

**REGULAR MEETING
OCTOBER 18, 2007
MINUTES**

The Board of County Commissioners of San Miguel County held a Regular Meeting and a County Board of Finance Meeting on Thursday October 18, 2007 at 1:30 p.m. at the Board Room of the Donald A. Martinez Administration Building of the West Las Vegas Schools, 179 Bridge Street, Las Vegas, New Mexico 87701. The agenda for the meeting was as follows:

CALL TO ORDER

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

ROLL CALL

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

The record will show a quorum was present.

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA:

County Manager Les Montoya suggested that the Commission remove item No.33- the recommendation to hire a deputy within the San Miguel County Sheriff's Department.

Motion made by Vice-Chairman Kenneth C. Medina to remove item No.33 from the agenda. Second by Commissioner David Salazar. Motion carried.

County Manager Les Montoya then submitted the Agenda as amended.

APPROVAL OF MINUTES: Regular Meeting September 11, 2007.

Motion made by Commissioner David Salazar to approve the minutes for Regular Meeting held on September 11, 2007. Second by Commissioner June Garcia. Motion carried.

INTRODUCTION OF NEW EMPLOYEES:

The following new employees were introduced by the County Manager:

Bertha Bustamante (Exempt Employee)	Chief Deputy	County Treasurer's Office
Russell Pacheco (Exempt Employee)	Fire Chief	Fire & Safety Division
Damian Delgado (Probationary Employee)	Maintenance Worker I	Public Works Division

Benito Romero
(Probationary Employee)

Building Maintenance/
Foreman

Public Works Division

County Manager Les Montoya informed the Commission and the public that ALCO Store Manager Dennis Nelson was not present at the time and might come in later. Mr. Nelson is the manager of the ALCO store and wanted to invite all the Commissioners to the Grand Opening of the store on October 25, 2007.

NEW BUSINESS:

1. COUNTY TREASURER'S MONTHLY REPORT*

San Miguel County Treasurer Alfonso Ortiz, Jr. presented the Treasurer's Monthly Report for the month of September 2007.

For information only. No questions or discussion.

2. EQUIPMENT GRANT APPLICATION SUBMITTED TO TRAFFIC SAFETY BUREAU FOR FUNDS TO PURCHASE IN-CAR VIDEO CAMERA AND RADARS, AND ALCOHOL SENSORS*

San Miguel County Sheriff Benjie Vigil informed the Commission the above grant application was offered by Juliet Armijo Pana, Program Manager of the Traffic Safety Bureau. She advised Mr. Vigil, the County Manager and DWI Coordinator had applied for Radar Speed Directors, (Line Message Directors), and stated the County Manager and DWI Program are not Law Enforcement and for Mr. Vigil to apply for the equipment he would need. For the past years the Sheriff's Department has received funds for over-time pay and equipment that has been used for enforcing the traffic laws, the equipment that has been purchased through Traffic Safety has helped with convictions of drunk drivers and other court cases.

County Manager Les Montoya advised the Commission the application should be ratified, as the County would consider the Sheriff's application and DWI application as one application. Motion made by Vice-Chairman Kenneth Medina to approve equipment grant application to include both requests for In-Car Video Cameras and Radar and Alcohol Sensors, and Message Board and Speed Radar Trailers. Second by Commissioner Albert Padilla. Motion carried.

3. RESOLUTION NO. 10-18-2007-CLERK*

Bureau of Election Supervisor Melanie Rivera informed the Commission the resolution is to approve the polling places that are going to be used for the 2008 Primary and General Elections.

Motion made by Vice-Chairman Kenneth Medina for approval of Resolution No. 20-18-2007-Clerk. Second by Commissioner David Salazar. Motion carried.

4. HEALTH COUNCIL ROSTER FOR COUNTY APPOINTMENT AND UPDATE OF ACTIVITIES*

President of Health Council Ms. Barbara Perea-Casey informed the Commission of updates of activities.

Director of Health Council Yolanda Cruz informed the Commission of activities conducted throughout Las Vegas and surrounding areas.

Commissioner David Salazar complimented Ms. Cruz on the excellent job she conducts on the presentations to the Council.

Motion made by Commissioner David Salazar for approval of the two new appointments and re-appointment of Health Council Members. Second by Commissioner June Garcia. Motion carried.

5. REVISED MEMORANDUM OF UNDERSTANDING BETWEEN SAN MIGUEL COUNTY AND THE NEW MEXICO ECONOMIC DEVELOPMENT DEPARTMENT*

Planning and Zoning Supervisor Alex Tafoya informed the Commission the current Memorandum of Understanding (MOU) between San Miguel County and the New Mexico Economic Development Department (EDD) regarding the acquisition and development of the San Miguel County Wood Business Park has terminated. The MOU provides for the distribution of legislative funds in the amount of \$500,000 to San Miguel County.

