

PUBLIC NOTICE

CALL TO ORDER

The Board of County Commissioners of San Miguel County held a Regular Meeting and a County Finance Meeting on Thursday, November 11, 2008, at 1:30 p.m. at the San Miguel County Commission Chambers, 500 West National, 2nd Floor., Las Vegas, New Mexico 87701 . The agenda for the County Commission meeting was as follows:

ROLL CALL

Chairman David R. Salazar, Vice-Chair June J. Garcia, Commissioner Hugh H. Ley, Commissioner Kenneth C. Medina, 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 requested to remove items 18, 19 and item 31 from the agenda.

Motion to approve agenda as presented by Commissioner Hugh Ley. Second by Commissioner June Garcia. Motion carried, as changed by the County Manager.

APPROVAL OF MINUTES: October 14, 2008 *

Motion to approve minutes for Regular Meeting held on October 14, 2008 by Commissioner Hugh Ley. Second by Commissioner Kenneth Medina. Motion carried.

INTRODUCTION OF NEW EMPLOYEES:

Ebeny Mondragon Deputy Clerk Probate Court
(Probationary Employee)

County Manager Les Montoya introduced new employee Ebeny Mondragon who was present.

*Introduction of County Extension Agent,
Samantha Ortiz, County Director/Agent
And
Update of Program
By Roberta Rios, Northern New Mexico Supervisor*

Roberta Rios introduced Samantha Ortiz as the new San Miguel County Co-op extension agent. Mrs. Rios also thanked the Commission for its continued support. Mrs. Rios gave a brief overview of the program.

NEW BUSINESS:

1. COUNTY TREASURER'S MONTHLY REPORT *

Alfonso Ortiz, County Treasurer reviewed and discussed the County Treasurer's monthly report for the month of October 2008 with the Commission.

No action taken: For information only.

2. PUBLIC HEARING ON ADOPTION OF AMENDMENTS TO THE COUNTY'S SOLID WASTE ORDINANCE *

Harold Garcia, Public Works Division Supervisor advised that for several months, Staff and Commissioners have been considering revisions to the County's Solid Waste Ordinance, No. SMC-02-10-04-OR, adopted in 2004. The title of the Ordinance and a general summary of the subject matter of the proposed amendments were published in the Las Vegas Optic on October 23, 2008, at least two weeks before today's public hearing, as required by law. The matter is now before the County Commission, which must conduct a public hearing and consider any public input on the proposed amendments. Mr. Garcia reviewed and discussed the changes to the amendments.

Chairman David Salazar opened a public hearing for discussion.

Mr. Sollohub expressed his concern of including something that would encourage recycling within the Ordinance.

Pat Lehan asked for clarification to the lien process on unpaid accounts which Mr. Garcia and Ms. Melinda Gonzales answered that after a number of attempts to collect the lien process would take effect.

There were no comments in opposition to the proposed amendments.

Mr. Garcia requested that after holding and conducting a public hearing on the matter aforesaid, the Commission approve, adopt and ordain the proposed amendments to San Miguel County Ordinance No. SMC-02-10-04, which amendments will become effective thirty days after the amendments are filed for record in the Office of the San Miguel County Clerk.

Chairman David Salazar closed public hearing.

Discussion ensued.

Motion by Commissioner Hugh Ley to approve the proposed amendments to San Miguel County Solid Waste Ordinance No. SMC-02-10-04, which amendments will become effective thirty days after the amendments are filed by the County Clerks Office. Second by Commissioner Albert Padilla. Motion carried.

3. PUBLIC HEARING ON PETITION TO VACATE A 100' LONG PORTION OF LA CINTA ROAD (CONCHAS DAM)*

Alex Tafoya, Planning and Zoning Supervisor advised the Commission that San Miguel County received a petition from John and Marybeth Wolf to discontinue a 100' long portion of La Cinta Road. A public road viewing has been held and Road Viewers have returned recommendation, said recommendation being that the 100' long portion of La Cinta Road be vacated and a dead end sign be posted at the beginning of the road.

Mr. Tafoya requested (1) Conduct a public hearing on the petition and accept public comment; (2) review recommendation of Road Viewers; (3) accept or deny recommendation to vacate 100' long portion of La Cinta Road.

