

**REGULAR MEETING
DECEMBER 21, 2005
MINUTES**

The Board of County Commissioners of San Miguel County held a Regular Meeting and a County Finance Meeting on Monday, December 21, 2005 at 1:30 p.m. at the Las Vegas City Schools Administration Building, Central Office Board Room, 901 Douglas Ave., Las Vegas, New Mexico 87701. Immediately following the Regular Scheduled Meeting, a County Board of Finance Meeting followed. The minutes for the meeting are as follows:

CALL TO ORDER

Chairman LeRoy H. Garcia called the meeting to order at 1:30 p.m.

ROLL CALL

Chairman LeRoy H. Garcia, Vice-Chairman Hugh H. Ley, Commissioner David R. Salazar and Commissioner Kenneth C. Medina were present. Commissioner Susano Ortiz was absent.

The record will show a quorum was present.

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

County Manager Les Montoya presented the agenda as prepared.

Motion made by Commissioner Kenneth Medina to approve agenda as prepared. Second by Vice-Chairman Hugh H. Ley. Motion carried.

APPROVAL OF MINUTES Regular Meeting of November 14, 2005.

County Manager Les Montoya and County Attorney Jesus Lopez had no recommended changes to the minutes of Regular Meeting of November 14, 2005.

Motion made by Commissioner Kenneth C. Medina to approve the minutes of Regular Meeting of November 14, 2005. Second by Vice-Chairman Hugh H. Ley. Motion carried.

RECOGNITION OF COUNTY MANAGER LESLIE W. J. MONTOYA ON 25 YEARS OF PUBLIC SERVICE

Chairman LeRoy H. Garcia presented County Manager Leslie W. J. Montoya a plaque in appreciation for 25 years of public service on behalf of the County Commission.

PRESENTATION ON NEW MEXICO E-911 INITIATIVE BY NEW MEXICO DEPARTMENT OF FINANCE, JOYCE JOHNSON, BUREAU CHIEF AND ART RIOS, PROJECT MANAGER

Art Rio and Donilca Sharpe gave a presentation on New Mexico E 911 initiative by New Mexico Department of Finance. Discussion ensued.

Chairman Leroy H. Garcia requested that Item 10 (Resolution No. 12-21-05-E911-01 Supporting County Officials Road Name Listing) be moved up to 1A.

Motion made by Commissioner Kenneth C. Medina to approve amending the agenda as requested. Second by Vice-Chairman Hugh H. Ley. Motion carried.

Vice-Chairman Hugh H. Ley asked for clarifications on how much of the underlined data has been completed such as homes, locations, roads and county boundaries, etc.

Information Specialist Mario Vasquez stated that according to the status reports from SDR there is was an increase of 13,000 more residences on the 911 data base which is about 98% complete. Discussion ensued.

1-A RESOLUTION 12-21-05-E-911-01 SUPPORTING COUNTY OFFICIALS ROAD NAME LISTING

Motion made by Vice-Chairman Hugh H. Ley to approve Resolution No. 12-21-5-E-911-01 supporting County Officials Road Name Listing as presented. Second by Commissioner David R. Salazar. Motion carried.

PRESENTATION OF CERTIFICATES FOR MOTOR GRADER TRAINING TO COUNTY EMPLOYEES MR. ERNESTO SALAZAR AND MR. TONY BAROS

Chairman LeRoy H. Garcia presented certificates for motor grader training to County Equipment Operators Ernesto Salazar and Tony Baros.

PRESENTATION OF MUSIC FROM ANGEL FIRE POSTER (FRAMED TO COMMISSION AND LODGERS' TAX ADVISORY BOARD BY GRETCHEN BUSH

Gretchen Bush presented the Commission and Lodgers' Tax Advisory Board a framed poster from the Music from Angel Fire.