Mr. Tafoya submitted for review the revised Memorandum of Understanding and to ratify the action taken by County staff in signing the MOU and returning it to the New Mexico Economic Development Department.

Motion made by Commissioner Albert Padilla to ratify the revised Memorandum of Understanding and returning it to the New Mexico Economic Development Department. Second by Vice-Chairman Kenneth C. Medina. Motion carried.

6. SEVERANCE TAX PROJECT-LEGISLATIVE GRANT NO. 07-L-G-6467*

Planning and Zoning Supervisor Alex Tafoya informed the Board of County Commissioners that San Miguel County has received Legislative Grant No. 07-L-G-6467 in the amount of \$200,000 to plan, design, construct, equip and furnish the expansion of the San Miguel Medical Center in San Miguel County. In order to utilize funds, it is necessary for San Miguel County to review and accept the grant agreement.

Motion made by Commissioner David Salazar to accept the grant agreement and authorize Commission Chairman Ley to sign the agreement. Second by Commissioner June Garcia. Motion carried.

7. BID FOR HEALTH CENTER IN SAN MIGUEL*

Planning and Zoning Supervisor Alex Tafoya informed the Commission that on September 6, 2007, San Miguel County received and opened bids for the construction of the El Centro Family Health Center in the Village of San Miguel. Bids from three companies were received as follows:

- La Cueva Construction: Base Bid: \$350,640; Alternate #1: \$75,800
- New Image Construction: Base Bid: \$363,360; Alternate #1: \$86,000
- Jim Sena Construction: Base Bid: \$382,000; Alternate #1: \$84,000

Funding for the project comes from legislative appropriations. Funds are not adequate to award both the base bid and the alternate.

Mr. Tafoya submitted to award the Base Bid to La Cueva Construction in the amount of \$350,640 plus applicable gross receipts tax, as per the architect's review and recommendation.

Motion made by Commissioner David Salazar to award the contract for \$350,640 plus applicable gross receipts tax as per the architect's review and recommendation. Second by Vice-Chairman Kenneth C. Medina. Motion carried. Mr. Tafoya informed the Commission Rose Vasquez of El Centro Family Health Center extends an invitation to the Commission and the public to the Ground Breaking Ceremony to be held October 24, 2007 at 9:00 a.m.

8. RESOLUTION NO. 10-18-07-E-911-10*

Information Specialist Mario H. Vasquez informed the Commission that the E-911 Rural Addressing Division periodically adds new public and private roads to the Official Road List of San Miguel County at the request of County residents as declared by the E-911 Road Name Ordinance.

Chairman Hugh H. Ley asked Mr. Vasquez how the Fire Marshall, Fire Chiefs and Emergency Response is going to get the correct data.

Mr. Vasquez submitted for the approval to clarify private road signs in rural areas.

Motion made by Commissioner June Garcia to clarify private road signs in rural areas. Second by Commissioner David Salazar. Motion carried.

9. RATIFICATION OF PROFESSIONAL SERVICES AGREEMENT WITH PLACITAS GROUP TO COMPLETE A COMMUNITY WILDFIRE PROTECTION PLAN FOR SAN MIGUEL COUNTY*

Safety Coordinator Dennis English informed the Commission the Committee interviewed two companies (Placitas Group and Walsh Environment) and selected the Placitas Group for the project. The task deadlines begin December 1, 2007.

Mr. English submitted for approval the Professional Services Agreement with Placitas Group.

Mr. Les Montoya informed the Commission there was a timeline to complete the plan with the Grant funding agency providing the funding.

Motion made by Vice-Chairmen Kenneth C. Medina to ratify Professional Service Agreement with Placitas Group. Second by Commissioner David Salazar. Motion carried.

10. REQUEST TO ADVERTISE FOR BIDS FOR CASCADE SYSTEM. AN ESTIMATED VALUE AT \$37,000. SYSTEM IS USED TO KEEP AVAILABLE AIR SUPPLIES FOR SCBA'S FOR GALLINAS VFD.*

Fire Chief Russell Pacheco informed the Commission Cascade system was to be purchased through Homeland Security Grant obtained by Gallinas Fire Department.

Mr. Pacheco submitted to advertise for Bids.

Motion made by Vice-Chairman Kenneth C. Medina to advertise for bids. Second by Commissioner June Garcia. Motion carried.