Chairman Salazar opened a public hearing.

Mr. John Wolff spoke in favor of the issue for security reasons.

No comment in opposition.

Chairman Salazar closed public hearing.

Motion to vacate 100 foot section of La Cinta Road by Commissioner Albert Padilla. Second by Commissioner Kenneth Medina. Motion carried.

4. REQUEST TO CLOSE TWO (2) ROADS THAT PROVIDE ACCESS TO TRIGG FAMILY RESIDENCES FROM SAN MIGUEL COUNTY ROAD C-10-A *

Alex Tafoya, Planning and Zoning Supervisor advised the Commission that on October 2, 2008, County Road Viewers conducted a public road viewing of two (2) roads that provide access to Trigg Family residences from County Road C-10-A. Recommendation is made to abandon the two (2) roads as public roads.

Mr. Tafoya requested the Commission (1) Conduct a public hearing and accept public comment; (2) review the recommendation of the Road Viewers; and (3) accept or deny the recommendation.

Chairman Salazar opened a public hearing.

Sally Trigg spoke in favor of road closure

No public comment in opposition of road closure

Chairman Salazar closed the public hearing.

Motion to close 2 roads that provide access to Trigg family residence from County road C-10-A by Commissioner Albert Padilla. Second by Commissioner June Garcia. Motion carried.

5. PETITION TO ESTABLISH FOREST ROAD 223 AS A PUBLIC (COUNTY) ROAD SUBMITTED BY U.S. FOREST SERVICE *

Alex Tafoya, Planning and Zoning Supervisor advised the Commission the U. S. Forest Service submitted petition to County to establish Forest Road 223 as a public (county) road. San Miguel County Road Viewers conducted a public road viewing and have returned recommendation to include road does not meet County standards Forest Service needs to obtain easements from all land owners and first settle all issues involving Forest Road 223.

Mr. Tafoya requested the Commission conduct public hearing and accept public comment; review recommendation submitted by Road Viewers, and accept or deny recommendation.

Les Montoya, County Manager read to the Commission a letter from Manuel Jiron, U.S. Forest Supervisor regarding the issue. Mr. Jiron requested to table the issue at the 11-11-2008 meeting so that a complete and clear understanding is presented to the community. Then be placed back for a public hearing at a future meeting.

Vice Chair June Garcia opened a public hearing for any comments on this matter.

Mr. Toby Tanuz commented on his concerns For the Forest Services failure to maintain the road and keeping the quality of life.

Mrs. Dolores Gonzales-Medina expressed her concerns of the intention of the Forest Service and the lack of communication with the nearby land owners.

Mr. Steve Romero, District Ranger spoke briefly on behalf of the U.S. Forest Service. Mr. Romero stated the reasons for wanting to table the issue is to have the opportunity to clarify with the land owners. Mr. Romero also stated the limitations in maintaining the road on private lands. The intentions of the Forest Service was to use a tool such as San Miguel County to have the ability to maintain the road with no limitations and have the ability to use Federal funds to keep the road maintained.

Discussion ensued

Motion to table item#5 for a future meeting by Commissioner Kenneth Medina. Second by Commissioner June Garcia. Motion carried.

6. RESOLUTION NO. 11-11-08-SOLAR PROVIDING FOR THE ADOPTION OF AN ORDINANCE IMPOSING A 120 DAY MORATORIUM ON THE

SUBMISSION OF APPLICATIONS FOR CONDITIONAL USE PERMIT FOR SOLAR ENERGY FACILITIES WITHIN SAN MIGUEL COUNTY *

Alex Tafoya, Planning and Zoning Supervisor advised the Commission San Miguel County zoning ordinance does not provide for the approval or denial of a conditional use permit for the siting of solar energy facilities within the unincorporated areas of the County, therefore the County is not able to properly address such application.

Mr. Tafoya requested the Commission impose a 120 day moratorium on the submission, consideration, approval or denial of applications for conditional use permits for solar energy facilities within San Miguel County. Adopt Resolution No. 11-11-08-SOLAR which provides for the adoption of an ordinance imposing such moratorium. Bring Ordinance at next Commission meeting and conduct a public hearing for adoption.