INTRODUCTION OF NEW EMPLOYEES-

County Manager Les Montoya introduced the following new employee:

William Sedillo
(Probationary Employee)

Appraiser II County Assessor's Dept

NEW BUSINESS:

1. COUNTY TREASURER'S MONTHLY REPORT

County Treasurer Alfonso Ortiz went over the County Treasurer's Monthly Report for the month of November 2005.

No action taken for information only.

2. AMENDMENT NO. 1 FOR CDBG GRANT NO. 04-C-NR-I-3G-16

Planning & Zoning Supervisor Alex Tafoya informed the Commission that DFA-Local Government Division is revising all grant agreements to reflect new language pertaining to the method of payment.

Mr. Tafoya requested approval for Amendment No. 1 for CDBG Grant No. 04-C-NR-I-3-G-16.

Motion made by Commissioner Kenneth C. Medina to approve Amendment No. 1 for CDBG Grant No. 04-C-NR-I-3-G-16 as requested. Second by Commissioner David R. Salazar. Motion carried.

3. USDA-RURAL DEVELOPMENT COMMUNITY FACILITY LOAN FOR COUNTY COURTHOUSE REMODELING PHASE III

Planning & Zoning Supervisor Alex Tafoya informed the Commission that San Miguel County had been advised by the USDA Office in Albuquerque that the County is an eligible entity to apply for a Rural Development Community Facility Loan for the purpose of remodeling of the second floor of the County Courthouse.

Mr. Tafoya requested authorization to prepare and submit an application for funding from the USDA-Rural development Community Facility Loan program in the amount of one million dollars.

Motion made by Commissioner Kenneth C. Medina to authorize staff to prepare and submit an application for funding from the USDA-Rural development Community Facility Loan program in the amount of one million dollars as requested. Second by Commissioner David R. Salazar. Motion carried.

4. BID AWARD FOR HEALTH CENTER IN SAN MIGUEL

Planning & Zoning Supervisor Alex Tafoya informed the Commission that on November 23, 2005 the County accepted bids and conducted a bid opening for improvements to the Health Center located in San Miguel. The County received one (1) bid from New Image Construction of Ribera, New Mexico for the amount of \$18,100.00 not including gross tax receipts. This project would be funded from a legislative appropriation in the amount of \$15,000.00 and currently there is a balance in the appropriation of \$12,345.00.

Mr. Tafoya informed the Commission that Health Centers of Northern New Mexico would provide additional funds in the amount of \$1,400.00, which would provide a total of \$13,745.00.

Mr. Tafoya recommended awarding the bid to New Image Construction provided not to exceed the available funds of \$13,745.00.

Motion made by Commissioner David Salazar to award bid to New Image Construction provided not to exceed the available funds of \$13,745.00 as recommended. Second by Vice-Chairman Hugh H. Ley. Motion carried.

5. BIRDS OF A FEATHER SUBDIVISION AGREEMENT TO CONSTRUCT SUBDIVISION IMPROVEMENTS

Planning & Zoning Supervisor Alex Tafoya informed the Commission that in February 2004 the County and Bonnie McGowan, Birds of a Feather Subdivision entered into an agreement to construct subdivision improvements under which Ms. McGowan was required to provide a financial guarantee in regard to completion of infrastructure improvements of Birds of a Feather Subdivision, and the agreement is set to expire on January 12, 2006.

Mr. Tafoya informed the Commission that Ms. McGowan is requesting that the agreement be extended for an additional ninety (90) day period until April 12, 2006 and the purpose of the extension is to allow her time to construct the three well houses which construction will begin next week.

Mr. Tafoya requested the Commission approve the extension of the Agreement to construct subdivision improvements subject to approval of the P & Z Commission for a period of ninety (90) days.

Motion made by Vice-Chairman Hugh H. Ley to approve the extension of the Agreement to construct subdivision improvements subject to approval of the P & Z Commission for a period of ninety (90) days as recommended. Second by Commissioner David R. Salazar. Motion carried.

Debbie Tripp thanked County Sheriff Chris Najar for all his help.

