



*Paul Maez
BOE Supervisor*

*Geraldine E. Gutierrez
Chief Deputy*

*Martha Sena
Deputy Clerk*

County Clerk

Melanie Y. Rivera



*Michelle Padilla
Deputy Clerk*

*Javier Lopez
Deputy Clerk*

*Ebeny Mondragon
Probate Deputy Clerk*



PUBLIC NOTICE

MINUTES OF REGULAR MONTHLY MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF SAN MIGUEL COUNTY, NEW MEXICO
HELD TUESDAY, MARCH 16, 2010

CALL TO ORDER

The San Miguel County Board of Commissioners held a regularly scheduled monthly meeting on March 16, 2010 at 1:30 p.m., and during the meeting also convened as the County Board of Finance.

The meeting was held at the San Miguel County Commission Chambers, County Courthouse, 2nd Floor, 500 West National Ave., Suite 200, 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 Albert J. Padilla, Commissioner Nicolas T. Leger, and Commissioner Marcellino A. Ortiz were all present.

All Commissioners being in attendance, a quorum was established.

Chairman Salazar requested a moment of silence in memory of Convenience Center Manager Placido Bustamante, who passed away.

PLEDGE OF ALLEGIANCE

SALUTATION TO THE NEW MEXICO STATE FLAG:

“I *salute* the flag of the State of New Mexico and the Zia Symbol of perfect friendship among United Cultures.”

APPROVAL OF AGENDA

County Manager Les Montoya presented to the Commission the agenda for approval as submitted.

Motion to approve agenda as submitted, made by Commissioner June Garcia. Second by Commissioner Albert Padilla. Motion carried.

APPROVAL OF MINUTES: Regular Meeting February 9, 2010 ([Backup](#))

Motion to approve minutes of February 9, 2010 by Commissioner Albert Padilla. Second by Commissioner Marcellino Ortiz. Motion carried.

INTRODUCTION OF NEW EMPLOYEES:

Ramon Vigil

E-911 Addressing Technician

Finance Division

(Casual Employee)

County Manager Les Montoya introduced Ramon Vigil to the Commission. Mr. Vigil was not present.

PUBLIC INPUT/PRESENTATIONS

ALTERNATIVE ENERGY FORMAT WITH POSSIBLE ORGANIC MEAT AND VEGETABLE PRODUCTION BY MANUEL ARTHUR BACA

Manuel Arthur Baca spoke to the Commission in reference to alternative energy. Mr. Baca explained to the commission how this process works and the benefits of this alternative energy.

PUBLIC INPUT BY LARRY WEBB RE MORATORIUM ON OIL AND GAS

Larry Webb spoke to the Commission about his concerns with the moratorium on oil and gas. Mr. Webb expressed his concerns about the effects the moratorium will have on his property and requested that the Commission lift the moratorium.

Mr. Phil Bidagin also advised the Commission of his concerns and also requested that the moratorium be lifted.

Chairman Salazar and County Attorney Lopez both spoke concerning the comments offered by Messrs. Webb and Bidagin. The Chairman and attorney noted that the oil and gas moratorium was enacted to protect the public health, welfare and safety, and was adopted in accordance with law.

NEW BUSINESS:

**SAN MIGUEL COUNTY BOARD OF FINANCE MEETING
(COMMISSION SITTING AS A BOARD OF FINANCE)**

1. INDIGENT CLAIMS FOR ALTA VISTA HOSPITAL IN THE AMOUNT OF \$38,480.72

Finance Supervisor Melinda Gonzales advised the Commission that her office has received, reviewed and processed the indigent claims submitted. All claims that meet the guidelines are listed on the Approved Indigent Claims Listing approval sheet and all claims that do not meet the guidelines are listed on the Denied Indigent Claims Listing.

Ms. Gonzales reviewed the indigent claims and requested approval of indigent claims.

Ms. Gonzales also advised the Commission that Alta Vista finance supervisor Christine Chavez was present.

Commissioner Nicolas Leger asked Ms. Chavez to convey to her superiors, that the Hospital agree to allow the Board of County Commissioners to name and designate a full-fledged member of the Hospital's Board of Directors, and that the Hospital respond as soon as possible. Ms. Chavez acknowledged that she would do so.

