approve Addendum to Agreement GL Environmental Inc. Second by Commissioner Chris Najjar. Motion carried.

9. RECOMMENDATION FOR SECURUS TECHNOLOGIES, INC. TO PROVIDE INMATE TELEPHONE SERVICES/ AUTOMATED JAIL MANAGEMENT SYSTEM AT THE SAN MIGUEL COUNTY DETENTION CENTER.

San Miguel County Warden Patrick Snedeker informed the Commission of the Contractual Agreement for the provision of an inmate Telephone System/Automated Jail Management System by and between Securus Technologies, Inc. and the San Miguel County Detention Center. Mr. Snedeker requested the Commission review and approval of the Securus Technologies, Inc.

Motion made by Commissioner Chris Najar to approve the Securus Technologies, Inc. Second by Commissioner Janice Varela. Motion carried.

10. MEMORANDUM OF AGREEMENT- ADULT EDUCATION/LITERACY IMPROVEMENT/WORK READINESS CLASSES- SAN MIGUEL COUNTY DETENTION CENTER- LUNA COMMUNITY COLLEGE

San Miguel County Warden Patrick Snedeker informed the Commission of a Memorandum of Agreement by and between Luna Community College and San Miguel County, New Mexico, specific to the provision of Adult Education/Literacy Improvement/Work Readiness Classes for the detainees at the San Miguel County Detention Center. The agreement is for the period beginning July 1, 2017 and ending on June 30, 2018. Mr. Snedeker requested the Commission review and approval of the Memorandum of Agreement.

Motion made by Commissioner Maria Martinez to approve the Memorandum of Agreement. Second by Commissioner Janice Varela. Motion carried.

11. SAN MIGUEL COUNTY SHERIFF'S OFFICE SPECIAL DEPUTY SHERIFF COMMISSIONING AGREEMENT

San Miguel County Sheriff Gary Gold informed the Commission of the collaboration between the City of Las Vegas and San Miguel County to make the community a safer place.

This is for informational purposes only.

12. RATIFICATION OF INSURANCE FOR THE SAN MIGUEL COUNTY VOLUNTEER FIRE FIGHTERS

San Miguel County Fire Chief Mike Montano informed the Commission that recently this division advertised a request for bids for insurance for San Miguel County Fire Fighters. One bid in the amount of \$40,756.00 was received. This bid met and / or exceeded the requested amount of coverage. Mr. Montano is requesting Approval and ratification of the award to HUB International Limited. For fiscal year 2017-2018

Motion Made by Commissioner Janice Varela to Approve and ratify the Award to Hub International Limited. Second by Commissioner Maria Martinez. Motion carried.

13. AUTHORIZATION TO BEGIN DISCUSSIONS WITH THE NEW OWNER OF THE BRUSH RANCH FOR THE LEASE OF PROPERTY ON WHICH THE PECOS CANYON VOLUNTEER FIRE STATION IS SITUATED

San Miguel County Fire chief Mike Montano informed the Commission of a 20 year lease by and between San Miguel County and the Brush Ranch Partnership. This lease is for the property on which the Pecos Canyon Volunteer Fire Department is housed. The lease will expire on June 30, 2018. It is understood that the Brush

Ranch has been sold. At this time, staff is requesting authorization to begin discussions with Mr. Larry Lujan, the new owner, to renew and or extend the lease.

Motion made by Commissioner Janice Varela to approve authorization to begin discussions with Mr. Lujan. Second by Commissioner Chris Najar. Motion carried.

14. REQUEST TO AWARD THE SAPELLO-ROCIADA FIRE STATION IMPROVEMENTS PROJECT

San Miguel County Fire Chief Mike Montano informed the Commission that recently this division advertised a request for Bids for the Sapello-Rociada Fire Station Project. Five bids were received. The lowest most qualified bidder at that time, with a bid of \$74,400.00 was LB Regensberg. The next day, Mr. Regensberg contacted Mr. Kevin Balciar of Soleil West to pull his bid as he believed there was a mathematical error within his bid. Mr. Balciar then recommended the County go with the next lowest most qualified bidder which was EC Salazar with a bid of \$88,000.00. at this time staff is recommending, along with Mr. Balciar, awarding the Sapello-Rociada Fire Station Improvements Project to EC Salazar as the lowest most qualified bidder

Motion made by Commissioner Chris Najar to Award the bid to EC Salazar. Second by Commissioner Maria Martinez. Motion carried.