6. NON-PROHIBITIVE LICENSE TAX FEE

Planning & Zoning Supervisor Alex Tafoya informed the Commission that New Mexico State Statute, Sections 7-24-2; 7-24-3; 7-24-4; and 7-24-5; empowers counties imposing local option districts to adopt a resolution imposing an annual, non-prohibitive license tax. Such a tax can be imposed upon the “privileges of persons holding state licenses under the provisions of the Liquor Control Act to operate within such counties outside of the municipalities that are local option districts, as retailers, dispensers, canopy licenses, restaurant licenses or club licenses.”

Mr. Tafoya requested the Commission review the information contained in the above referenced Sections of the State Statute; provide direction to staff to either develop or not develop such a resolution imposing a license tax fee.

Motion made by Vice-Chairman Hugh H. Ley to authorize staff to develop a resolution imposing a license tax fee. Second by Commissioner Kenneth C. Medina. Motion carried.

Chairman LeRoy H. Garcia requested to move Item 16 (The Villanueva Mutual Domestic Water Consumers Association) requests the County Commission to Quitclaim the Community Well and parcel of land to the Board of Trustees of San Miguel Del Bado Grant (SMDBG). The Board (SMDBG) will then deed the well and parcel to the village of Villanueva, Mutual Domestic Water Consumers Association) to Item 7A.

7A. THE VILLANUEVA MUTUAL DOMESTIC WATER CONSUMERS ASSOCIATION REQUESTS THE COUNTY COMMISSION TO QUITCLAIM DEED THE COMMUNITY WELL AND PARCEL OF LAND TO THE BOARD OF TRUSTEES OF SAN MIGUEL DEL BADO GRANT (SMDBG). THE BOARD (SMDBG) WILL THEN DEED THE WELL AND PARCEL TO THE VILLAGE OF VILLANUEVA MUTUAL DOMESTIC WATER CONSUMERS ASSOCIATION

County Manager Les Montoya informed the Commission that the mentioned well and parcel of land was deeded to the San Miguel County Commission. The Village Water Association requires ownership of the well and land in order to obtain funding to improve the well. The request is to have the Commission deed by way of quitclaim the well and parcel to the San Miguel del Bado Grant, and then the SMDBG will deed the well to the Villanueva Mutual Domestic Water Consumer’s Association. Discussion ensued.

Motion made by Commissioner David R. Salazar to approve transfer of ownership of the well and property as recorded in book 116 page 145 by way of quitclaim deed to the San Miguel del Bado Grant. Second by Vice-Chairman Hugh H. Ley. Motion carried.

7. ADDENDUM TO CONTINUING AGREEMENT BETWEEN MILLER ENGINEERING CONSULTANTS AND SAN MIGUEL COUNTY

County Manager Les Montoya informed the Commission that the County has an agreement with Miller Engineering Consultants for engineering services. The agreement expires in January 2006, however, Section VI of the agreement provides for renewal of the agreement for an additional year.

Mr. Montoya requested approval of the addendum to agreement to extend the agreement for an additional year.

Motion made by Vice-Chairman Hugh H. Ley to approve the addendum to the agreement between Miller Engineering Consultants and San Miguel County to extend the agreement for an additional year. Second by Commissioner David R. Salazar. Motion carried.

8. DONATION OF 2 USED FIRE TRUCKS BY THE CITY OF LAS VEGAS FIRE DEPARTMENT

Fire Marshal Dan Wright informed the Commission that the City of Las Vegas has two (2) serviceable fire vehicles and Fire Chief Philip Mares requested that they go to San Miguel County Fire Department since they will remain in the area and be available for mutual aid to the Las Vegas Fire Department in the event of a large fire. Discussion ensued.

No action taken; for information only.