11. CONTRACT AGREEMENT NEW MEXICO CHILDREN, YOUTH AND FAMILIES DEPARTMENT AND SAN MIGUEL COUNTY, NEW MEXICO. DEMONSTRATION SITE AT THE SAN MIGUEL COUNTY DETENTION CENTER OF THE FAMILY VISITATION/CHILD RESOURCE ADVOCACY PROGRAM*

San Miguel County Detention Center Major John Lujan informed the Commission the Governor's Blue Ribbon Commission on the welfare of Children of Incarcerated Parents, through the New Mexico Children, Youth and Families Department selected the San Miguel County Detention Center as a demonstration site, for a family visitation/child resource advocacy program and awarded a \$50,000 legislative grant to the Detention Center. The contract agreement, by and between the State of New Mexico Children, Youth, and Families Department and San Miguel County, New Mexico specific to a Family Visitation/Child Resource Advocacy program at the San Miguel County Detention Center is presented for Commission review and approval.

Mr. Lujan informed the Commission the Child Advocate will reach out to the children of the incarcerated parents and make sure all needs are being met while parents are incarcerated.

Mr. Lujan submitted the contract for approval, as presented.

Motion made by Commissioner Albert Padilla to approve contract. Second by Commissioner June Garcia. Motion carried.

12. CONTRACT FOR CARE OF ADULT PRISONERS BETWEEN SAN MIGUEL COUNTY, NEW MEXICO AND GUADALUPE COUNTY, NEW MEXICO*

San Miguel County Detention Center Major John Lujan informed the Commission the contract for Care of Adult Prisoners, by and between San Miguel County, New Mexico and Guadalupe County, New Mexico for the confinement and care of Guadalupe County Prisoners at the San Miguel County Detention Center is presented for Commission review and approval. The price per

day, per inmate housed is \$60. The contract was approved by the Guadalupe County Commission on September 20, 2007.

Mr. Lujan informed the Commission San Miguel County Detention is currently housing eight Guadalupe County inmates with no problems.

Vice-Chairman Kenneth Medina inquired how the construction was coming along.

Mr. Lujan informed the Commission that the construction was half way complete.

Mr. Jesus Lopez informed the Commission ACLU was satisfied with the openness of the Detention Center and will be abandoning any litigation concerning the Detention Center.

Chairman Hugh Ley commended the community and the staff for supporting the renovation of the Detention Center.

County Manager Les Montoya informed the Commission the improvements at the jail had a lot to do with Guadalupe bringing their prisoners to San Miguel County.

Mr. Lujan submitted for approval the contract/agreement as presented.

Motion made by Vice-Chairman Kenneth Medina to approve the contract/agreement as presented. Second by Commissioner June Garcia. Motion carried

13. SAN MIGUEL COUNTY DETENTION CENTER INMATE FOOD SERVICE CONTRACT EXTENSION AGREEMENT WITH ABL MANAGEMENT, INC.*

San Miguel County Detention Center Major John Lujan informed the Commission the San Miguel County Detention Center, Inmate Food Service Contract Extension Agreement is presented. The existing agreement for the provision of inmate meals is by and between San Miguel County, New Mexico and ABL Food Service Management, Inc. This is the 2nd one year contract extension period. Pursuant to the contract the price per meal reflects a 2.4 percent increase based on the national consumer price index.

Mr. Lujan submitted for approval of extension of the contract as presented.

Motion made by Vice-Chairman Kenneth Medina to approve extension of the contract as presented. Second by Commissioner June Garcia. Motion carried.

14. SAN MIGUEL COUNTY DETENTION CENTER AND HELP NEW MEXICO, INC. WORKFORCE DEVELOPMENT PROGRAM(S)*

San Miguel County Detention Center Major John Lujan informed the Commission the San Miguel County Detention Center and HELP New Mexico, Inc. are entering into a work/partnership relationship specific to available workforce development, and retention of a trained workforce at the San Miguel County Detention Center and within San Miguel County, New Mexico.

Mr. Lujan informed the Commission HELP program has assisted in paying for tuition of a four week academy for the employees at the San Miguel County Detention Center. Mr. Lujan also stated HELP program is also working on paying for part-time employees at the San Miguel County Detention Center.

Mr. Lujan submitted to enter into a work/partnership relationship with HELP New Mexico, Inc. as described and as presented.

Motion made by Commissioner David Salazar to enter into a work/partnership relationship with HELP New Mexico, Inc. as described and as presented. Second by Vice-Chairman Kenneth Medina. Motion carried.