15. RESOLUTION NO.07-11-17-RA01; ADDITION OF JAGGED DR., A NEWLY NAMED PRIVATE ROAD TO THE OFFICAL E-911 ROAD LIST OF THE SAN MIGUEL COUNTY,NEW MEXICO

San Miguel County Information Technology Supervisor Diego Trujillo informed the Commission that during a routine audit of the San Miguel County Addressing data, it was discovered that there are three or more structures on a single driveway located off Sheridan Rd. As per San Miguel County Ordinance No SMC-07-13-99-ORD-2 Section 4.1-C; it is purposed the San Miguel County Commission please review and take appropriate action on road naming for, "any private road that provides access to three or more buildings and requires a name in order to promote the health, safety and welfare of the public. Letters were sent out to the residents on September 9, 2016 informing them of San Miguel County's intent to change the name. The deadline to submit the petition for the name change was October 14, 2016. None of the three (3) current residents responded within the allotted 30 day period subsequently, the name "Jagged Dr." is suggested as the name for the road. This name has been determined to be acceptable by SMC Rural Addressing staff per San Miguel County Ordinance No. SMC-07-13-99-ORD-2. Because this road naming was required and not requested by the residents, the \$100 fee has been waived. Mr. Trujillo is requesting Review and approval of resolution NO.07-11-17-RA01

Motion made by Commissioner Maria Martinez to approve Resolution No.07-11-17-RA01. Second by Commissioner Chris Najar. Motion carried.

16. PUBLIC WORKS DIVISION REPORT FOR THE MONTH OF JUNE 2017

San Miguel County Public Works Division Road Forman Arnold Lopez informed the Commission of the monthly road maintenance, blading, and crusher issues for the month of June 2017.

This is for informational purposes only.

**17. 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**

San Miguel County Human Resource Supervisor Eileen Sedillo informed the Commission of the hiring of Detention Officer Ambrose A. Valdez. Ms. Sedillo is requesting approval to ratify the hiring of Ambrose Valdez to fill the vacant position of Detention Officer.

Motion made by Commissioner Chris Najar to approve and ratify the hiring of Ambrose Valdez. Second by Commissioner Maria Martinez. Motion carried.

**18. RECOMMENDATION TO RATIFY THE HIRING OF THE FOLLOWING INDIVIDUALS TO
WORK THE 2017 SUMMER YOUTH PROGRAM**

San Miguel County Human Resource Supervisor informed the Commission of the hiring of the following individuals to work the 2017 summer youth program.

Kyle Conway-Date of hire: July 10, 2017- August 18, 2017- Hourly Salary: \$8.00

Miguel Coca-Date of hire: July 10, 2017- August 18, 2017- Hourly Salary: \$8.00

Alexis Apodaca-Date of hire: July 10, 2017- August 18, 2017- Hourly Salary: \$8.00

Camron Lopez-Date of hire: July 10, 2017- August 18, 2017- Hourly Salary: \$8.00

Sarah Encinias-Date of hire: July 10, 2017- August 18, 2017- Hourly Salary: \$8.00

Desiree Apodaca-Date of hire: July 10, 2017- August 18, 2017- Hourly Salary: \$8.00

Maria Ortiz-Date of hire: July 10, 2017- August 18, 2017- Hourly Salary: \$8.00

Juan Garcia-Date of hire: July 10, 2017- August 18, 2017- Hourly Salary: \$8.00

Ms. Sedillo is requesting approval to ratify and hire the above individuals for the 2017 summer youth program.

Motion made by Commissioner Maria Martinez to approve to ratify and hire the above individuals for the 2017 summer youth program. Second by Commissioner Chris Najar. Motion carried.

19. PERSONNEL ACTIONS OR CHANGES FOR THE MONTH OF JUNE 2017

San Miguel County Human Resource Supervisor Eileen Sedillo informed the Commission of personnel actions or changes which have taken place in San Miguel County for the month of June 2017. Ms. Sedillo is requesting approval and ratify the personnel actions or changes that have taken place during the month of June 2017.

Motion made by Commissioner Chris Najar to approve and ratify the Personnel Actions or changes. Second by Commissioner Maria Martinez. Motion carried.

BOARD OF FINANCE MEETING

20. BANK TRANSFERS FOR THE MONTH OF JUNE

San Miguel County Treasurer Bertha Bustamante presented to the Commission the bank transfers that took place for the month of June 2017.

This is for informational purposes only.

