

**REGULAR MEETING
JANUARY 9, 2007
MINUTES**

The Board of County Commissioners of San Miguel County held a Regular Meeting and a County Finance Meeting on Tuesday January 9, 2007 at 1:30 p.m. at the Board Room of the Donaldo A. Martinez Administration Building of the West Las Vegas Schools, 179 Bridge Street, Las Vegas, New Mexico 87701. The agenda for the meeting is as follows:

CALL TO ORDER

Vice-Chairman Hugh H. Ley called the meeting to order at 1: 30 p.m.

ROLL CALL

Vice-Chairman Hugh H. Ley, Commissioner Kenneth C. Medina, Commissioner David Salazar, Commissioner June Garcia and Commissioner Albert Padilla were present.

The record will show a quorum was present.

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

County Manager Les Montoya recommended to the Commission that they remove item No. 8 from the Agenda due to the fact the item needs to be corrected.

Motion made by Commissioner Kenneth C. Medina to remove item No. 8 from the agenda and approve the remaining items. Second by Commissioner Albert Padilla. Motion carried.

APPROVAL OF MINUTES: Regular Meeting December 12, 2006*

County Manager Les Montoya and County Attorney Jesus Lopez had no recommended changes to the minutes of Regular Meeting December 12, 2006.

Motion made by Commissioner Kenneth C. Medina to approve the minutes of the following Regular meeting. Second by Commissioner David Salazar. Motion carried.

RECOGNITION OF MR. DANIEL ENCINIAS AS EMPLOYEE OF THE YEAR FOR 2006 IN THE SAN MIGUEL COUNTY PUBLIC WORKS DIVISION.

INTRODUCTION OF NEW EMPLOYEES

County Manager Les Montoya introduced the following new County employees:

Cresencio Baca (Probationary Employee)	Maintenance Worker I	Public Works Division
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Fabian Montoya (Probationary Employee)	Appraiser II	Assessor's Office
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NEW BUSINESS:

1. SELECTION OF CHAIRMAN AND VICE-CHAIRMAN FOR THE 2007 CALENDAR YEAR FOR THE BOARD OF COUNTY COMMISSIONERS OF SAN MIGUEL COUNTY*

County Manager Les Montoya informed the Commission that Section 4-38-10, NMSA 1978, required that at the first meeting of each year the Commission choose one of their members Chairman and Vice-Chairman.

Motion made by Commissioner Albert Padilla that Vice-Chairman Hugh H. Ley become Chairman for the Board of County Commissioners. Second by Commissioner David Salazar. Motion carried unanimously.

Motion made by Commissioner June Garcia that Commissioner Kenneth C. Medina becomes Vice-Chairman of the Board of County Commissioners. Second by Commissioner David Salazar. Motion carried unanimously.

2. OPEN MEETINGS RESOLUTION FOR 2007*

County Manager Les Montoya informed the Commission that the New Mexico Open Meetings Act requires that each public body adopt annually a resolution relating to its meetings and to notice to the public concerning its meetings.

County Manager Les Montoya submitted for approval Open Meetings Resolution for 2007.

Motion made by Commissioner David Salazar to approve Open Meetings Resolution for 2007 as presented. Second by Vice-Chairman Kenneth C. Medina. Motion carried.

3. COUNTY TREASURER'S MONTHLY REPORT*

County Treasurer Alfonso Ortiz went over the monthly report for the month of December 2006. Discussion ensued.

No action taken; for information only.

4. REQUEST TO RE-ALLOCATE FUNDING FROM WITHIN THE DWI GRANT*

DWI Coordinator Wendy Armijo informed the Commission the San Miguel County DWI Planning Council is requesting that a portion of the amount of \$24,000.00 be re-allocated from DWI Treatment Component and placed in the DWI Prevention Component. The purpose of the re-allocation is to provide the funding needed to acquire a contractual "DWI Prevention Specialist". Duties for the stated position include but are not limited to the implementation of the Protecting You Protecting ME science-based program, in all San Miguel County elementary schools, grades K-5. Coordination and implementation of other science/research based programs to be provided and/ or conducted in school, community and local organization, Media, public service, program/ community liaison.