Motion made by Commissioner Nicolas Leger to approve indigent claims. Second by Commissioner Marcellino Ortiz. Motion carried.

2. BUDGET ADJUSTMENT RESOLUTION 2010-03-16-F1

[\(Backup\)](#)

Finance Supervisor Melinda Gonzales reviewed and discussed with the Commission the two items addressed in this budget adjustment. The first budget adjustment is to account for a 3% salary increase. The increase will only apply to classified employees and probationary employees who complete probationary status by 2010 who did not receive a salary adjustment during the current fiscal year. The second budget adjustment is to account for a \$50,000 transfer from the General Fund to the Vehicle Capital Outlay Fund for administrative vehicles for the Clerk's office and the Finance office.

Ms. Gonzales requested the Commission approve budget adjustment resolution 2010-03-16-F1, for the foregoing purposes.

Motion to approve Budget Adjustment Resolution 2010-03-16-F1 by Commissioner Albert Padilla. Second by Commissioner June Garcia. Motion carried.

3. MARCH 5, 2010 CASH BALANCE REPORT

Finance Supervisor Melinda presented the March 5, 2010, cash balance report for the purpose of informing the Commission of the County's cash balance as of March 5, 2010.

No action was taken on this item, as the matter was submitted only for the information of the County Commission.

4. ACCOUNTS PAYABLE LISTING

[\(Backup\)](#)

Finance Division Supervisor Melinda Gonzales submitted for approval and ratification, all payments made by the County since the last regular monthly meeting.

Ms. Gonzales requested the approval of accounts payable by the County Commission.

Motion to approve accounts payable by Commissioner Albert Padilla. Second by Commissioner Marcellino Ortiz. Motion carried.

5. COUNTY TREASURER'S MONTHLY REPORT

[\(Backup\)](#)

County Treasurer Alfonso Ortiz Jr. was not present, and no report was made.

No action taken. Information only.

**SAN MIGUEL COUNTY COMMISSION REGULAR MEETING CONTINUES
(COMMISSION RECONVENES IN REGULAR SESSION)**

6. MR. JOSE B. DURAN HAS RECENTLY PASSED AWAY, AND ASSESSOR RECOMMENDS NICK MICHALSKI AS HIS REPLACEMENT ON THE BOARD.

[\(Backup\)](#)

County Assessor Elaine Estrada advised the Commission on the loss of Mr. Duran, and requested his replacement be Mr. Nick Michalski as per her recommendation.

Mrs. Estrada also expressed her appreciation and that of her staff, for the recent salary increase.

Motion to approve Mr. Nick Michalski as a member of the Valuation Protests Board for San Miguel County, replacing Jose B. Duran, by Commissioner Albert Padilla. Second by Commissioner Marcellino Ortiz. Motion carried.

7. LAW ENFORCEMENT PROTECTION FUND OF \$24,200

(Backup) Paper

County Manager Les Montoya advised the Commission concerning the origin and allowed uses of funds received under the Law Enforcement Protection Fund (for equipment only), and asked approval of the funds to the Sheriff's office.

Motion to approve Law Enforcement Protection funds by Commissioner Albert Padilla. Second by Commissioner June Garcia. Motion carried.

8. US ARMY ENGINEER CONTRACT IN CONCHAS LAKE DAM

[\(Backup\)](#) Paper

County Manager Les Montoya advised the Commission that the funds are received annually from the Army Corps of Engineers to help defray costs of law enforcement protection in the Conchas area of the County, and asked approval and acceptance of the funds in the amount of \$10,560.00 for the current year, for the Sheriff's office.

Motion to approve and accept funds as noted above, by Commissioner Albert Padilla. Second by Commissioner Marcellino Ortiz. Motion carried.

9. RESOLUTION SUPPORTING ENFORCEMENT OF OFF HIGHWAY RULES AND REGULATIONS FOR VEHICLES THAT TRAVEL OFF WAY IN VARIOUS AREAS IN NEW MEXICO

[\(Backup\)](#)

County Manager Les Montoya introduced Mr. Arturo Sandoval, Director of NM Public Lands Action Network. Mr. Sandoval informed the Commission of the efforts being made statewide to deal with these issues.