21. REQUEST A SPECIAL MEETING ON JULY 27TH OR 28TH

San Miguel County Finance Supervisor Melinda Gonzales discussed with the Commission dates available for a special meeting to present the following; Final FY17/18 budget; Final FY16/17 budget adjustment and the FY 16/17 fourth quarter report. The date available to hold the meeting will be Thursday July 27, 2017 at 2:00 p.m.

Motion made by Commissioner Janice Varela to approve the request for a special meeting Thursday July 27th at 2:00 p.m. Second by Commissioner Maria Martinez. Motion carried.

22. RESOLUTION 2017-07-11-F1, AUTHORIZING THE CREATION OF FUND 754

San Miguel County Finance Supervisor Melinda Gonzales informed the Commission in May of 2017, the County Treasurer opened up a bank account, entitled the Sheriff's Evidence Account. This account was requested by our County Sheriff. This account is needed to deposit any currency as a result of a seizure. When the criminal case is closed all evidence collected including the currency will be released back to the owner, unless ordered otherwise by the court. Ms. Gonzales is requesting the Commission Review and approve Fund 754.

Motion made by Commissioner Janice Varela to approve Fund 754. Second by Commissioner Maria Martinez. Motion carried.

23. CASH BALANCE REPORT

San Miguel County Finance Supervisor Melinda Gonzales presented to the Commission the report of April 30, 2017 cash balances.

This is for informational purposes only.

24. INDIGENT BURIAL – NELSON FUNERAL HOME

San Miguel County Finance Supervisor Melinda Gonzales informed the Commission The Finance Office has received, reviewed, and processed an indigent burial claim from Nelson Funeral Home. Ms. Gonzales is requesting the Commission Ratification of the indigent burial payment.

Motion made by Commissioner Janice Varela to ratify the indigent burial payment. Second by Commissioner Maria Martinez. Motion carried.

25. ACCOUNTS PAYABLE REPORT FOR THE PERIOD OF MAY 26, 2017 THROUGH JUNE 26, 2017 AND THE MAY 2017 HOUSING PAYMENT REGISTER

San Miguel County Finance Supervisor Melinda Gonzales presented to the Commission the present payments made during the period of May 26, 2017 through June 26, 2017. Also to present the Housing Payment Register for the month of May 2017 as processed by Bernalillo County on behalf of San Miguel County. Ms. Gonzales is requesting the Commission Review and approve Accounts payable report and Housing payment register.

Motion made by Commissioner Chris Najjar to approve Accounts payable report and housing payment register. Second by Commissioner Janice Varela. Motion carried.

26. JOURNAL ENTRY REPORT FOR THE MONTH OF MAY 2017

San Miguel County Finance Supervisor Melinda Gonzales presented to the Commission a Journal Entry Report for the month of May 2017.

This is for informational purposes only.

27. RECEIPT REPORT FOR THE MONTH OF MAY 2017

San Miguel County Finance Supervisor Melinda Gonzales presented to the Commission a receipt detail report for the month of May 2017.

This is for informational purposes only.

28. RFP NO.2017-06-001 ORAL PRESENTATION

San Miguel County Human Resource Supervisor Eileen Sedillo informed the Commission of a twenty minute oral presentation by each of the three candidates; Rosanna Vazquez, Flora Gallegos, and David Romero for legal services- San Miguel.

Executive/Closed Session

- A. Limited Personnel Matters, as permitted by NMSA 1978. Section 10-15-1(h) (2) (as amended) of the Open Meetings Act. More specifically, Personnel Matters regarding specific county departments: Assessor's Office and Detention Center.

Attorney-Client Privilege Pertaining to Threatened or Pending Litigation, as permitted by NMSA 1978, Section 10-15-1(H)(7) (as amended) of the Open Meetings Act.

More specifically Tenorio v. County of San Miguel, Lopez-Rodgers v. San Miguel County, Claim Strickling Ranch Partners, LP Water Rights Issue

Motion made by Commissioner Najjar to go into Executive/Closed Session at 5:45 p.m. Second by Commissioner Varela. Motion carried.

Roll Call:

Chairman Rock G. Ulibarri Yes

Vice-Chairman Arthur J Padilla No

Commissioner Janice C Varela Yes

Commissioner Maria L Martinez Yes

Commissioner Chris A Najjar Yes

Motion made by Commissioner Chris Najjar to come out of Executive/Closed Session at 6:45 P.M. Second by Commissioner Maria Martinez. Motion carried.

ADJOURNMENT

Motion made by Commissioner Chris Najjar to adjourn the meeting. Second by Commissioner Maria Martinez. Motion carried.