No action taken; for information only.

5. REQUEST TO APPROVE OUT-OF-STATE TRAVEL TO ATTEND "PREVENTION DAY" PROVIDED BY THE CENTER FOR SUBSTANCE ABUSE PREVENTION (CSAP) AND THE SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION (SAMHASA)*

DWI Coordinator Wendy Armijo informed the Commission that as the DWI Program Coordinator, She has been invited to attend what is being referred to as "Prevention Day". The event will focus on Underage Drinking-Communities Connecting and Collaborating. The one-day event is to take place on February 12, 2007 and will be held in Washington D.C. In order to facilitate and encourage participation in Prevention Day, SAMSHA/CSAP will pay airfare, lodging and per diem expenses.

Ms. Armijo submitted for approval out-of-state travel for the DWI Coordinator to attend "Prevention Day" in Washington, D.C.

Motion made by Vice-Chairman Kenneth C. Medina to approve the out-of-state travel for DWI Coordinator Wendy Armijo. Second by Commissioner June Garcia. Motion carried.

6. U.S. ARMY CORPS OF ENGINEERS LAW ENFORCEMENT AGREEMENT*

County Manager Les Montoya informed the Commission that SMC has had this contract with the U.S. Army Corps of Engineers for the past years, for our Deputy in Conchas to patrol the Lake, Army Corps Area. This will be overtime for the Deputy.

Mr. Montoya submitted for approval the U.S. Army Corps of Engineers Law Enforcement Agreement.

Motion made by Vice-Chairman Kenneth C. Medina to approve the Law Enforcement Agreement. Second by Commissioner Albert Padilla. Motion carried.

7. CONTRACT FOR INMATE CONFINEMENT-TAOS COUNTY, NEW MEXICO AND SAN MIGUEL COUNTY, NEW MEXICO*

Warden / Facility Administrator Patrick Snedeker informed the Commission the contract for Inmate Confinement by and between Taos County, New Mexico and San Miguel County, New Mexico for the confinement and care of Taos County inmates, at the San Miguel County Detention Center is presented. The contract reflects an agreed upon fee of \$50.00 per inmate, per day, while housed at the San Miguel County Detention Center.

Mr. Snedeker submitted for approval the contract for inmate confinement-Taos County, and San Miguel County, New Mexico.

Motion made by Vice-Chairman Kenneth C. Medina to approve the agreement between Taos and San Miguel County, New Mexico. Second by Commissioner David Salazar. Motion carried.

8. A LEASE AGREEMENT WITH THE SAN MIGUEL COUNTY SHERIFF'S DEPARTMENT AND THE PECOS INDEPENDENT SCHOOL DISTRICT. THIS LEASE AGREEMENT WILL ALLOW THE SAN MIGUEL COUNTY TO RENT SCHOOL PROPERTY, UPON WHICH A COUNTY OUTSIDE MOBILE HOME IS PLACED*

Section 8 Housing Director Gilbert Almanza, Jr. informed the Commission the agreement between the Schools and the County was to not charge rent for the first two years because of the ground work and set-up necessary in setting up the mobile home for residence. San Miguel County would be responsible for utility costs incurred by the residence as long as the residence is on school property. Now the school is proposing a Lease Agreement that would require San Miguel County to pay \$150.00/ per month for lease of school property.

Mr. Almanza submitted for approval the agreement authorizing San Miguel County Sheriff's Department to sign the agreement.

Motion made by Vice-Chairman Kenneth C. Medina to approve the agreement and authorize San Miguel county Sheriff's Department to sign the agreement. Second by Commissioner David Salazar. Motion carried.

9. REQUEST FOR OUT-OF-STATE TRAVEL TO LAKE CHARLES, LA FOR GILBERT ALMANZA JR., SECTION 8 HOUSING ADMINISTRATOR TO ATTEND THE SOUTH WEST NAHRO WINTER COMMITTEE MEETINGS*

Section 8 housing Administrator Gilbert Almanza Jr., informed the Commission of the request to attend the South West NAHRO Winter Committee Meetings in Lafayette, LA on January 24-26,2007.