9. MEMORANDUM OF UNDERSTANDING (MOU) DIGITAL MAPPING AGREEMENT BETWEEN THE CITY OF LAS VEGAS AND SAN MIGUEL COUNTY

Information Specialist Mario H. Vasquez presented a MOU between San Miguel County and the City of Las Vegas to establish a framework of cooperation between the two entities to guarantee the accuracy for the health and safety of the residents of San Miguel County and the City of Las Vegas

Motion made by Commissioner Kenneth C. Medina to approve Memorandum of Understanding (MOU) Digital Mapping Agreement between the City of Las Vegas and San Miguel County as requested. Second by Vice-Chairman Hugh H. Ley. Motion carried.

11. MONTHLY REPORT FOR THE PUBLIC WORKS DIVISION FOR THE MONTH OF NOVEMBER 2005

Public Works Division Supervisor Harold Garcia went over the monthly report for the month of November 2005 and answered questions from the Commission. Discussion ensued.

Commissioner David R. Salazar asked Public Works Supervisor Harold Garcia regarding the trash containers in the Tecolote area.

Mr. Garcia informed the Commission that he is working on that matter.

Commissioner Ley requested that Mr. Garcia create a collation list between the E911 list and the solid waste list.

No action taken; for information only.

12. JUVENILE DETENTION AGREEMENT/CONTRACT, BERNALILLO COUNTY, NEW MEXICO AND SAN MIGUEL COUNTY, NEW MEXICO

Warden/Facility Administrator Patrick Snedeker submitted for review and approval Agreement/Contract between Bernalillo County and San Miguel County.

Mr. Snedeker informed the Commission that the Juvenile Detention Agreement/Contract, by and between Bernalillo County and San Miguel County for the housing of San Miguel County juvenile offenders. The agreement shall provide an additional location for the housing of juvenile offenders. The rate per day per juvenile housed is \$125.00. Discussion ensued.

Motion made by Commissioner David R. Salazar to approve Juvenile Detention Agreement/Contract between Bernalillo County and San Miguel County as requested. Second by Commissioner Kenneth C. Medina. Motion carried.

13. AGREEMENT FOR ADULT INMATE CONFINEMENT BY AND BETWEEN SANTA FE COUNTY, NEW MEXICO AND SAN MIGUEL COUNTY, NEW MEXICO

Warden/Facility Administrator Patrick Snedeker submitted for review and approval Agreement for adult inmate confinement by and between Santa Fe County and San Miguel County.

Mr. Snedeker informed the Commission that Santa Fe County has assumed responsibility for the operation of the Santa Fe County Adult Detention Facility. to ensure a valid contractual agreement between Santa Fe County and San Miguel County, for the exception instances of adult inmate confinement of San Miguel

prisoners of the Santa Fe County Adult Detention Facility while ensuring a contractual per diem rate of \$72.00 per inmate/per day cost. Discussion ensued.

Motion made by Commissioner Kenneth C. Medina to approve Agreement for Adult Inmate Confinement between Santa Fe County and San Miguel County as requested. Second by Commissioner David R. Salazar Motion carried.

14. DEPARTMENT OF FINANCE AND ADMINISTRATION (DFA) LOCAL GOVERNMENT FY 2005-06 SUPPLEMENTAL GRANT AWARD

DWI Coordinator Wendy Armijo informed the Commission that the San Miguel DWI Planning Council receives the majority of operational funding from the DFA-Local Government. The DWI Planning Council applied for and was awarded a total of seven-thousand four-hundred one dollars (\$7,401.00) in Supplemental Grant funding for the current fiscal year 2005-06.

Ms. Armijo requested approval from the Commission to utilize Supplemental Grant funding in the amount of \$7,401.00 for FY 2005-06.

Motion made by Commissioner David R. Salazar to approve the utilization of Supplemental Grant funding in the amount of \$7,401.00 for FY 2005-06 as requested. Second by Commissioner Kenneth C. Medina. Motion carried.

15. RESOLUTION NO. 12-14-05 SUPPORTING THE INCREASE OF FUNDING FOR DWI PROGRAMS STATE WIDE

DWI Coordinator Wendy Armijo submitted for approval Resolution No. 12-14-05 Supporting the increase of funding for DWI Programs State Wide.