15. REVISION TO DWI INTENSIVE SUPERVISED PROBATION OFFICER JOB DESCRIPTION, RENAMING TO DWI COMPLIANCE MONITOR AND TRACKER JOB DESCRIPTION*

San Miguel County DWI Coordinator Wendy Armijo informed the Commission the DWI Intensive Supervised Probation Officer position will be renamed to DWI Compliance Monitor & Tracker. Duties and responsibilities have been revised to reflect the title and enhance existing services.

The position is responsible for, but not limited to, the following duties and responsibilities: Monitors and tracks DWI arrest and convictions for district, municipal and magistrate courts and retains a data base of San Miguel County DWI information. Assures DWI offender comply with court ordered mandates including, but not limited to, DWI School, Alcohol Screening/Testing, Alcohol Treatment, Electronic (SCRAM) Monitoring, Community Service, Ignition Interlock, Jail and Probation.

Ms. Armijo submitted the "Revised/Renamed" DWI Compliance Monitor & Tracking Job Description.

Motion made by Commissioner David Salazar to revise/rename and approve DWI Compliance Monitor & Tracking Job Description. Second by Vice-Chairman Kenneth Medina. Motion carried.

16. DWI TRACKER JOB DESCRIPTION*

San Miguel County DWI Coordinator Wendy Armijo informed the Commission that the DWI Tracker inputs DWI offender court and compliance data into DWI offender tracking database. Maintains a tracking database of San Miguel County DWI offender documentation. Enters offender ADE Needs Assessment survey into program tracking system and generates DWI treatment recommendation and provides referral reports to DWI Compliance Monitor, Court and DWI offender. Operation and implementation of DWI offender referral to e-Chug computer based education program.

Ms. Armijo submitted for approval of DWI Tracker Job Description.

Motion made by Commissioner David Salazar to approve DWI Tracker Job Description. Second by Commissioner June Garcia. Motion carried.

17. 17. REVISION TO DWI OFFICE MANAGER JOB DESCRIPTION, RENAMING TO DWI ADMINISTRATIVE ASSISTANT/SCREENER JOB DESCRIPTION*

San Miguel County DWI Coordinator Wendy Armijo informed the Commission the DWI Administrative Assistant is responsible for secretarial and managerial support of the DWI Office. Additional responsibilities include the administration of DWI offender Alcohol/Drug Screening.

Ms. Armijo submitted for approval the DWI Administrative Assistant Job Description.

Motion by Commissioner Albert Padilla to approve the DWI Administrative Assistant Job Description. Second by Commissioner David Salazar. Motion carried.

18. DWI PREVENTION/EDUCATIONAL CONTRACT AGREEMENT (AMENDMENT) CONTRACTOR: CRUZ FLOREZ*

San Miguel County DWI Coordinator Wendy Armijo informed the Commission that Prevention is an active process of creating healthier conditions and environments that promote the well being of everyone (individuals, communities, families), including reducing high risk behaviors and increasing protective factors.

The San Miguel County DWI Planning Council in its Strategic Planning process acknowledges the need to provide preventative and educational services that will positively impact the many factors associated with High-Risk Behaviors that often contribute to Underage Drinking, Drinking and Driving and other substance abuse related issues.

The DWI Planning Council proposes to hire as a Contractual Service Provider Cruz Florez who will provide the following prevention/educational services to West Las Vegas Family Partnership School students' grades 8 and 9. Services will include the implementation and operation of the "dare to be you Substance Abuse Prevention Program, Noches de Familia and Arts as a Tool Program. The service will commence October 18, 2007 through June 30, 2008.

Ms. Armijo submitted for approval the DWI Prevention/Educational Contract.

Motion made by Commissioner David Salazar to approve DWI Prevention/Educational Contractor, Cruz Florez. Second by Commissioner Albert Padilla. Motion carried.

19. MONTHLY REPORT IN THE PUBLIC WORKS DIVISION FOR THE MONTH OF SEPTEMBER 2007*

Public Works Division Supervisor Harold Garcia informed the Commission on issues dealt within the Public Works Division for the month of September 2007.

For information only. Discussion ensued.

Commissioner David Salazar requested a work session on November 8, 2007 at 3:00 p.m. in the County Managers Office, to discuss Public Works Performance Issues. All Commissioners agreed.

20. MEMORANDUM OF UNDERSTANDING BETWEEN SAN MIGUEL COUNTY AND HARDING COUNTY ADOPTION OF COUNTY ROAD C-10-A (TRIGG RANCH ROAD)*

Public Works Division Supervisor Harold Garcia informed the Commission that San Miguel County and Harding County agreed to Harding County adopting and maintaining County Road C-10-A, better known as Trigg Ranch Road in 1983. The Agreement was a “verbal” agreement that was never acted on formally by either County Commission. Harding County recently applied for Grip 2 funding for improvements to this road and was notified by the New Mexico Department of Transportation they must have “official” documentation that this road belongs to Harding County. Officials from Harding County have requested San Miguel County consider entering into a Memorandum of Understanding that will officially grant permission to Harding County to declare ownership and continue maintenance of this road.