Motion to adopt Resolution No. 11-11-08-SOLAR, proposing an ordinance to impose a 120 day moratorium on the submission, consideration, approval or denial of applications for conditional use permits for solar energy facilities within San Miguel County, by Commissioner June Garcia. Second by Commissioner Hugh Ley. Motion carried.

7. REQUEST FOR PROPOSALS-SPEC BUILDING ARCHITECTURAL SERVICES*

Alex Tafoya, Planning and Zoning Supervisor advised the Commission San Miguel County issued a request for proposals for design professional services for the design of a 20,000 square foot Spec Building to be located at the Wood Business Park. One (1) proposal was received by the October 31, 2008 deadline, that proposal submitted by Soleil West Architects of Albuquerque, New Mexico. Funding for such services is provided under a USDA Grant.

Mr. Tafoya requested the Commission direct County staff to enter into contract negotiations with Soleil West that are in the best interests of the County and based upon funding availability.

Motion to authorize County Staff to enter into contract negotiations with Soleil West that are in the best interest of the County and based upon funding availability by Commissioner Hugh Ley. Second by Commissioner Albert Padilla. Motion carried.

8. PROPOSALS-PLANNING SERVICES AS-NEEDED FOR SAN MIGUEL COUNTY *

Alex Tafoya, Planning and Zoning Supervisor advised the Commission San Miguel County has received sealed proposals for professional planning services as-needed. County staff reviewed and scored each proposal. Parametrix Engineering and Planning scored the highest with all the proposal reviewers and is 46 points (14.6%) above the next ranked company. Staff wishes to enter into contract negotiations with Parametrix that are beneficial to the County.

Mr. Tafoya requested the Commission authorize County staff to enter into contract negotiations with Parametrix Engineering and Planning that are in the best interest of the County.

Motion to authorize staff to enter into contract negotiations with Parametrix Engineering and Planning that are in the best interest of the County by Commissioner Hugh Ley. Second by Commissioner Kenneth Medina. Motion carried.

9. RESOLUTION NO. SMC-FIRE-11-11-2008-NMSA AUTHORIZING FIRE DISTRICT REVENUE BONDS TO ACQUIRE, CONSTRUCT, EQUIP AND IMPROVING FIRE PROTECTION EQUIPMENT TO MEET NATIONAL STANDARDS FOR CABO LUCERO VOLUNTEER FIRE DEPARTMENT *

Russell Pacheco, Fire Chief advised the Commission of Resolution for San Miguel County to consider for adoption an ordinance authorizing issuance and sale of \$167,000.00 San Miguel County, New Mexico Fire Protection Improvement Revenue Bonds, Series 2009 for the purpose of acquiring, Constructing, Equipping and Improving Fire Protection Equipment and Facilities for use by the Cabo Lucero Volunteer Fire Department located within San Miguel County. And Directing the County Manager and Clerk to publish Notice of intent to consider an ordinance authorizing such bonds in a newspaper of General circulation.

Mr. Pacheco requested the Commission approve and adopt Resolution NO- SMC-FIRE-11-11-2008-NMSA.

Motion to approve and Adopt Resolution NO. SMC-FIRE-11-11-2008-NMSA by Commissioner Kenneth Medina. Second by Commissioner Albert Padilla. Motion carried.

10. FY 2008-2009 EMPG-SAN MIGUEL GRANT FROM THE NEW MEXICO DEPARTMENT OF HOMELAND SECURITY/EMERGENCY MANAGEMENT. THE GRANT IS IN THE AMOUNT OF \$71,214 WITH AN EFFECTIVE DATE OF JANUARY 1, 2008 AND TERMINATION DATE OF JUNE 30, 2009 *

Dennis English, Emergency Manager advised the Commission this grant is the Emergency Management Performance Grant which covers 50% of the Emergency Manager and Office of Emergency Managements Administrative Assistants salaries and benefits. This grant is now changing from Federal Fiscal budget year (January 1- December 31) over to State Fiscal budget year of (July 1- June 30).

Mr. English requested the Commission approve and accept the grant.

