



Board of County Commissioners

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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 8, 2016 beginning at 2:00 p.m., at the San Miguel County Administration Complex located at 500 West National Avenue, Suite 200, 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 23, 2016

Disseminated to Radio Stations KFUN, KLVF, KNMX and KBLQ: October 24, 2016

Posted on the SMC Website at www.smcountry.net: October 24, 2016

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.smcountry.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, 2016
Hard Copies will be provided.

PRESENTATIONS

PRESENTATION: Heavy Equipment Simulators at San Miguel County Detention Center

PRESENTER: Michael Adams, Luna Board of Trustees Member

INTRODUCTION OF NEW SAN MIGUEL COUNTY EMPLOYEES:

Eileen Sedillo – Human Resource Supervisor – San Miguel County Human Resource Division – Exempt Employee

Leo Maestas – NIMS Coordinator – San Miguel County OEM Division – Exempt Full Time Employee

PUBLIC INPUT FORUM

NEW BUSINESS

REGULAR ORDER

1. **ORDINANCE AUTHORIZING EXECUTION AND DELIVERY OF A LOAN AGREEMENT AND INTERCEPT AGREEMENTS BY AND BETWEEN SAN MIGUEL COUNTY AND THE NEW MEXICO FINANCE AUTHORITY IN THE PRINCIPAL AMOUNT OF \$4,563,985 FOR THE PURPOSE OF (1) REFINANCING THE COUNTY'S OUTSTANDING GROSS RECEIPTS TAX REFUNDING AND IMPROVEMENT REVENUE BONDS, SERIES 2007 AND (2) IMPROVING THE COUNTY SHERIFF'S OFFICE AND DETENTION CENTER FACILITIES.**

[Intercept Agreement \(Equalization Distribution\)](#)

[Intercept Agreement \(GRT\)](#)

[Loan Agreement](#)

[Loan Ordinance](#)

BACKGROUND INFORMATION: Financing related to County's refinancing of outstanding Series 2007 Bonds for debt service savings and completing capital improvement projects within the County. Revenues pledged to payment of the proposed loan are the 1st 1/8th County Gross Receipts Tax and the County Equalization Distribution.

ACTION REQUESTED OF COMMISSION: Adoption of Ordinance to proceed with financing with the New Mexico Finance Authority.

STAFF RECOMMENDATION: Approve Ordinance

PRESENTER: Les W. J. Montoya, SMC Manager and Daniel Alsup of Modrall, Sperling, Roehl, Harris & Sick (Bond Counsel)

2. **2017 LEGISLATIVE FUNDING REQUESTS**
Hard Copies of a Memo will be provided.

BACKGROUND INFORMATION: The New Mexico Legislative Session begins in January 2017. The County is preparing to identify its 2017 legislative funding priorities so we may prepare formal legislative funding requests, then submit to our area legislators. Prior legislative funds appropriated to the County been expended, with the exception of Road Improvement funds (\$160,000.00) and Fair Ground Improvement funds (\$15,000.00). State appropriation funds may be scarce this coming session, However we should prepare to request funding assistance based on our needs.

ACTION REQUESTED OF COMMISSION: Review projects listed on the County Infrastructure Capital Improvement Plan, and discuss prioritizing projects the Commission determines important to complete and authorize request funding to complete these projects.

STAFF RECOMMENDATION: Review the ICIP and obtain input from Supervisors on projects important to their areas of responsibility.

PRESENTER: Les W. J. Montoya, SMC Manager

3. RESOLUTION NO. 11-8-2016-NMFA

[Memo](#)
[Certificate of Grantee](#)
[Planning Grant Agreement](#)
[Resolution](#)

BACKGROUND INFORMATION: San Miguel County received close out documents from the New Mexico Finance Authority for San Miguel County Project 3247-PG, which provided planning funds for a preliminary engineering report for the proposed Micro-biological Treatment Facility. The close out documents include a Resolution with attachments.

ACTION REQUESTED OF COMMISSION: Approve and adopt Resolution No. 11-8-2016-NMFA, the Certificate of Grantee and the Planning Grant Agreement and authorize the Commission Chairman to sign all documents

STAFF RECOMMENDATION: Approve and adopt the Resolution, the Certificate of Grantee and the Planning Grant Agreement.