Mr. Almanza submitted for approval the out-of-state travel to attend the NAHRO Winter Committee Meetings.

Motion made by Commissioner Albert Padilla to approve the out-of-state travel for Gilbert Almanza. Second by Vice-Chairman Kenneth C. Medina. Motion carried.

10. MONTHLY REPORT FOR THE PUBLIC WORKS DIVISION FOR THE MONTH OF DECEMBER 2006*

Public Works Division Supervisor Harold Garcia presented to the Commission information on issues addressed within the Public Works Division for the month of December 2006.

No action taken; for information only

11. ACCEPTANCE OF BID FOR 60-MONTH LEASE ON A NEW STANDARD PRODUCTION MODEL 4X4 BACKHOE*

Public Works Division Supervisor Harold Garcia informed the Commission the San Miguel County Public Works Department has a backhoe at the Pecos Solid Waste Convenience Center being utilized for compaction of trash at this facility. This backhoe was recently returned to Caterpillar. the Public Works Division recently advertised for bids for a 60-month lease of a backhoe with the option to purchase after 60 months. There was one bid submitted by Wagner Equipment Company in the amount of \$1,035.00 per month lease.

Mr. Garcia submitted for approval the bid submitted by Wagner Equipment Company and authorizes a lease agreement for execution by San Miguel County.

Motion made Commissioner David Salazar to accept the bid and approve the lease from Wagner Equipment Company. Second by Commissioner June Garcia. Motion carried.

12. JOB DESCRIPTION CHANGE FROM CHIEF MAPPER TO GIS SYSTEM OPERATOR*

County Manager Les Montoya informed the Commission that the Assessor is preparing to implement GIS Operations to the Assessors daily function. Creation of a job description to create a position that would be responsible for these daily duties is being proposed.

Mr. Montoya submitted for approval a job description for the GIS System Operator. Position as prepared by County Assessor Elaine Estrada.

Motion made by Commissioner David Salazar to approve the new job description change for the Assessors daily function. Second by Commissioner Albert Padilla. Motion carried.

13. APPLICATION FOR TRAINING/SCHOOL REIMBURSEMENT FOR KIKI ARELLANO, ADMINISTRATIVE ASSISTANT TO THE COUNTY MANAGER AND COUNTY COMMISSIONERS*

County Manager Les Montoya informed the Commission Ms. Arellano is requesting in accordance with County Administrative Regulation No. 09-12-2006 Employee Educational Assistance and Training, to attend classes at Luna Community College from January 18,2007 through to May 11, 2007. In addition, consistent with the mentioned policy, a request for reimbursement of tuition and books for the course should she successfully complete the courses is also included.

Mr. Montoya submitted for approval consideration of County Employee's request for time away from work and reimbursement of books and tuition as per Administration Regulation No. 09-12-2006.

Motion made by Commissioner Albert Padilla to approve attending classes at Luna Community Classes and reimbursement of books and tuition for Kiki Arellano, as per Administration regulation No. 09-12-2006. Second by Commissioner David Salazar. Motion carried.

14. AWARD OF BID TO BALDY MOUNTAIN WELDING TO CONSTRUCT A 100'X100' METAL BUILDING, ROOF AND FOUNDATION FOR AN AMOUNTY OF \$82,200.00 PLUS GROSS RECEIPTS TAX*

County Manager Les Montoya informed the Commission the project has been bid on two prior occasions. Both times the sealed bids were in excess of the budget amount of \$89,594.00. Bids were received and opened on October 13, 2006 and November 8, 2006, and the Commission rejected the high bid and authorized staff to seek the best obtainable price for the building project.

Mr. Montoya submitted for approval the recommendation from the County Architect Kevin Balcia, Soleil West and consider awarding bid to Baldy Mountain Welding for the amount of \$82,200.00.

Motion made by Vice-Chairman Kenneth C. Medina to award the bid to Baldy Welding for the amount of \$82,200.00 as recommended by County Architect and County Fair Board. Second by Commissioner June Garcia. Motion carried.