Motion to approve FY 2008-2009 EMPG-San Miguel Grant from the New Mexico Department of Homeland Security/Emergency Management by Commissioner Hugh Ley. Second by Commissioner June Garcia. Motion carried.

11. RESOLUTION 11-11-08-OEM-01 STATEWIDE INTEROPERABLE COMMUNICATION PLAN TO JOIN WITH AREA TWO COUNTIES (COLFAX, HARDING, MORA, SAN MIGUEL & UNION) AND AREA 5 (TORRANCE COUNTY) AND WORK TOWARD AN INTEROPERABLE COMMUNICATION PLAN *

Dennis English, Emergency Manager advised the Commission the Department of Homeland Security and the Statewide Interoperable Communication Working Group encourages NM public safety agencies and communication authorities to develop communication systems that focus on interoperability. They have submitted for funding toward a project to enhance interoperability communications through out the state. The Office of Emergency Managements in the Counties of area 2 & 5 want to develop an interoperable communication plan and start being able to communicate with the surrounding counties.

Mr. English requested the Commission approve resolution 11-11-08-OEM-01.

Motion to approve Resolution 11-11-08-OEM-01 by Commissioner Hugh Ley. Second by Commissioner Albert Padilla. Motion carried.

12. REQUEST FOR OUT-OF-STATE TRAVEL TO EMERGENCY MANAGEMENT INSTITUTE (EMITTSBURG MARYLAND) FOR THE SMC/LV EMERGENCY MANAGER DENNIS ENGLISH TO ATTEND A CLASS ON EMERGENCY OPERATION CENTER/INCIDENT MANAGEMENT TEAM INTERFACE. THIS WILL OCCUR ON JANUARY 25-JANUARY 30, 2009 IF ACCEPTED TO THE COURSE *

Dennis English, Emergency Manager advised the Commission all the area 2 county Emergency Managers are submitting application to the course at the Emergency Management Institute. This will give the EM's more knowledge in the setting up of an EOC and how it interfaces with the incident management team at the command post of an incident in the field. Cost for the trip will be meals only and will be reimbursed through the 3- Yr Emergency Exercise Grant through the department of Homeland Security.

Mr. English requested approval for out-of-state travel.

Motion to approve out of state travel by Commissioner Kenneth Medina. Second by Commissioner Albert Padilla. Motion carried.

13. ALCOHOL LITERACY CHALLENGE (ALC) COMMUNITY DWI APPLICATION (FY 08-09) *

Wendy Armijo, DWI Coordinator advised the Commission that in the 2007 Legislative Session House Joint Memorial (HMJ) 64, sponsored by Rep. Richard Vigil was passed. This memorial created a Task Force and ordered a study of alcohol advertising to youth alcohol consumption within the Sate of New Mexico. This study was completed and submitted to the interim Legislative Health and Human Services Committee November 2007. It essentially investigated both the content of alcohol advertisements and the placement of those advertisements.

Dr. Debenedettis of Santa Fe New Mexico, creator of the curriculum, bases the Alcohol Literacy Curriculum on a decade of research and work. The ALC is a program designed to prevent underage drinking by utilizing media lessons aimed at teaching youth about alcohol expectancies, research to educate them on how to critically understand, question, and evaluate

media and its effect on youth. The purpose of the program is to demonstrate how media can serve, but more importantly teach youth how to become better informed about media messaging.

The attached application includes a request for funding in the amount of \$1,505.84. Requested funding will be utilized to attend training required for program implementation and allows for student participation incentives.

The San Miguel County DWI Program proposes to implement the ALC curriculum as follows: West Las Vegas High School students grade 9. West Las Vegas Middle School 21st Century Program, targeted students grades (6 - 8).

Wendy Armijo, DWI Coordinator requested Approval and Ratification of Alcohol Literacy Challenge (ALC) Application (FY 08-09).

Motion to approve Alcohol Literacy Challenge (ACL) application (FY 08-09) by Commissioner Hugh Ley. Second by Commissioner June Garcia. Motion carried.