Chairman Salazar clarified that Mr. Sandoval does not represent any State agency; that he is with a private organization.

Discussion ensued

Motion by Commissioner Nicolas Leger to adopt resolution as presented, concerning off-road vehicles. Second by Commissioner Marcellino Ortiz. Motion carried

10. SAN MIGUEL COUNTY VOLUNTEER FIRE DISTRICTS WILL BE APPLYING FOR THE VFA/RFA GRANT FROM ENERGY MINERALS AND NATURAL RESOURCES DEPARTMENT. VOLUNTEER FIRE ASSOCIATION GRANT APPLICATIONS BY THE 12 VOLUNTEER FIRE DISTRICTS WITHIN SAN MIGUEL COUNTY

[\(Backup\)](#)

San Miguel County Fire Chief Russell Pacheco advised the Commission that the 12 volunteer fire districts will be submitting applications for funding to the NM Energy, Minerals and Natural Resources Division for

VFA/RFA Grant monies identified strictly for wildland fire related equipment and activities. Application deadline is April 2, 2010.

No action taken. For information only, and to advise Commission of application.

11. RURAL FIRE ASSISTANCE GRANT FROM THE BUREAU OF LAND MANAGEMENT RECEIVED BY THE TECOLOTE VOLUNTEER FIRE DEPARTMENT IN THE AMOUNT OF \$15,000.00.

[\(Backup\)](#)

San Miguel County Fire Chief Russell Pacheco advised the Commission that the Tecolote Volunteer Fire Department received a \$15,000.00 Grant from EMNRD for a Rural Fire Assistance Grant. The grant will be used for wildland fire fighting equipment.

Motion to ratify and approve application/Grant by Commissioner Albert Padilla. Second by Commissioner June Garcia. Motion carried.

12. REQUEST FOR PROPOSALS FOR INSURANCE COVERAGE FOR VOLUNTEER FIRE FIGHTERS IN SAN MIGUEL COUNTY, NEW MEXICO.

[\(Backup\)](#)

San Miguel County Fire Chief Russell Pacheco advised the Commission that the contract with Northern Insurance to provide VFIS insurance for the volunteer fire fighters has expired and requested authorization to issue a request for proposals for insurance coverage.

Motion to approve issuance of RFP as noted above, by Commissioner Albert Padilla. Second by Commissioner Marcellino Ortiz. Motion carried.

13. EXTENSION OF FOOD SERVICE MANAGEMENT AGREEMENT - WITH AMENDMENT - SAN MIGUEL COUNTY, NM AND SUMMIT FOOD SERVICE MANAGEMENT, LLC

[\(Backup\)](#)

Warden Patrick Snedeker advised the Commission that the 2nd Extension of the Food Service Management Agreement, between San Miguel County, NM and Summit Food Service Management, LLC, is presented for commission review and approval. An amendment is included, for the provision of food services operations, for the Las Vegas - San Miguel County Office of Emergency Management, in the event of activation of that office, and in response to management of an emergency.

Warden Snedeker requested the Commission review and approve the Extension Agreement, along with Amendment, as presented.

Warden Snedeker introduced Food Service Director Shelly Trujillo, who spoke in favor of the proposed amendment.

Ms. Trujillo introduced her District Manager, Mike Lewis, who also spoke in favor of the proposed amendment.

Motion by Commissioner Albert Padilla to approve the Extension Agreement, along with Amendment, as presented. Second by Commissioner June Garcia. Motion carried.

14. PUBLIC WORKS DIVISION MONTHLY REPORT FOR THE MONTH OF FEBRUARY 2010

[\(Backup\)](#)

Interim Public Works Division Supervisor Daniel Encinias advised the Commission concerning work done by his Division during the preceding month, and also thanked the Commission for the salary increase to be given to County employees.

No action taken: For information purposes only

15. PROPOSAL SUBMITTED BY DURAN SAND & GRAVEL, INC., FOR ROAD MAINTENANCE AND/OR ROAD IMPROVEMENTS WITHIN VARIOUS DISTRICTS IDENTIFIED BY SAN MIGUEL COUNTY.