Mr. Garcia submitted for approval the Memorandum of Understanding between San Miguel County and Harding County authorizing Harding County to declare this road as an “official” Harding County Road.

Motion made by Chairman Hugh Ley to approve the Memorandum of Understanding with Harding County for County Road C-10-A (Trigg Ranch Road). Second by Commissioner David Salazar. Motion carried.

21. AWARD OF PROPOSALS FOR CONSTRUCTION OF NORTHSIDE PARKING LOT AT THE COUNTY COURTHOUSE AND COUNTY MANAGER’S OFFICE*

Public Works Division Supervisor Harold Garcia informed the Commission that the San Miguel County Public Works Division recently advertised for Bids for improvements to the County Courthouse and County Manager’s Parking Lot and was unable to obtain bids that were within the budget for these improvements. Initially, the bids were advertised and an opening date was scheduled; however bids were not submitted by any interested Contractor. The second time bids were advertised and opened, there was only one bid and this time the bid exceeded the budget for this project by over \$100,000.

Based on New Mexico State Procurement Standards, the County is now able to contract for the work needed based on the “best obtainable” price from a Licensed Contractor interested in performing the work.

Mr. Garcia received bids from two potential contractors: J & J Son Excavation and Sangre de Cristo Gravel Products. The low bidder, Sangre de Cristo Gravel Products does not have the proper licensing through Construction Industry to perform asphalt work.

Mr. Lopez informed the Commission Sangre de Cristo Gravel Products submitted the “best obtainable price”. Sangre de Cristo filed a lawsuit against Sierra Transit in August and is pending in the Fourth Judicial Court. Mr. Lopez recommended to award Mr. Melendez the job with caution and with conditions.

Mr. Montoya recommended the Commission to award the job to the low bid contingent upon matters being clarified between the County and the low bidder. Should these matters not be

clarified, they not be awarded the bid. Mr. Montoya stressed the importance to address the safety issues on the north side parking lot,

Discussion ensued.

Motion made by Vice-Chairman Kenneth Medina to award bid based with the contingency that Sangre de Cristo provide the proper licensing to complete the job, and to undertake performances immediately. Second by Commissioner David Salazar. Motion carried.

22. REQUEST FOR BIDS FOR EMERGENCY SNOW REMOVAL AND/OR ROAD MAINTENANCE WITHIN VARIOUS DISTRICTS IDENTIFIED BY SAN MIGUEL COUNTY AND DISTRIBUTION OF 07-08 SNOW REMOVAL SCHEDULE*

Public Works Division Supervisor Harold Garcia informed the Commission that the San Miguel County Public Works Division is preparing for contracting with local contractors for the purpose of Emergency Snow Removal and Road Repairs along County roads in San Miguel County. San Miguel County had contracts with several contractors for this purpose, however, the contracts have expired and it is now time to solicit proposals from prospective Contractors for this service. A request for proposals has been prepared and staff is ready to advertise for these services.

Mr. Garcia asked that he be authorized to proceed in advertising the request for proposals for Emergency Snow Removal and Emergency Road Maintenance within the County Roads in San Miguel County.

Discussion regarding the 07-08 Snow Removal schedule as presented was discussed and provided with support from the Commission, the Public Works Supervisor is to follow up to complete the schedule, and distribute to all who need to know.

Motion made by Commissioner June Garcia to proceed with advertisement for request for proposals. Second by Commissioner David Salazar. Motion made.

23. SCOPE OF WORK FOR USGS, SAN MIGUEL COUNTY AND THE CITY OF LAS VEGAS FOR HYDROLOGIC WORK IN SAN MIGUEL COUNTY. COMMISSIONER DAVID SALAZAR'S RECOMMENDATION TO BE INCLUDED IN THE SCOPE OF WORK*

County Manager Les Montoya informed the Commission, The United States Geological Service is authorized to work on assisting the City of Las Vegas and San Miguel County on conducting a Hydrologic study the scope of work describing what will be done has not been completed, but is in the Draft Stage, within the San Miguel County area.

Information only. Discussion ensued.