14. 2009 NM LEGISLATIVE PRIORITIES PRESENTATION – SAN MIGUEL COUNTY DETENTION CENTER *

Patrick Snedeker, Warden/Facility Administrator advised the Commission of the Legislative Priorities, for the 2009 NM Legislative Session; specific to the San Miguel County Detention Center, shall be provided, for San Miguel County Commission information, review, and approval. The ICIP identified item(s) represent Phase III of the detention center Facility Infrastructure Improvement Program and plan.

Lawrence Medina from Zia Community Services spoke briefly to the Commission of the 5 year improvement plan for the SMC Detention Center.

Steve Flores, Pat Lehan, Yolanda Cruz and Tim Gallegos from the SMC Citizen Advisory Committee all spoke in appreciation of the Priority 1 Detention Center improvements and it's willing to continue services to the SMC Detention Center.

Discussion ensued.

Mr. Snedeker requested the Commission review the 2009 NM Legislative Detention Center Priority Packets Phase III improvements as presented.

No action taken: for review and feedback only.

Les Montoya, County Manager requested that item #24 be moved up as the next item on the agenda.

15. AGREEMENT STATE OF NEW MEXICO CHILDREN YOUTH AND FAMILIES DEPARTMENT, AND SAN MIGUEL COUNTY TO PROVIDE

PROGRAM/SERVICES FOR JUVENILE OFFENDERS IN SAN MIGUEL COUNTY *

Les Montoya, County Manager advised the Commission the County serves as Fiscal Agent (Contractor) to provide Juvenile Offenders Program in San Miguel County. County to receive \$90,000, for delivering of said services. The County in partnership with Las Vegas Juvenile Justice Board will declare said services with Service Providers from within the Community.

Mr. Montoya requested the Commission review Agreement and consider approving agreement, and designate County Manager and Finance Supervisor to administer and retain fiscal accountability as required by the Agreement and return for ratification at later date.

Mr. Montoya introduced Teresa Martinez who spoke briefly about the program and requested support from the San Miguel County Commission. Mrs. Martinez also introduced Erica Dirkus a Sociology Professor at Highlands University who serves as a research analyst that would provide information of program designs.

No action taken: request for direction authorized.

16. EXTENSION OF THE CONTRACT AGREEMENT, BY AND BETWEEN THE TOWN OF TAOS, NM AND SAN MIGUEL COUNTY, NM *

Patrick Snedeker, Warden/Facility Administrator advised the Commission the Extension of the Contract Agreement, by and between the Town of Taos, NM and San Miguel County, NM, for the housing and care of Town of Taos detainees, at the San Miguel County Detention Center is presented for San Miguel County Commission review and approval. A twenty (\$20.00) booking fee shall be charged for each individual booked into the San Miguel County Detention Center. The cost of detaining an inmate (at \$65.00 a day) and other provisions shall remain pursuant to said contract. The Extension Agreement shall go before the Town of Taos Council on November 18, 2008.

Mr. Snedeker requested the Commission Review and approve the Extension Agreement, as presented.

Motion to approve Extension Agreement by and between Taos, NM and San Miguel County, NM by Commissioner Hugh Ley. Second by Commissioner Kenneth Medina. Motion carried.

17. MONTHLY REPORT IN THE PUBLIC WORKS DIVISION FOR THE MONTH OF OCTOBER 2008 *

Harold Garcia, Public Works Division Supervisor reviewed and discussed information on issues dealt with in the Public Works Division for the month of October 2008.

No action taken: For information purposes only.

18. AWARD BID FOR THE FABRICATION AND PURCHASE OF 14 FOOT PRE-CAST CONCRETE AND STEEL GRILL CATTLE GUARDS, END POSTS, AND WARNING DEVICES *

Harold Garcia, Public Works Division Supervisor advised the Commission San Miguel County received a legislative appropriation in the amount of \$25,000.00 for the purchase of cattle guards through the 2008 Legislative Session. Based on this, staff advertised for sealed bids for fabrication and purchase of cattle guards and opened these bids on Wednesday, October 22, 2008. Only one bid was received from Rocky Road Gravel Products in the amount of \$6,768.00 for each cattle guard.

Mr. Garcia requested the Commission award the bid to Rocky Road Gravel Products in the amount of \$6,768.00 each for the fabrication and purchase of one (1) or more 14-foot Pre-Cast Concrete and Steel Grill Cattle Guards, End Posts, and Warning Devices.