Motion made by Commissioner David R. Salazar to approve Resolution No. 12-14-05 Supporting the increase of funding for DWI Programs State Wide as presented. Second by Commissioner Kenneth C. Medina. Motion carried.

17. REQUEST FOR PROPOSALS FOR AMBULANCE SERVICE CITY AND COUNTY AREA RECOMMENDATION TO AUTHORIZE NEGOTIATIONS FOR AMBULANCE SERVICE WITH SOUTH WEST AMBULANCE COMPANY

County Manager Les Montoya informed the Commission that the City and County personnel advertised for and received proposals from four (4) ambulance companies. The City/County Evaluation Committee reviewed, scored and interviewed with three ambulance companies. The Committee scored the proposals and interviewed and determined that South West scored the highest through the process.

Mr. Montoya requested the Commission review the information presented and consider authorizing the committee to negotiate with South West Ambulance for ambulance services and should negotiations not materialize then authorize to negotiate with the next ambulance company.

Motion made by Commissioner Kenneth C. Medina to approve staff to negotiate with South West Ambulance services and should negotiations not materialize then authorize to negotiate with the next highest scoring ambulance company. Second by Commissioner David R. Salazar. Motion carried.

18. LEASE AGREEMENT HELEN ARAGON AND SAN MIGUEL COUNTY. LEASE OF CERTAIN LAND AND REAL ESTATE FOR PURPOSE OF UTILIZING SAID PREMISES AS AND FOR A PUBLIC AREA FOR EMPLOYEES OF THE FOURTH JUDICIAL COURT, COUNTY PERSONNEL AND SUCH OTHERS WHO MAY UTILIZE THE PREMISES TO DO BUSINESS WITH THE OFFICE OF THE DISTRICT ATTORNEY OR COUNTY

County Manager Les Montoya informed the Commission that this parcel of land is located directly north of the Courthouse North of Valencia Street, the lot is required to accommodate use by the County Offices.

Mr. Montoya informed the Commission that the lease space for parking amount is \$2,500.00.

Motion made by Commissioner David Salazar to approve Lease Agreement between Helen Aragon and San Miguel County as amended with the space amount of \$2,500.00. Second by Commissioner Susano Ortiz. Motion carried.

19. INDEPENDENT CONTRACTOR AGREEMENT WITH THE SAFETY INSTITUTE

County Manager Les Montoya submitted for approval the Independent Contractor Agreement with the Safety Institute.

Mr. Montoya informed the Commission that the Safety Institute has been providing the third party administration of the San Miguel County Drug and Alcohol Policy and Mobile on-site urine collection for random drug testing, breath alcohol testing and pre-employment drug testing.

Motion made by Commissioner David Salazar to approve the Independent Contractor Agreement with the Safety Institute as presented. Second by Commissioner Kenneth C. Medina. Motion carried.

20. REQUEST FOR PROPOSALS FOR LEGAL SERVICES FOR THE BOARD OF COUNTY COMMISSIONERS

County Manager Les Montoya informed the Commission that the only proposal received was from our present Attorney Jesus L. Lopez and the services were advertised and received on December 8, 2005.

Mr. Montoya requested the Commission review the proposal and consider approving the legal services agreement with Mr. Jesus L. Lopez.

Motion made by Commissioner Kenneth C. Medina to approve legal services agreement with Mr. Jesus L. Lopez as requested. Second by Commissioner David R. Salazar. Motion carried.

21. RESOLUTION NO. SMC-RES-12-21-2005-HR GOVERNING HOLIDAYS FOR THE YEAR 2006

County Manager Les Montoya submitted for approval Resolution No. SMC-RES-12-21-2005-HR Governing Holidays for the year 2006.

Motion made by Commissioner Kenneth C. Medina to approve Resolution No. SMC-RES-12-21-2005-HR Governing Holidays for the year 2006 as presented. Second by Commissioner David Salazar. Motion carried.