24. MEMORANDUM OF AGREEMENT SAN MIGUEL COUNTY AND NEW MEXICO FINANCE AUTHORITY DETERMINING RESPONSIBILITIES AS REQUIRED BY THE LAWS OF 2007 1ST SPECIAL SESSION, HOUSE BILL 2, CHAPTER 3, SECTION 4, SUBSECTION 798; \$1,300.00 FOR ACQUISITION OF RIGHT OF WAY, PLANNING, DESIGN AND CONSTRUCTION OF ROADWAY DRAINAGE, PAVING, IMPROVEMENTS AND RECONSTRUCTION TO VARIOUS ROADS IN SAN MIGUEL COUNTY*

County Manager Les Montoya informed the Commission this agreement is to release Grip II Funding for roadway drainage, paving improvements and reconstruction to various roads in San Miguel County.

Mr. Montoya submitted to consider approving the MOA and authorizing signature by Chairman.

Motion made by Vice-Chairman Kenneth Medina to approve the MOA and authorize signature by Chairman. Second by Commissioner David Salazar. Motion carried.

25. MEMORANDUM OF AGREEMENT SAN MIGUEL COUNTY AND NEW MEXICO FINANCE AUTHORITY DETERMINING RESPONSIBILITIES AS REQUIRED BY LAWS OF 2007 1ST SPECIAL SESSION HOUSE BILL CHAPTER 3, SECTION 4, SUBSECTION 78; \$400,000 FOR ACQUISITION OF RIGHT OF WAY, PLANNING, DESIGN, AND CONSTRUCTION OF ROADWAY DRAINAGE AND BRIDGE CONSTRUCTION AT VARIOUS LOCATIONS IN SAN MIGUEL COUNTY*

County Manager Les Montoya informed the Commission this financing agreement is to entity formal to release Grip II funding for drainage and bridge projects to be completed in San Miguel County,

Mr. Montoya submitted for approval the MOA and authorizing signature by Chairman.

Motion made by Commissioner David Salazar to approve the MOA and authorize signature by Chairman. Second by Vice-Chairman Kenneth Medina. Motion carried.

26. MEMORANDUM OF UNDERSTANDING BETWEEN SAN MIGUEL COUNTY AND MORA COUNTY TO WORK IN PARTNERSHIP TO UTILIZE FEDERAL TRANSIT ADMINISTRATION (FTA) 5313 PLANNING GRANT, TO COMPLETE A FEASIBILITY STUDY OF A PUBLIC TRANSPORTATION SYSTEM*

County Manager Les Montoya informed the Commission an FTA 5313 Planning Grant was granted to San Miguel County for the purpose of identifying the transportation needs in San Miguel and Mora County. This MOU as presented creates the partnership between the two Counties to work together in accomplishing this task.

Mr. Montoya submitted MOU for consideration and approval.

Motion made by Commissioner David Salazar to approve MOU. Second by Commissioner June Garcia. Motion carried.

27. SAN MIGUEL COUNTY ADMINISTRATIVE REGULATION NO. 09-12-2006-EDUCATION/TRAINING ASSISTANCE POLICY EDUCATION FUND 208*

County Manager Les Montoya informed the Commission of the amending Administrative Regulation to better define application and approval requirements for education and training opportunities for County Employees as determined by the Board of County Commissioners.

Mr. Montoya submitted for consideration the approval of amendment.

Motion made by Commissioner David Salazar to approve the Policy as amended. Second by Vice-Chairman Kenneth Medina. Motion carried.

28. COUNTY MANAGER'S PERSONNEL RECOMMENDATIONS TO HIRE AND TO RATIFY THE FOLLOWING EMPLOYEES TO FILL THE POSITIONS AT THE SAN MIGUEL COUNTY DETENTION CENTER

RECOMMENDATION TO HIRE:

PROBATIONARY EMPLOYEES

Melissa Naranjo	Detention Officer	Salary: \$19,950.00 Annually
Manuel Salazar	Detention Officer	Salary: \$19,950.00 Annually
Linda Vigil	Detention Officer	Salary: \$19,950.00 Annually
Robert Gallegos	Detention Officer	Salary: \$19,950.00 Annually
Gonzalo Guzman	Detention Officer	Salary: \$19,950.00 Annually

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

Motion made by Commissioner David Salazar to hire and ratify the above employees to fill positions at the San Miguel County Detention Center. Second by Vice-Chairman Kenneth Medina. Motion carried.

29. COUNTY MANAGER’S PERSONNEL RECOMMENDATIONS TO HIRE AND TO RATIFY THE FOLLOWING INDIVIDUAL TO FILL THE FULL TIME POSITION OF MAINTENANCE WORKER I WITH THE SAN MIGUEL COUNTY PUBLIC WORKS AS PER THE RECOMMENDATION OF HAROLD GARCIA, SUPERVISOR*

County Manager Les Montoya informed the Commission position was vacant due to the termination of Cresencio Baca. The position was advertised several applicants were interviewed. Mr. Damian Delgado was the best qualified to fill the position of Maintenance Worker I.