[\(Backup\)](#)

Interim Public Works Division Supervisor Daniel Encinias advised the Commission that San Miguel County recently requested proposals for road maintenance and/or improvements within several district identified by the County. The purpose of the RFP is for contracting with various contractors for road maintenance and/or improvements on county roads within San Miguel County on or as-needed basis. San Miguel County also

intends to contract for the use of heavy equipment through these contractors on an as-needed basis. Two proposals were submitted, one from Duran Sand & Gravel Inc., and one from Rocky Road Gravel Products. These services will be for a period up to four years in twelve-month periods, renewable every year during these four years.

Discussion ensued.

Mr. Encinias requested the Commission's approval to award service agreement to Duran Sand & Gravel Inc., for the purposes and in the manner noted above.

Motion to award service agreement to Duran Sand & Gravel Inc., as noted above, by San Miguel by Commissioner Albert Padilla. Second by Commissioner Marcellino Ortiz. Motion carried.

16. APPROVAL OF AGREEMENT BETWEEN DURAN SAND & GRAVEL, INC., SAN MIGUEL COUNTY FOR ROAD MAINTENANCE AND/OR ROAD IMPROVEMENTS WITHIN VARIOUS DISTRICTS IDENTIFIED BY SAN MIGUEL COUNTY

[\(Backup\)](#)

Interim Public Works Division Supervisor Daniel Encinias advised the Commission that San Miguel County recently issued a request for proposals for road maintenance and improvements within the County's several road districts, as noted in the immediately preceding Item (No. 15).

Mr. Encinias requested the Commission approve the agreement between Duran Sand & Gravel, Inc., and San Miguel County.

Motion to approve the agreement between Duran Sand & Gravel, Inc., and San Miguel County by Commissioner Albert Padilla. Second by Commissioner Marcellino Ortiz. motion carried.

17. PROPOSAL SUBMITTED BY ROCKY ROAD GRAVEL PRODUCTS FOR ROAD MAINTENANCE

[\(Backup\)](#)

Interim Public Works Division Supervisor Daniel Encinias advised the Commission that San Miguel County recently issued a request for proposals for the matters and in the manner noted in the two immediately preceding Item (Nos. 15 and 16).

Mr. Encinias requested the Commission award service agreement to Rocky Road Gravel Products for the proposal submitted for road maintenance and/or improvements in various districts identified by San Miguel County.

Motion to award service agreement to Rocky Road Gravel Products for the proposal submitted for road maintenance and/or improvements in various districts identified by San Miguel County by Commissioner Albert Padilla. Second by Commissioner Marcellino Ortiz. Motion Carried.

18. APPROVAL OF AGREEMENT BETWEEN ROCKY ROAD GRAVEL PRODUCTS AND SAN MIGUEL COUNTY FOR ROAD MAINTENANCE AND/OR IMPROVEMENTS WITHIN VARIOUS DISTRICTS IDENTIFIED BY SAN MIGUEL COUNTY.

[\(Backup\)](#)

Interim Public Works Division Supervisor Daniel Encinias advised the Commission that San Miguel County recently issued a request for proposals in the manner and for the purposes noted in the immediately preceding Items (Nos. 15, 16 and 17), and requested approval and award of a contract to Rocky Road Gravel Products.

Motion to award contract to Rocky Road Gravel Products by Commissioner Albert Padilla. Second by Commissioner Marcellino Ortiz. Motion carried.

Commissioner Marcellino Ortiz noted for the record, and the entire Commission and Manager Montoya agreed, that the \$20,000.00 cap for the contract awards for the above four Items, may be too limiting and that the same should be increased by the County Manage

19. REQUEST FOR BIDS FOR THE 60-MONTH LEASE WITH THE OPTION TO PURCHASE TWO (2) MOTORGRADERS FOR THE SAN MIGUEL COUNTY

[\(Backup\)](#)

Interim Public Works Division Supervisor Daniel Encinias advised the Commission that two (2) motorgraders are under lease which expired in January, 2010. The motorgraders have been leased on a temporary basis until such time as bids were invited and contracts awarded for replacement of the motorgraders. Bids were recently invited for the purpose of purchasing and/or leasing one or more motorgraders. The invitation for bids specified a 60-month lease with the option to purchase. Bids were opened on Friday, March 5, 2010.