Motion to award the bid to Rocky Road Gravel Products in the amount of \$6,768.00 each for the fabrication and purchase of one (1) or more 14-foot Pre-Cast Concrete and Steel Grill Cattle Guards, End Posts, and Warning Devices by Commissioner Hugh Ley. Second by Commissioner Albert Padilla. Motion carried.

19. PRICE LIST FOR PRINTED MAPS AND DATA *

Mario H. Vasquez, Computer Information Specialist advised the Commission the prices for printing maps and producing digital data have not been standardized and some of the present material costs have exceeded the publication costs. The digital data has to be produced after hours so there is not impact on the network resources during working hours.

Mr. Vasquez requested the Commission approve the price list for printing maps and for producing digital data as presented, being Resolution No. 11-11-08 CIS-002.

Motion to approve price listing for printing maps and for producing digital data by Commissioner Albert Padilla, as per Resolution No. 11-11-08-CIS-002. Second by Commissioner June Garcia. Motion carried.

20. NEGOTIATED BID AMOUNT FOR THE COUNTY COURTHOUSE REMODEL PROJECT AND RECOMMENDATION TO AWARD BID TO FRANKEN CONSTRUCTION COMPANY. THE NEGOTIATED BID AMOUNT IS \$1,942,025.28 INCLUDING GROSS RECEIPTS TAX *

Les Montoya, County Manager advised the Commission that Competitive Bids were opened on September 30, 2008. Commission took action on October 14, 2008 to authorize the County Manager and Staff to negotiate the low bid submitted by Franken Construction. The County, Architect and Contractor met on October 24, 2008 and negotiated the low bid amount.

Mr. Montoya reviewed and discussed the negotiated bid amount and requested the Commission consider awarding the project for the courthouse remodel to Franken Construction for the negotiated amount.

Motion to Award low bid as negotiated in the amount of \$1,942,025.28 to Franken Construction for the County Courthouse Remodel Project by Commissioner Albert Padilla. Second by Commissioner June Garcia. Motion carried.

21. AMBULANCE SERVICE REQUEST FOR PROPOSALS IN THE WESTERN PORTION OF SAN MIGUEL COUNTY, EXCLUDING PECOS RECOMMENDATION TO AWARD PROPOSAL *

Les Montoya, County Manager advised the Commission that on October 14, 2008 the Commission approved the extension of the Ambulance Service Agreement with Pecos Valley Medical Center, after additional/review of the Service Agreement it was determined extension was services would exceed the 5 year service time frame. Therefore, a Request for Proposals for these services was advertised, and opening of the proposals took place on November 7, 2008.

Mr. Montoya requested the Commission rescind the action taken on October 14, 2008 renewing the agreement with Pecos Valley Medical Center, and instead award Ambulance Services Agreement to Pecos Valley Medical Center with a renewal option up to 5 years.

Motion to rescind action of October 14, 2008 and Award Ambulance Service to PVMC for services in the western portion of the County excluding Pecos, by Commissioner Hugh Ley. Second by Commissioner June Garcia. Motion carried.

22. FY 2008 PAYMENTS TO STATE ELECTION FROM FEDERAL FOREST RESERVE PAYMENT TO STATES (FFRP) *

Les Montoya, County Manager advised the Commission that new funding formulas adjusted Federal Forest Reserve Payments to New Mexico Counties. The amounts funded increase in San Miguel County. Funds can be used for Title I-County Roads and Schools. Title II Forest Restoration Projects and Title III Search and Rescue, Wildfire Protection in the amount of \$632,652.00.

Mr. Montoya requested the Commission ratify use of Federal Forest Reserve Payments in San Miguel County.

Discussion ensued

Motion to Ratify, election use of Federal Forest Reserve payments in San Miguel County by Commissioner Hugh Ley. Second by Commissioner Albert Padilla.