PRESENTER: Alex Tafoya, SMC Grant Writer

4. ORDINANCE NO. 1-13-16-SOLAR PROPOSING AMENDMENT TO SOLAR ENERGY FACILITY ORDINANCE

[Documentation](#)

BACKGROUND INFORMATION: The current Solar Ordinance does not address Solar Development Fees of Zoning Development Permits. The Resolution, which was approved by the San Miguel County Commissioners on October 13, 2016, address this matter and was drafted based on the precedent approved by the County Commission with the previous PNM Solar Facility Project.

ACTION REQUESTED OF COMMISSION: Conduct public hearing, review and approval of Ordinance amending Section 21 of Ordinance SMC-05-10-11-Solar Energy Facilities Ordinance.

STAFF RECOMMENDATION: Approval of Ordinance No. 10-13-2016-SOLAR

PRESENTER: Ralph Bustos, SMC Planning and Zoning Division Supervisor

5. REQUEST FOR COMMISSIONERS TO APPOINT MEMBERS TO SAN MIGUEL COUNTY COMPREHENSIVE PLAN STEERING COMMITTEE

[Memo](#)

BACKGROUND INFORMATION: San Miguel County is beginning a 3-phase project to update the county comprehensive plan (original plan was adopted in 2003). Starting in late November/early December, the County and consultants will conduct a series of six (6) subarea public visioning meetings. The steering committee will work with County staff and planning consultants to conduct 4-5 meetings to help guide the sub-area meetings, develop information and policy direction on the topics of the plan elements, and conduct general public meetings on the draft plan before developing a draft plan to present to the Board of County Commissioners. Topics in the plan are land use, housing, transportation, infrastructure, economic development, water, hazards mitigation and implementation. The project also includes completing a Pecos Sub-area Plan. The plan pertains mainly to unincorporated areas of the county and does not make recommendations to the City of Las Vegas or Village of Pecos. The Planning & Zoning Supervisor may make some additional appointments, such as students or other highly interested residents in addition to the Commissioners' appointments the committee.

ACTION REQUESTED OF COMMISSION: Commissioners are requested to appoint members to the steering committee who have a general interest in the topics of the plan and can give some guidance in public engagement.

STAFF RECOMMENDATION: Commissioners are requested to appoint members to the steering committee who have a general interest in the topics of the plan and can give some guidance in public engagement.

PRESENTER: Ralph Bustos, SMC Planning and Zoning Division Supervisor

6. RESOLUTION NO. 11-08-2016-CM A RESOLUTION DECLARING NOVEMBER 17, 2016 WORLD PANCREATIC CANCER DAY IN SAN MIGUEL COUNTY

[Resolution](#)

BACKGROUND INFORMATION: In an effort to bring attention and information to San Miguel County regarding Pancreatic Cancer, San Miguel County Manager Les W. J. Montoya was asked to consider bringing the attached Resolution before the San Miguel County Board of Commissioners.

ACTION REQUESTED OF COMMISSION: Review the Resolution and consider declaring November 17, 2016 World Pancreatic Cancer Day in San Miguel County.

STAFF RECOMMENDATION: Approval of Resolution

PRESENTER: Les W. J. Montoya, SMC Manager

7. APPROVAL FROM SAN MIGUEL COUNTY BOARD OF COMMISSIONERS TO SUBMIT THE EMNRD VFA GRANT (VOLUNTEER FIRE ASSISTANCE PROGRAM) APPLICATION FY 2017 FOR ROWE VFD AS WELL AS ANY SAN MIGUEL COUNTY VOLUNTEER FIRE DEPARTMENT THAT MAY SUBMIT [Application](#)

BACKGROUND INFORMATION: Approval to submit the grant application for VFA Grant Program FY 2017 which is due November 18, 2017 for Rowe VFD in the amount of \$21,499.00 with a 10% match of \$2,149.90

ACTION REQUESTED OF COMMISSION: Permission to submit the VFA Grant Application for Rowe VFD and any other Volunteer Fire Department that Applies/Submits.

STAFF RECOMMENDATION: Permission to submit the VFA Grant Application for Rowe VFD and any other Volunteer Fire Department that Applies/Submits.