Mr. Encinias requested the Commission authorize entering into Lease Purchase Agreement for two (2) Motorgraders to the lowest responsible bidder.

Motion to enter into lease purchase agreement for two (2) motorgraders with lowest responsible bidder, by Commissioner Marcellino Ortiz. Second by Commissioner Albert Padilla. Motion carried.

20. AGREEMENT FOR THE 60-MONTH LEASE WITH THE OPTION TO PURCHASE TWO (2) MOTORGRADERS FOR THE SAN MIGUEL COUNTY

[\(Backup\)](#)

Interim Public Works Division Supervisor Daniel Encinias advised the Commission in the same manner and to the same extent as noted in the recitals contained in the immediately preceding Item, No. 19.

Motion to approve Lease Purchase Agreement with lowest responsible bidder, for the two (2) specified motorgraders for 60 months, by Commissioner Albert Padilla. Second by Commissioner June Garcia. Motion carried.

21. RESOLUTION NUMBER 03-16-10 PW AUTHORIZING THE BOARD OF COMMISSIONERS OF SAN MIGUEL COUNTY TO SUBMIT THE 2010 ADOPTED COUNTY ROAD LOG TO NEW MEXICO DEPARTMENT OF TRANSPORTATION.

[\(Backup\)](#)

Interim Public Works Division Supervisor Daniel Encinias advised the Commission that the New Mexico Department of Transportation recently notified San Miguel County of the need to adopt the San Miguel County Road Log and submit same to the Department of Transportation.

Discussion ensued.

Motion to adopt Resolution Number 03-16-10-PW and authorize Staff to proceed in sending to the New Mexico Department of Transportation, by Commissioner June Garcia. Second by Commissioner Albert Padilla. Motion carried.

22. RESOLUTION NO. SMC-RES-03-16-10-PW-EXCESS PROPERTY

[\(Backup\)](#)

Interim Public Works Division Supervisor Daniel Encinias advised the Commission that on January 7, 2010 the New Mexico Environment Department (NMED) announced that San Miguel County has been chosen as a sub-recipient for the New Mexico ARRA/DERA State Clean Diesel Grant which will run from the date of award to September 30, 2010. Based on the application dated October 14, 2009, the NMED announced its intent to award \$515,858 as partial funding for the project proposed in the application. San Miguel County plans to replace four (4) vehicles through this project. As per the criteria found in the vehicle replacement section of the ITB, scrapping of the replaced vehicles is required.

Motion to approve Resolution Number SMC-RES-03-16-10-PW-EXCESS PROPERTY for the purpose of declaring the subject vehicles to be excess property and not usable by San Miguel County and authorizing the County Manager to sell or otherwise dispose of said property as provided by law, by Commissioner Marcellino Ortiz. Second by Commissioner Albert Padilla. Motion carried.

23. RESOLUTION NUMBER 03-16-10 CAP/PW AMENDMENT TO COOPERATIVE AGREEMENT

[\(Backup\)](#)

Interim Public Works Division Supervisor Daniel Encinias advised the Commission that the New Mexico Department of Transportation and the County of San Miguel entered into a Cooperative Agreement, No. D12921, on the 17th day of September, 2009. Page 8, SECTION EIGHTEEN, Paragraph One, of the Agreement allows both parties to make alterations and revisions to the said Agreement. Original funding for this agreement was reduced due to overall revenue shortfall of the Local Government Road Fund and the 25% PUBLIC ENTITY matching share was waived.

Mr. Encinias requested the Commission adopt Resolution Number 03-16-10 CAP/PW which will amend Cooperative Agreement D12921 which was entered into on September 17, 2009.

Motion to adopt Resolution Number 03-16-10 CAP/PW which will amend Cooperative Agreement D12921, by Commissioner June Garcia. Second by Commissioner Marcellino Ortiz. Motion Carried.