22. COUNTY MANAGER'S PERSONNEL RECOMMENDATIONS TO HIRE AND TO RATIFY THE FOLLOWING INDIVIDUAL TO FILL THE POSITION OF CASUAL EMPLOYEE AT THE SAN MIGUEL COUNTY TREASURER'S DEPARTMENT.

County Manager Les Montoya submitted the following recommendations for hire to fill the position of Casual Employee at the San Miguel County Treasurer's Department:

Casual Employee

Angelica Lujan	Office Clerk	Salary: \$9.00 Hourly
		December 12, 2005 to December 31, 2005

Motion made by Commissioner Kenneth C. Medina to approve recommendations to fill the position of Casual Employee at the San Miguel County Treasurer's Department as requested. Second by Commissioner David Salazar. Motion

23. COUNTY MANAGER’S PERSONNEL RECOMMENDATION TO HIRE ADMINISTRATIVE ASSISTANT/SECRETARY POSITION AT THE SAN MIGUEL COUNTY DETENTION CENTER AS PER THE RECOMMENDATION FO PATRICK SNEDEKER, WARDEN

County Manager Les Montoya submitted the following recommendations for hire as per the recommendation of Patrick Snedeker, Warden:

Full Time Classified Employee

Rebecca Crespin Administrative Assistant/ Secretary Salary: \$21,000.00 Annually

Date of Hire: December 19, 2005

Motion made by Chairman LeRoy H. Garcia to table this item to be discussed in Executive Session. Second by Vice-Chairman Hugh H. Ley. Motion carried.

24. COUNTY MANAGER’S PERSONNEL RECOMMENDATIONS TO HIRE AND TO RATIFY THE FOLLOWING INDIVIDUALS TO FILL THE POSITIONS AT THE SAN MIGUEL COUNTY DETENTION CENTER

County Manager Les Montoya submitted the following recommendations for hire:

Probationary Employees:

Randal Schafer Detention Sergeant Salary: \$19,197.36
Date of Hire: November 21, 2005

Rachael Lucero Detention Office Salary: \$17,843.28
Date of Hire: November 28, 2005

Elmer Holder Detention Officer Salary: \$17,843.28
Date of Hire: November 21, 2005

Christina Silva Detention Officer Salary: \$17,843.28
Date of Hire: November 21, 2005

Motion made by Vice-Chairman Hugh H. Ley to approve recommendations of hire as presented. Second by Commissioner Kenneth C. Medina. Motion carried.

25. PERSONNEL ACTIONS

County Manager Les Montoya submitted Personnel Actions that have taken place in San Miguel County for ratification and approval.

Motion made by Vice-Chairman Hugh H. Ley to approve Personnel Actions as presented. Second Commissioner Kenneth C. Medina. Motion carried.

26. SAN MIGUEL COUNTY BOARD OF FINANCE MEETING

Chairman LeRoy H. Garcia announced that the Board of County Commissioners would meet as the Board of Finance for San Miguel County.

27. FINANCIAL RESOLUTION 11-14-2005-F1 AS AMENDED BY THE DEPARTMENT OF FINANCE AND ADMINISTRATION

Finance Division Supervisor Melinda Gonzales submitted for approval Resolution No. 11-14-2005-F1 as amended by the Department of Finance and Administration.

Ms. Gonzales went over the adjustments made by the Department of Finance and Administration. Discussion ensued.

Motion made by Commissioner David Salazar to approve Resolution No. 11-12-2005-F1 as amended by the Department of Finance and Administration as requested. Second by Vice-Chairman Hugh H. Ley. Motion carried.

28. FINANCIAL RESOLUTION 12-21-2005-F1/2005-06 BUDGET ADJUSTMENTS

Finance Division Supervisor Melinda Gonzales submitted for approval Financial Resolution No. 12-21-2005-F1/2005-06 Budget Adjustments.

Ms. Gonzales went over the budget adjustments.

Motion made by Vice-Chairman Hugh H. Ley to approve Resolution No. 12-21-2005-F1/2005-06 Budget Adjustments as requested. Second by Commissioner Kenneth C. Medina. Motion carried.