PRESENTER: Mike Montano, SMC Fire Chief

**8. BID AWARD FOR OUTDOOR SEATING AND GATHERING AREA [Memo](#)
[Bid Recommendation](#)**

BACKGROUND INFORMATION: Bids were received by San Miguel County on October 14, 2016 for the Outdoor Seating and Gathering Area project. Franken Construction Company was the only qualified bidder, meeting all requirements indicated in the bid document. County on-call Architect Soleil West has reviewed the bid and is recommending award to Franken Construction Company.

ACTION REQUESTED OF COMMISSION: Award the Outdoor Seating and Gathering Area project to Franken Construction Company for the amount of \$54,332.31.

STAFF RECOMMENDATION: Award bid to Franken Construction Company

PRESENTER: Alex Tafoya, SMC Grant Writer

9. AGREEMENT/CONTRACT FOR INMATE CONFINEMENT – HARDING COUNTY, NEW MEXICO AND SAN MIGUEL COUNTY, NEW MEXICO [Documentation](#)

BACKGROUND INFORMATION: The Contract/Agreement; by and between Harding County, NM. and San Miguel County, NM; for the housing and care of Harding County inmates, at the San Miguel County Detention

Center; is presented for Commission review and approval. The cost per inmate/day is \$90.00; and there is a \$20.00 booking fee for each Harding County detainee booked into the San Miguel County Detention Center.

ACTION REQUESTED OF COMMISSION: Review and approval.

STAFF RECOMMENDATION: Approval

PRESENTER: Patrick W. Snedeker, SMC Warden

10. ADDENDUM TO AGREEMENT WITH LEE GAMELSKY & ASSOCIATES

[Memo](#)

[Letter](#)

[Addendum](#)

BACKGROUND INFORMATION: The professional services agreement between San Miguel County and Lee Gamelsky & Associates for architectural services as-needed, is for a one year term that may be extended each year not too exceed four years. Lee Gamelsky & Associates have indicated that they wish to extend the agreement for a fourth and final year.

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

STAFF RECOMMENDATION: Approve the Addendum to Agreement

PRESENTER: Alex Tafoya, SMC Grant Writer

11. RATIFICATION TO AWARD BID FOR CINDER TRAIL MEMORIAL SCHOOL STUDENT DROP OFF #4100940 (FEDERAL PROJECT)

[Documentation](#)

BACKGROUND INFORMATION: The San Miguel County Public Services Division advertised bids for the Cinder Trail Memorial School Student Drop Off. Proposals were opened Wednesday, August 11, 2016. We received only one bidder Crespin's Paving.

ACTION REQUESTED OF COMMISSION: Ratification to award bid for Cinder Trail Memorial School Student Drop Off #4100940 to Crespin's paving.

STAFF RECOMMENDATION: Ratification to award bid to Crespin's Paving for the Cinder Trail Memorial School Student Drop Off #4100940 (Federal Project) as the lowest most qualified bidder.

PRESENTER: Morris Madrid, SMC Public Service Operations Division Supervisor

12. ADDENDUM TO AGREEMENT – SOLEIL WEST ARCHITECTS

[Memo](#)

[Letter](#)
[Addendum](#)

BACKGROUND INFORMATION: The agreement with Soleil West for architectural services as-needed is up for renewal. An addendum to agreement is being presented to the Board of County Commissioners to renew the agreement for architectural services for a fourth and final year.

ACTION REQUESTED OF COMMISSION: Renew the agreement between San Miguel County and Soleil West for a fourth and final year.

STAFF RECOMMENDATION: Renew the agreement.

PRESENTER: Alex Tafoya, SMC Grant Writer

13. RESOLUTION NO. 11-08-16-RA01; ADDITION OF DANCING HAWK DR. AND LOS NIDOS LN. NEWLY NAMED PRIVATE ROADS TO THE OFFICIAL E-911 ROAD LIST OF SAN MIGUEL COUNTY, NEW MEXICO

[Dancing Hawk Drive Petition](#)

[Los Nidos Lane Petition](#)

[Map](#)

[Reciept](#)

[Resolution](#)

BACKGROUND INFORMATION: Due to a Statement of Vacation and the realigning of lots, two roads had to be created. The road names have been determined to be acceptable by SMC Rural Addressing staff per San Miguel County Ordinance No.SMC-07-13-99-ORD-2.