24. RESOLUTION NUMBER 03-16-10 SP/PW AMENDMENT TO COOPERATIVE AGREEMENT

[\(Backup\)](#)

Interim Public Works Division Supervisor Daniel Encinias advised the Commission that the New Mexico Department of Transportation and the County of San Miguel entered into a Cooperative Agreement, No. D12923, on the 17th day of September, 2009. Page 8, SECTION EIGHTEEN, Paragraph One, of the Agreement allows both parties to make alterations and revisions to the said Agreement. Original funding for this agreement was reduced due to overall revenue shortfall of the Local Government Road Fund and the 25% PUBLIC ENTITY matching share was waived.

Mr. Encinias requested the Commission adopt Resolution Number 03-16-10 SP/PW which will amend Cooperative Agreement D12923 which was entered on September 17, 2009.

Motion to adopt Resolution Number 03-16-10 SP/PW, by Commissioner Marcellino Ortiz. Second by Commissioner June Garcia. Motion Carried.

25. RESOLUTION NUMBER 03-16-10 SB/PW AMENDMENT TO COOPERATIVE AGREEMENT

[\(Backup\)](#)

Interim Public Works Division Supervisor Daniel Encinias advised the Commission that the New Mexico Department of Transportation and the County of San Miguel entered into a Cooperative Agreement, No. D12922, on the 17th day of September, 2009. Page 8, SECTION EIGHTEEN, Paragraph One, of the Agreement allows both parties to make alterations and revisions to the said Agreement. Original funding of this agreement was reduced due to overall revenue shortfall of the Local Government Road Fund and the 25% PUBLIC ENTITY matching share was waived.

Mr. Encinias requested the Commission adopt Resolution Number 03-16-10 SB/PW which will amend Cooperative Agreement D12922 which was entered on September 17, 2009.

Motion to adopt Resolution Number 03-16-10 SB/PW, by Commissioner Albert Padilla. Second by Commissioner Marcellino Ortiz. Motion carried.

26. REQUEST FOR PROPOSALS TO OBTAIN PROFESSIONAL SERVICES TO WORK WITH SAN MIGUEL TO PREPARE A SOLID WASTE OPERATIONAL PLAN, AND ASSIST WITH SEEKING FUNDS FOR THE PURCHASE OF A SOLID WASTE BALER FOR SAN MIGUEL COUNTY

[\(Backup\)](#)

Public Service Foreman Harold Garcia advised the Commission that San Miguel County recently received the executed Agreement from the New Mexico Environment Department Construction Programs Bureau for an appropriation in the amount of \$50,000.00 for the planning, design, construction, and purchase of a solid waste baler. Staff has prepared a Request for Proposals for Professional Consulting Services to work with San Miguel County with the facilitation of Committee Meetings, propose and prepare a Solid Waste Operational Plan, and assist with seeking funds for the purchase of a Solid Waste Baler for San Miguel County.

Discussion ensued

Mr. Garcia requested the Commission authorize staff to proceed with the Request for Proposals as noted above, and a motion to that effect was made by Commissioner Marcellino Ortiz and seconded by Commissioner Albert Padilla. The motion carried.

27. WATERLINE EXTENSION AGREEMENT BETWEEN THE CITY OF LAS VEGAS AND SAN MIGUEL COUNTY FOR THE NORTHERN NEW MEXICO WOOD BUSINESS PARK (NORTHERN AREA)

[\(Backup\)](#)

Public Service Foreman Harold Garcia advised the Commission that the San Miguel County Public Works Facility is currently under construction. This facility is being built at the Northern New Mexico Wood Business Park. San Miguel County has been approved to install a waterline for the northern part of the Wood Business Park. The waterline will include a water meter for this extension that allows the contractor working for the County to install this waterline.

Mr. Garcia requested the Commission approve the Waterline Extension Agreement between the City of Las Vegas and San Miguel County.

Motion to approve waterline extension agreement by Commissioner June Garcia. Second by Commissioner Albert Padilla. Motion carried.