Mr. Montoya submitted for approval to hire and ratify the above employee.

Motion made by Vice-Chairman Kenneth Medina to hire and ratify the employee to fill the position at the Public Works Division. Second by Commissioner Albert Padilla. Motion carried.

30. COUNTY MANAGER’S PERSONNEL RECOMMENDATIONS TO HIRE AND TO RATIFY THE FOLLOWING INDIVIDUAL TO FILL THE EXEMPT POSITION OF CHIEF DEPUTY WITH THE SAN MIGUEL COUNTY TREASURE’S DEPARTMENT AS PER THE RECOMMENDATION OF ALFONSO ORTIZ, COUNTY TREASURER*

RECOMMENDATION TO HIRE AND RATIFY:

EXEMPT EMPLOYEE

Bertha Bustamante Chief Deputy Salary: \$31,000.00 Annually

County Manager Les Montoya informed the Commission Ms. Bustamante has over 27 years of experience in banking and her financial background experience will enable her to perform her responsibilities as Chief Deputy with the San Miguel County Treasurer’s Department.

Mr. Montoya submitted for approval to hire and ratify the above employee.

Motion made by Commissioner June Garcia to hire and ratify the above employee to fill position at the Treasure’s Department. Second by Commissioner Albert Padilla. Motion carried.

31. COUNTY MANAGER’S PERSONNEL RECOMMENDATIONS TO HIRE THE FOLLOWING INDIVIDUAL TO FILL THE FULL TIME CLASSIFIED POSITION OF FINANCIAL SPECIALIST I AS PER THE RECOMMENDATION OF MELINDA GONZALES, FINANCE DIVISION SUPERVISOR*

RECOMMENDATION TO HIRE:

PROBATIONARY EMPLOYEE

Connie Abila Financial Specialist I Salary: \$24,700.00 Annually

Mr. Montoya submitted for approval to hire the above employee.

Motion made by Vice-Chairman Kenneth Medina to hire the above employee to fill position at the Treasure’s Department. Second by Commissioner Albert Padilla. Motion carried.

32. COUNTY MANAGER’S PERSONNEL RECOMMENDATIONS TO HIRE AND TO RATIFY THE FOLLOWING INDIVIDUAL TO FILL THE FULL TIME CLASSIFIED POSITION OF BUILDING MAINTENANCE FOREMAN WITH THE RECOMMENDATION OF HAROLD GARCIA, SAN MIGUEL COUNTY PUBLIC WORKS SUPERVISOR*

RECOMMENDATION TO HIRE:

PROBATIONARY EMPLOYEE

Benito Romero Building Maintenance Supervisor Salary: \$26,125.00 Annually

Mr. Montoya submitted for approval to hire and to ratify the above employee.

Motion made by Vice-Chairman Kenneth Medina to hire the above employee to fill position at the Public Works Division. Second by Commissioner David Salazar. Motion carried.

33. PERSONNEL ACTIONS*

County Manager Les Montoya informed the Commission of personnel actions that have taken place in the month of September for the San Miguel County Board of Commissioners.

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

Motion made by Vice-Chairman Kenneth Medina to approve the personnel actions that have taken place within San Miguel County. Second by Commissioner Albert Padilla. Motion carried.

34. SAN MIGUEL COUNTY BOARD OF FINANCE MEETING

35. BUDGET FINANCIAL RESOLUTION 2007-10-18-F1*

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

Ms. Gonzales submitted for approval resolution 2007-10-18-F1.

Motion made by Commissioner Albert Padilla to approve resolution 2007-10-18-F1. Second by Vice-Chairman Kenneth Medina. Motion carried.

36. FINANCIAL RESOLUTION 2007-10-18-F2; INTENT TO ADOPT ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF THE LOAN AGREEMENT AND INTERCEPT AGREEMENT BETWEEN THE COUNTY AND THE NEW MEXICO FINANCE AUTHORITY (NMFA), EVIDENCING A SPECIAL LIMITED OBLIGATION OF THE COUNTY TO PAY A PRINCIPAL AMOUNT OF \$3,800,428 TOGETHER WITH INTEREST AND ADMINISTRATIVE FEES THEREON FOR THE PURPOSE OF FINANCING THE ACQUISITION OF A ROCK CRUSHER, THE DESIGN AND CONSTRUCTION OF A PUBLIC WORKS FACILITY AND THE COST OF RENOVATING THE SAN MIGUEL COUNTY COURTHOUSE AND TO FUND A LOAN AGREEMENT RESERVE ACCOUNT; AND AUTHORIZING AND DIRECTING THE PUBLICATION OF A NOTICE OF MEETING TO CONSIDER FINAL PASSAGE OF AN ORDINANCE AUTHORIZING THE LOAN AGREEMENT AND INTERCEPT AGREEMENT IN A NEWSPAPER OF GENERAL CIRCULATION WITHIN THE COUNTY*