ACTION REQUESTED OF COMMISSION: Review and approve

STAFF RECOMMENDATION: Approval of Resolution

PRESENTER: Mario H. Vasquez, SMC Interim IT Supervisor

14. PUBLIC SERVICE OPERATIONS DIVISION REPORT FOR THE MONTH OF OCTOBER 2016

[Report](#)

[Financial Report](#)

BACKGROUND INFORMATION: The San Miguel County Public Service Division submits a report to 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 Division Road Foreman

15. REVIEW AND APPROVAL OF CONTRACT NEGOTIATIONS WITH FORSGERN ASSOCIATES, INC.

[Memo](#)

BACKGROUND INFORMATION: On October 13, 2016, County staff was authorized to negotiate with engineering companies for cost of professional engineering for road and drainage improvement projects. Forsgren Associates, Inc., is one of the engineering companies and engineering costs are being submitted for review and approval.

ACTION REQUESTED OF COMMISSION: Review and approve the engineering costs submitted by Forsgren Associates, Inc., for the road and drainage projects assigned to Forsgren.

STAFF RECOMMENDATION: Review and approve

PRESENTER: Alex Tafoya, SMC Grant Writer

16. REVIEW AND APPROVAL OF CONTRACT NEGOTIATIONS WITH OCCAM ENGINEERS INC.

[Memo](#)

BACKGROUND INFORMATION: On October 13, 2016, County staff was authorized to negotiate with engineering companies for cost of professional engineering services for road and drainage projects. Occam Engineers Inc., is one of the engineering companies and engineering costs are being submitted for review and approval.

ACTION REQUESTED OF COMMISSION: Review and approve the engineering costs submitted by Occam Engineers Inc., for the road and drainage projects assigned to Occam Engineers.

STAFF RECOMMENDATION: Review and approve.

PRESENTER: Alex Tafoya, SMC Grant Writer

17. REVIEW AND APPROVAL OF CONTRACT NEGOTIATIONS WITH MILLER ENGINEERING

[Memo](#)

BACKGROUND INFORMATION: On October 13, 2016, County staff was authorized to negotiate with engineering companies for the cost of professional engineering services for road and drainage projects. Miller Engineering Consultants is one of the engineering companies and engineering costs are being submitted for review and approval.

ACTION REQUESTED OF COMMISSION: Review and approve the engineering costs submitted by Miller Engineering for the road and drainage projects assigned to Miller Engineering.

STAFF RECOMMENDATION: Review and approve.

PRESENTER: Alex Tafoya, SMC Grant Writer

18. PERSONNEL ACTIONS OR CHANGES FOR THE MONTH OF OCTOBER 2016

[Documentation](#)

BACKGROUND INFORMATION: Personnel actions or changes which have taken place in San Miguel County for the month of October 2016 are submitted for ratification and approval by the San Miguel County Board of Commissioners.

ACTION REQUESTED OF COMMISSION: Approve and ratify the personnel actions or changes that have taken place during the month of October 2016.

STAFF RECOMMENDATION: Approve and ratify the personnel actions or changes that have taken place during the month of October 2016.

PRESENTER: Loretta Medina, SMC Interim Human Resource Division Supervisor

19. 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 EMPLOYEES:

DANIEL LANKFORD – DETENTION OFFICER – EFFECTIVE DATE OF HIRE: OCTOBER 24, 2016 – PROBATIONARY SALARY: \$20,900.00

[Documentation](#)

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

ACTION REQUESTED OF COMMISSION: Approval to ratify the hiring of Daniel Lankford to fill the vacant positions of Detention Officer.

STAFF RECOMMENDATION: Approval to ratify the hiring of Daniel Lankford and to fill the vacant positions of Detention Officer.

PRESENTER: Les W. J. Montoya, SMC Manager

20. SAN MIGUEL COUNTY MANAGER'S RECOMMENDATION TO HIRE THE FOLLOWING INDIVIDUAL TO FILL THE POSITION OF PERSONAL PROPERTY MAPPING CLERK WITH THE SAN MIGUEL COUNTY ASSESSOR'S DEPARTMENT AS PER THE RECOMMENDATION OF PATRICIA GALLEGOS, SAN MIGUEL COUNTY ASSESSOR

PROBATIONARY/FULL TIME EMPLOYEE:

ORLANDO E. GUTIERREZ – PERSONAL PROPERTY MAPPING CLERK – DATE OF HIRE: NOVEMBER 21, 2016 – PROBATIONARY SALARY: \$22,800.00

[Documentation](#)

BACKGROUND INFORMATION: Interviews were held and Mr. Orlando E. Gutierrez is the best qualified to fill the position of Personal Property Mapping Clerk.