23. COUNTY MANAGER'S PERSONNEL RECOMMENDATIONS TO HIRE THE FOLLOWING INDIVIDUAL TO FILL THE VACANT POSITION OF DEPUTY WITH THE SAN MIGUEL COUNTY SHERIFF'S DEPARTMENT *

RECOMMENDATION TO HIRE:

PROBATIONARY EMPLOYEE

William Cruz Deputy Salary: \$ 28,500.00
Effective: November 17, 2008

Les Montoya, County Manager advised the Commission that Mr. William Cruz is certified through the Department of Public Safety and also has twenty years of Law Enforcement experience with the City of Las Vegas Police Department.

Mr. Montoya requested the Commission hire Mr. William Cruz as Deputy with the San Miguel County Sheriff's Department.

Motion to hire Mr. William Cruz as Deputy with the San Miguel County Sheriff's Department by Commissioner Albert Padilla. Second by Commissioner June Garcia. Motion carried.

24. COUNTY MANAGER'S PERSONNEL RECOMMENDATIONS TO HIRE AND RATIFY THE FOLLOWING INDIVIDUAL TO FILL THE VACANT POSITION OF ANIMAL CONTROL OFFICER WITH THE SAN MIGUEL COUNTY PUBLIC WORKS DIVISION AS PER THE RECOMMENDATION OF HAROLD GARCIA, PUBLIC WORKS DIVISION SUPERVISOR *

RECOMMENDATION TO HIRE:

PROBATIONARY EMPLOYEE

Leonard Marquez Animal Control Officer Salary: \$ 23,750.00
Effective: November 28, 2008

Les Montoya, County Manager advised the Commission the Animal Control Officer Position was advertised with several applications being submitted. This individual will be responsible for the answering of complaints of unwanted or escaped animals and the removing and disposing of them.

Mr. Montoya requested the Commission hire the above individual as the Animal Control Officer for San Miguel County.

Motion to hire the above individual as the Animal Control Officer for San Miguel County by Commissioner Albert Padilla. Second by Commissioner Hugh Ley. Motion carried.

25. COUNTY MANAGER'S PERSONNEL RECOMMENDATIONS TO HIRE THE FOLLOWING INDIVIDUAL TO FILL THE VACANT POSITION OF CONVENIENCE CENTER OPERATOR AT THE CAMP LUNA SITE WITH THE SAN MIGUEL COUNTY PUBLIC WORKS DIVISION AS PER THE

**RECOMMENDATION OF HAROLD GARCIA, PUBLIC WORKS DIVISION
SUPERVISOR ***

RECOMMENDATION TO HIRE:

PROBATIONARY EMPLOYEE

Eloy Gonzales Convenience Center Operator Salary: \$ 16,150.00
Effective: November 28, 2008

Les Montoya, County Manager advised the Commission the Convenience Center Operator position was vacant due to the resignation of Ramon Valencia. Interviews were held and Mr. Eloy Gonzales is the best qualified to fill this vacant position. Mr. Eloy Gonzales will be stationed at the Camp Luna Site.

Mr. Montoya requested the Commission hire the above individual, Mr. Eloy Gonzales, to fill the vacant position of Convenience Center Operator.

Motion to hire the above individual, Mr. Eloy Gonzales, to fill the vacant position of Convenience Center Operator by Commissioner June Garcia. Second by Commissioner Hugh Ley. Motion carried.

**26. COUNTY MANAGER'S PERSONNEL RECOMMENDATIONS TO RATIFY
THE HIRING OF THE FOLLOWING INDIVIDUAL TO FILL THE CASUAL
POSITION OF OFFICE CLERK WITH THE SAN MIGUEL COUNTY
TREASURER'S DIVISION AS PER THE RECOMMENDATION OF ALFONSO
ORTIZ, COUNTY TREASURER ***

RECOMMENDATION TO HIRE:

CASUAL EMPLOYEE

JoAnn Gonzales Office Clerk Salary: \$ 9.00 Hourly
Effective: November 5, 2008

Les Montoya, County Manager advised the Commission Ms. JoAnn Gonzales will be assisting with the processing of mail payments and also with clerical work.

Mr. Montoya requested the Commission ratify the hiring of Ms. JoAnn Gonzales to fill the Casual Position in the San Miguel County Treasurer's Division.

Motion to approve and ratify the hiring of Ms. JoAnn Gonzales to fill the Casual Position in the San Miguel County Treasurer's Division by Commissioner Hugh Ley. Second by Commissioner Albert Padilla. Motion carried.