29. RESOLUTION 12-21-2005-F2 APPROVING THE SOLE COMMUNITY REQUEST MADE BY ST. VINCENT HOSPITAL

Finance Division Supervisor Melinda Gonzales submitted for approval Resolution No. 12-21-2005-F2 approving the sole community request made by St. Vincent Hospital.

Chairman LeRoy H. Garcia requested that Ms. Gonzales get a written approval to accept claims that are in excess of current sole community provider funding.

Motion made by Commissioner Kenneth C. Medina to approve Resolution No. 12-21-2005-F2 approving the sole community request made by St. Vincent Hospital as requested. Second by Vice-Chairman Hugh H. Ley. Motion carried.

30. TRACKING REPORT FOR THE NACO PRESCRIPTION DRUG DISCOUNT CARD PROGRAM

Finance Division Supervisor Melinda Gonzales informed the Commission that each month NACO submits a tracking report for the Prescription Drug Discount Card Program and this report shows activity since inception of the program in May of 2005. The reported six (6) month savings to County residents has been \$22,413.55.

No action taken; for information purposes only.

31. INDIGENT CLAIMS

Finance Division Supervisor Melinda Gonzales had no claims to submit at this time.

32. CASH BALANCE REPORT

Finance Division Supervisor Melinda Gonzales went over the Cash Balance Report. Discussion ensued.

No action taken; for information only.

33. ACCOUNTS PAYABLE LISTING

Finance Division Supervisor Melinda Gonzales submitted Accounts Payable Listing for approval and certified each expenditure as a true and legitimate expense.

Motion made by Vice-Chairman Hugh H. Ley to approve Accounts Payable Listing as presented. Second by Commissioner Kenneth C. Medina. Motion carried.

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) and of the New Mexico Open Meetings Act, NMSA 1978.**

County Manager Les Montoya recommended to retire into Executive Session to discuss Personnel Matters, as permitted by Section 10-15-1(H) (2) of the New Mexico Open Meetings Act, NMSA 1978 and 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.

Motion made by Commissioner Kenneth C. Medina to retire into Executive Session at 3:33 p.m. to discuss Personnel Matters, as permitted by Section 10-15-1(H) (2) of the New Mexico Open Meetings Act, NMSA 1978, matters subject to the attorney-client privilege pertaining to threatened or pending litigation in which SMC is or may become a participant, as permitted by Section 10-15-1(H) (7) of the New Mexico Open Meetings Act, NMSA 1978 and matters pertaining to the discussion of the acquisition of real property, as permitted by Section 10-15-1(H)(8) of the Open Meetings Act, NMSA 1978. Second by Vice-Chairman Hugh H. Ley. Motion carried.

Roll call was taken before County Commission retired into Executive Session.

Chairman LeRoy H. Garcia	yes
Vice-Chairman Hugh H. Ley	yes
Commissioner Kenneth C. Medina	yes
Commissioner Susano Ortiz	absent
Commissioner David Salazar	yes

Unanimous vote to retire into executive session.

Chairman LeRoy H. Garcia called the meeting back into public session at 4:45 p.m.

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

Motion made by Commissioner Kenneth C. Medina to approve to hire Rebecca Crespín as Administrative Assistant/Secretary at the San Miguel County Detention Center. Second by Commissioner David R. Salazar. Motion carried.

ADJOURNMENT

Motion made by Vice-Chairman Hugh H. Ley to adjourn. Second by Commissioner David Salazar. Motion carried.

The record will show the time is 5:05 p.m.

Approved this _____ day of _____, 2006 as the Official Minutes of the Board of County Commissioners of San Miguel County, New Mexico.

LeRoy H. Garcia, Chairman

Hugh H. Ley, Vice-Chairman

David R. Salazar Commissioner

Kenneth C. Medina, Commissioner

Susano Ortiz, Commissioner

ATTEST

Paul Maez, County Clerk

Minutes Submitted by: Geraldine E. Gutierrez