15. COUNTY MANAGER'S PERSONNEL RECOMMENDATION TO HIRE THE FOLLOWING INDIVIDUAL TO FILL THE POSITION OF APPRAISER II MOBILE HOME WITH THE SAN MIGUEL COUNTY ASSESSOR'S DEPARTMENT AS PER THE RECOMMENDATION OF ELAINE ESTRADA, COUNTY ASSESSOR*

RECOMMENDATION TO HIRE:

PROBATIONARY EMPLOYEE

Connie Gallegos Appraiser II Mobile Home Salary: \$21,086.00 Annually
Effective Date of Hire: January 15,2007

County Manager Les Montoya informed the Commission that Connie Gallegos was employed with the San Miguel County Assessor's Department as a temporary part-time employee which expired on December 29, 2006. Ms. Gallegos will replace Mary Ludi who will be promoted to First Deputy with the San Miguel County Assessor's Department.

Mr. Montoya submitted for approval the hire of Connie Gallegos to fill the Appraiser II Mobile Home position.

Motion made by Commissioner David Salazar to approve the hire of Ms. Gallegos to fill the position in the San Miguel County Assessor's Department. Second by Vice-Chairman Kenneth C. Medina. Motion carried.

16. COUNTY MANAGER'S PERSONNEL RECOMMENDATION TO RE-HIRE THE FOLLOWING INDIVIDUAL AS PER THE RECOMMENDATION OF ELAINE ESTRADA, COUNTY ASSESSOR*

RECOMMENDATION TO HIRE:

TEMPORARY EMPLOYEE

Clifford Robinson Appraiser III Salary: \$15.38 Hourly
Effective Date of Hire: January 15,2007 through June 29,2007

Motion made by Commissioner Albert Padilla to re-hire Clifford Robinson as temporary employee for Appraiser III. Second by Vice-Chairman Kenneth C. Medina. Motion carried.

17. COUNTY MANAGER'S PERSONNEL RECOMMENDATION TO PROMOTE THE FOLLOWING INDIVIDUAL TO FILL THE POSITION OF FIRST DEPUTY WITH THE SAN MIGUEL COUNTY ASSESSOR'S DEPARTMENT AS PER THE RECOMMENDATION OF ELAINE ESTRADA, COUNTY ASSESSOR*

RECOMMENDATION TO HIRE:

EXEMPT EMPLOYEE

Mary Ludi First Deputy Salary: \$25,086.00 Annually
Effective Date of Hire: January 15,2007

Mr. Montoya informed the Commission that Ms. Mary Ludi will be replacing Ms. Patricia Gallegos who was promoted to Chief Deputy.

Motion made by Commissioner David Salazar to approve the promotion of Mary Ludi to First Deputy in the County Assessor's Department. Second by Commissioner June Garcia. Motion carried.

18. COUNTY MANAGER'S PERSONNEL RECOMMENDATION TO HIRE AND RATIFY THE FOLLOWING INDIVIDUALS TO FILL THE VACANT POSITIONS OF DETENTION OFFICERS AT THE SAN MIGUEL COUNTY

**DETENTION CENTER AS PER RECOMMENDATION OF PATRICK SNEDEKER, WARDEN/FACILITY ADMINISTRATOR*
RECOMMENDATION TO HIRE:**

PROBATIONARY EMPLOYEE

Eusebio Valdez	Detention Officer	Salary: \$17,843.28 Annually
Effective Date of Hire:	December 11,2006	
Alan Gallardo	Detention Officer	Salary: \$17,843.28 Annually
Effective Date of Hire:	December 18,2006	
April Romero	Detention Officer	Salary: \$17,843.28 Annually
Effective Date of Hire:	December 18,2006	

County Manager Les Montoya informed the Commission the vacant positions need to be filled immediately due to employees resigning their positions.

Mr. Montoya submitted for approval the following hires to fill the vacant positions of the Detention Officers at the SMC Detention Center.,

Motion made by Vice-Chairman Kenneth C. Medina to hire the above applicants to fill the vacant positions at the San Miguel County Detention Center. Second by Commissioner Albert Padilla. Motion carried.