27. COUNTY MANAGER’S PERSONNEL RECOMMENDATIONS TO HIRE AND RATIFY THE FOLLOWING INDIVIDUALS TO FILL VACANT POSITION AT THE SAN MIGUEL COUNTY DETENTION CENTER AS PER THE RECOMMENDATION OF PATRICK SNEDEKER, WARDEN/FACILITY ADMINISTRATOR *

RECOMMENDATION TO HIRE:

PROBATIONARY EMPLOYEES

Thomas Rascon	Detention Officer	Salary: \$19,950.00 Annually
Gabriel Ramirez	Detention Officer	Salary: \$19,950.00 Annually

Les Montoya, County Manager advised the Commission the Detention Officer positions are vacant due to vacancies within the Detention Center.

Mr. Montoya requested the Commission Approve to hire and ratify the above individuals for the Detention Officer positions.

Motion to approval to hire and ratify the above individuals for the Detention Officer positions at the San Miguel County Detention Center by Commissioner Hugh Ley. Second by Commissioner June Garcia. Motion carried.

28. PERSONNEL ACTIONS *

Les Montoya, County Manager advised the Commission of the Personnel actions that have taken place in San Miguel County are submitted for ratification and approval by the San Miguel County Board of Commissioners.

The County Commission has some questions of the Personnel actions taken place in San Miguel County that Mr. Montoya advised would be addressed in the Executive Session.

SAN MIGUEL COUNTY BOARD OF FINANCE MEETING

29. MONTHLY COUNTY FUEL USAGE REPORT *

Melinda Gonzales, Finance Division Supervisor advised the Commission that on a monthly basis the finance department is monitoring the gas usage for each of the departments. If the department is exceeding the average monthly allotment, the finance department sends notice to the department to plan for overages within their current budget.

No action taken: for Information only.

30. INDIGENT CLAIMS *

Melinda Gonzales, Finance Division Supervisor presented to the Commission indigent claims submitted and reviewed by the Finance Office from Alta Vista Hospital.

Ms. Gonzales requested the Indigent claims submitted and reviewed by the Finance Office from Alta Vista Hospital and be approved in the amount of \$57,014.23

Motion to approve Indigent claims submitted and reviewed by the Finance Office from Alta Vista Hospital in the amount of \$57,014.23 by Commissioner Albert Padilla. Second by Commissioner Hugh Ley. Motion carried.

31. CASH BALANCE REPORT *

Melinda Gonzales, Finance Division Supervisor reviewed and discussed with the County Commissioners of the October 31, 2008 cash balances.

No action taken: for information only;

32. ACCOUNTS PAYABLE LISTING *

Melinda Gonzales, Finance Division Supervisor advised the Commission of the payments made since the last regular meeting.

Ms. Gonzales requested the Commission approve accounts payable.

Motion to approve accounts payable by Commissioner Hugh Ley. Second by Commissioner Albert Padilla. 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) 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 Commissioner Hugh Ley to retire into Executive/ Closed Session at 4:50 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 Albert Padilla. Motion carried.

Roll call was taken before County Commission retired into Executive Session

Chairman David Salazar	Yes
Vice-Chair June Garcia	Yes
Commissioner Hugh Ley	Yes
Commissioner Kenneth Medina	Yes
Commissioner Albert Padilla	Yes

Unanimous vote to retire into executive session.

Commissioner Hugh Ley made a motion to return to regular session at 4:51 P.M. Second by Commissioner June Garcia. Motion carried.

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

ADJOURNMENT

Commissioner June Garcia made motion to adjourn. Second by Commissioner Albert Padilla. Motion carried. The meeting ended at 4:17 P.M.

Approved this _____ day of _____, 2008 as the Official Minutes of
The Board of County Commissioners of San Miguel County, New Mexico.

David R. Salazar, Chairman

June J. Garcia, Vice-Chair

Hugh H. Ley, Commissioner

Kenneth C. Medina, Commissioner

Albert J. Padilla, Commissioner

ATTEST

Paul Maez, County Clerk

Minutes Submitted by: Javier L. Lopez