ACTION REQUESTED OF COMMISSION: Approval to hire Orlando Gutierrez to fill the position of Personal Property Mapping Clerk with the San Miguel County Assessor's Department.

STAFF RECOMMENDATION: Approval to hire Orlando Gutierrez to fill the position of Personal Property Mapping Clerk with the San Miguel County Assessor's Department.

PRESENTER: Les W. J. Montoya, SMC Manager

BOARD OF FINANCE MEETING

21. BANK TRANSFERS FOR THE MONTH OF OCTOBER 2016

BACKGROUND INFORMATION: Regulation No. ADM-R-08-09-2015-CM Governing Wire Transfers

ACTION REQUESTED OF COMMISSION: Information only.

STAFF RECOMMENDATION: None

PRESENTER: Bertha Bustamante, SMC Treasurer

22. RESOLUTION 2016-11-8-F1 AUTHORIZING THE CREATION OF FUND 983

[Resolution](#)

BACKGROUND INFORMATION: Create Fund 983, to be entitled Reserve Tecolote USDA. This fund will account for the Tecolote USDA Reserve Requirements. The reserves will need to be held in place until the final payment of the debt which will occur in FY2024/2025.

ACTION REQUESTED OF COMMISSION: Review and approval

STAFF RECOMMENDATION: Review and approval

PRESENTER: Melinda Gonzales, SMC Finance Division Supervisor

23. RESOLUTION 2016-11-8-F2 AUTHORIZING THE CREATION OF FUND 984

[Resolution](#)

BACKGROUND INFORMATION: Create Fund 984, to be entitled Reserve Cabo Lucero USDA. This fund will account for the Cabo Lucero USDA Reserve Requirements. The reserves will need to be held in place until the final payment of the debt which will occur in FY2028/2029.

ACTION REQUESTED OF COMMISSION: Review and approval

STAFF RECOMMENDATION: Review and approval

PRESENTER: Melinda Gonzales, SMC Finance Division Supervisor

24. RESOLUTION 2016-11-8-F3 BUDGET ADJUSTMENTS

[Documentation](#)

BACKGROUND INFORMATION: The budget adjustments are summarized as follows:

- Fund 215. Originally budgeted a loan of \$3,800,000 but the proceeds ended up being \$3,882,353 so budgeting for the difference plus \$10,000 in interest.
- Fund 412 reduce expenditures and transfer the portion tied to the debt reserve, Fund 984, Reserve Cabo Lucero.
- Fund 416 reduce expenditures and transfer the portion tied to the debt reserve, Fund 983, Reserve Tecolote.

ACTION REQUESTED OF COMMISSION: Review and approval

STAFF RECOMMENDATION: Review and approval

PRESENTER: Melinda Gonzales, SMC Finance Division Supervisor

25. CASH BALANCE REPORT

[Report](#)

BACKGROUND INFORMATION: To inform the Commissioners of the unreconciled cash balance as of 10-18-16.

ACTION REQUESTED OF COMMISSION: Informational purposes only.

STAFF RECOMMENDATION: Informational purposes only.

PRESENTER: Melinda Gonzales, SMC Finance Division Supervisor

26. ACCOUNTS PAYABLE REPORT FOR THE PERIOD OF SEPTEMBER 24, 2016 THROUGH OCTOBER 23, 2016 AND THE HOUSING REGISTER FOR THE MONTH OF SEPTEMBER 2016

[Report](#)

[HAP September Register](#)

BACKGROUND INFORMATION: Present payments made during the period of September 24, 2016 through October 23, 2016.

ACTION REQUESTED OF COMMISSION: Review and approve.

STAFF RECOMMENDATION: Review and approve.

PRESENTER: Melinda Gonzales, SMC Finance Division Supervisor

Executive/Closed Session

- A. **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, threatened civil litigation claims against the County and status of pending civil litigation claims.**

ADJOURNMENT