19. PERSONNEL ACTIONS*

County Manager Les Montoya informed the Commission of personnel actions in the month of December, that have taken place in San Miguel County, for ratification and approval.

Mr. Montoya submitted for approval the personnel actions that have taken place within San Miguel County.

Motion made by Vice-Chairman Kenneth C. Medina to approve the personnel actions. Second by Commissioner David Salazar. Motion carried.

20. SAN MIGUEL COUNTY BOARD OF FINANCE MEETING*

21. RESOLUTION 2007-01-09-F1 APPROVING THE SOLE COMMUNITY PROVIDER REQUEST MADE BY ALTA VISTA HOSPITAL*

Finance Division Supervisor Melinda Gonzales informed the Commission that every year hospitals requesting sole-community provider funding are required to submit their next fiscal year funding requests. Alta Vista has submitted its FY07/08 request in the amount of \$1,619,500.00. The amount of this increase represents a 5% increase from last year's base plus the supplemental. If approved the total cost to the County would be approximately \$404,000.00.

Ms. Gonzales submitted for approval Resolution 2007-01-09-F1 to approve the Sole Community Provider with the funding required.

Motion made by Vice-Chairman Kenneth C. Medina to approve Resolution 2006-12-12-F1 approving the funding request. Second by Commissioner Kenneth C. Medina. Motion carried.

22. BUDGET RESOLUTION 2007-01-09F2*

Finance Division Supervisor Melinda Gonzales informed the Commission on any miscellaneous budget adjustments.

Motion made by Vice-Chairman Kenneth C. Medina to approve the miscellaneous budget adjustments. Second by Commissioner David Salazar. Motion carried.

23. INDIGENT CLAIMS*

Finance Division Supervisor Melinda Gonzales presented to the Commission the Indigent Claims submitted and reviewed by the Finance Department from Alta Vista Regional Hospital in the amount of \$90,002.66, and another from St. Vincent's Hospital in the amount of \$4,850.69.

Ms. Gonzales submitted for approval the Indigent Claims submitted and reviewed by the Finance Department.

Motion made by Commissioner David Salazar to approve the Indigent Claims as noted above. Second by Vice-Chairman Kenneth C. Medina. Motion carried.

24. CASH BALANCE REPORT*

Finance Division Supervisor Melinda Gonzales informed the Commission of the December 29,2006 cash balances.

No action taken; for information only;

25. ACCOUNTS PAYABLE LISTING*

Finance Division Supervisor Melinda Gonzales submitted Accounts Payable Listing for approval and certified each expenditure as a true, legitimate, and lawful expenses, since the last regular meeting.

Motion made by Vice-Chairman Kenneth C. Medina to approve Accounts Payable Listing as presented. Second by Commissioner June Garcia. 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)(7) and of the New Mexico Open Meetings Act, NMSA 1978.**
- C. 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**

County Manager Les Montoya recommended to retire into Executive/ Closed Session 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 Motion made by Vice-Chairman Kenneth C. Medina to retire into

Executive/ Closed Session at 2:52 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 Commissioner David Salazar. Motion carried.

Roll call was taken before County Commission retired into Executive Session at 2:50 P.M.

Chairman Hugh H. Ley	yes
Vice-Chairman Kenneth C. Medina	yes
Commissioner David Salazar	yes
Commissioner June Garcia	yes
Commissioner Albert Padilla	yes

The Commission returned to public session at 2:50 P.M. and Chairman Hugh H. Ley noted for the record that only those matters specified in the motion for closure were discussed in executive session.

ADJOURNMENT

Motion made by Vice-Chairman Kenneth C. Medina to adjourn. Second by Commissioner David Salazar. Motion carried.

The record will show the time is 2:52 p.m.

Approved this _____ day of _____, 2007 as the Official Minutes of the Board of County Commissioners of San Miguel County, New Mexico.

Hugh H. Ley, Chairman

Kenneth C. Medina, Vice-Chairman

David R. Salazar Commissioner

June Garcia, Commissioner

Albert Padilla, Commissioner

ATTEST

Paul Maez, County Clerk

Minutes Submitted by: James J. Marquez