Finance Division Supervisor Melinda Gonzales informed the Commission during the regular Commission meeting of September 11, 2007, the Board of County Commissioners approved a NMFA loan application in the amount of \$4,500,000. The loan application was for the refinancing of the Zion Bond as well as a loan for a rock crusher, the design and construction of a public works facility and the cost of renovating the San Miguel Courthouse. The NMFA Board approved the loan on September 27, 2007. This is the next step in obtaining the loan.

Ms. Gonzales informed the Commission the principal amount has changed from \$3,800,428 to \$3,265,814.

Ms. Gonzales submitted for approval the Financial Resolution 2007-10-18-F2.

Motion made by Commissioner David Salazar to approve Financial Resolution 2007-10-18-F2. Second by Commissioner June Garcia. Motion carried.

37. FINANCIAL RESOLUTION 2007-10-18-F3; INTENT TO ADOPT ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT AND INTERCEPT AGREEMENT BETWEEN THE COUNTY AND THE NEW MEXICO FINANCE AUTHORITY (NMFA), EVIDENCING A SPECIAL LIMITED OBLIGATION OF THE COUNTY TO PAY A PRINCIPAL AMOUNT OF \$1,639,695 TOGETHER WITH INTEREST AND ADMINISTRATIVE FEES THEREFORE, THE PURPOSE OF REFINANCING THE COUNTYS' 2003 LOAN FROM ZIONS BOND AND TO FUND A LOAN AGREEMENT RESERVE ACCOUNT; AND AUTHORIZING AND DIRECTING THE PUBLICATION OF A NOTICE OF MEETING TO CONSIDER FINAL PASSAGE OF AN ORDINANCE AUTHORIZING THE LOAN AGREEMENT AND INTERCEPT AGREEMENT IN A NEWSPAPER OF GENERAL CIRCULATION WITHIN THE COUNTY *

Finance Division Supervisor Melinda Gonzales informed the Commission during the regular Commission meeting of September 11, 2007, the Board of County Commissioners approved a NMFA loan application in the amount of \$4,500,000. The loan application was for the refinancing of the Zion Bond as well as a loan for a rock crusher, the design and construction of a public works facility and the cost of renovating the San Miguel County Courthouse. The NMFA Board approved the loan on September 27, 2007. This is the next step in obtaining the loan.

Ms. Gonzales informed the Commission the principal amount has changed from \$1,639,695 to \$1,366,670.

Ms. Gonzales submitted for approval Financial Resolution.

Motion made by Commissioner David Salazar to approve Financial Resolution 2007-10-18-F3. Second by Vice-Chairman Kenneth Medina. Motion carried.

38. INDIGENT CLAIMS*

Finance Division Supervisor Melinda Gonzales informed the Commission of Indigent Claims submitted and reviewed by the Finance Office.

Ms. Gonzales submitted for approval of Indigent Fund payments to Alta Vista Hospital in the amount of \$56,858.36 includes retaining cost of \$931.25. St. Vincent's Hospital in the amount of \$22,528.46.

Motion made by Vice-Chairman Kenneth Medina for approval for Alta Vista Hospital in the amount of \$58,527.24. Second by Commissioner David Salazar. Motion carried.

39. CASH BALANCE REPORT*

Finance Division Supervisor Melinda Gonzales informed the Commission of the September 30, 2007 cash balances.

No action taken; for information only;

40. ACCOUNTS PAYABLE LISTING*

Finance Division Supervisor Melinda Gonzales submitted Accounts Payable Listing for payments since the last regular meeting.

Ms. Gonzales submitted for approval the Accounts Payable Listings.

Motion made by Vice-Chairman Kenneth Medina to approve Accounts Payable. Second by Commissioner David Salazar. Motion carried.

Executive/Closed Session

40. 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 4:20 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 4:22 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

Motion made by Commissioner David Salazar to return from Executive Session. Second by Vice-Chairman Kenneth C. Medina. Motion carried.

The Commission returned to public session at 5:25 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 Commissioner June Garcia to adjourn. Second by Commissioner Albert Padilla. Motion carried.

The record will show the time is 5:26 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 J. Garcia, Commissioner

Albert J. Padilla, Commissioner

+

ATTEST

Paul Maez, County Clerk

Minutes Submitted by: Michelle J. Padilla