28. GAS LINE EXTENSION AGREEMENT BETWEEN THE CITY OF LAS VEGAS AND SAN MIGUEL COUNTY FOR THE NORTHERN NEW MEXICO WOOD BUSINESS PARK PUBLIC WORKS FACILITY

[\(Backup\)](#)

Public Service Foreman Harold Garcia advised the Commission that the San Miguel County Public Works Facility is currently under construction. This facility is being built at the Northern New Mexico Wood Business Park. San Miguel County is proposing to have a 2" gas line and service, servicing the Public Works Facility. In order to have this done, a Gasline Extension Agreement must be approved between the City of Las Vegas and San Miguel County. The Agreement has been submitted by the City of Las Vegas for execution by San Miguel County.

Mr. Garcia requested the Commission approve the Gasline Extension Agreement between the City of Las Vegas and San Miguel County.

Motion to approve the Gasline Extension Agreement by Commissioner Albert Padilla. Second by Commissioner Marcellino Ortiz. Motion carried.

29. AWARD OF BID FOR THE CONSTRUCTION OF THE DAVID OLD BUILDING AT THE NORTHERN NEW MEXICO WOOD BUSINESS PARK.

[\(Backup\)](#)

Public Service Foreman Harold Garcia advised the Commission that San Miguel County has been working with local businessman David Old on the design of a building at the Northern New Mexico Wood Business Park. San Miguel County received a USDA Rural Business Enterprise Grant for Economic Development in the amount of \$500,000.00 for this facility. A total construction budget of \$425,000.00 has been approved for this building, with a set aside of \$15,000.00 for inspection, and \$60,000.00 set aside for design. Bid opening was Friday, March 5, 2010, and all bids were over budget.

Mr. Garcia requested the Commission consider rejection of all bids received for this project, all said bids being over project budget.

Discussion ensued.

Motion to reject all bids submitted and consider alternative methods of constructing/bidding project, by Commissioner Marcellino Ortiz. Second by Commissioner Albert Padilla. Motion carried.

30. JOB DESCRIPTION FOR MAINTENANCE TECHNICIAN

[\(Backup\)](#)

Public Service Foreman Harold Garcia advised the Commission that due to restructuring of the Public Works Division several months ago, there have been some changes in the duties in the Maintenance Division. These changes are in the Maintenance Forman position; this position is being structured so that there is more involvement with the responsibilities in maintenance, such as carpentry work that may be needed, minor plumbing or electrical duties, and focusing more on the upkeep of the grounds of the buildings under the responsibilities of the Public Works Division.

Mr. Garcia requested the Commission review and approve the Job Description as presented.

Motion to approve Job Description for the position of Maintenance Technician, by Commissioner Albert Padilla. Second by Commissioner June Garcia. Motion carried.

31. ANIMAL CONTROL SERVICE AGREEMENT WITH THE VILLAGE OF PECOS

[\(Backup\)](#)

Public Service Foreman Harold Garcia advised the Commission that San Miguel County had an agreement with the Village of Pecos several years ago for the purpose of providing Animal Control Services in the Village. This agreement was terminated sometime back due to the county not having a full-time Animal Control Officer and thus not being able to provide the Animal Control Services needed by the Village of Pecos. San Miguel County now has a full-time Animal Control Officer and can provide the Animal Control Services needed by the Village of Pecos. The County will be providing Animal Control Services once per week and on an as-needed basis. The Village of Pecos agrees to compensate the County \$55.00 per trip

made to the Village of Pecos plus any additional costs incurred by the County through the City of Las Vegas Animal Shelter.

Mr. Garcia requested the Commission review the agreement and approve execution of this Agreement.

Motion to approve animal control service agreement with the Village of Pecos by Commissioner Marcellino Ortiz. Second by Commissioner Albert Padilla. Motion carried.

32. ADMINISTRATIVE REGULATION NO. 03-06-2010-COUNTY CELL PHONE SERVICE DESIGNATION

[\(Backup\)](#)

County Manager Les Montoya advised the Commission that he has developed a policy relating to and governing the use of County issued cell phones, and requested that the Commission approve the Policy submitted by him in this regard.

Motion to approve Administrative Regulation No. 03-06-2010-COUNTY CELL PHONE SERVICE DESIGNATION, by Commissioner Albert Padilla. Second by Commissioner June Garcia. Motion carried.

33. SAN MIGUEL COUNTY MANAGER REQUEST TO HIRE THE FOLLOWING INDIVIDUAL TO FILL THE VACANT POSITION OF EQUIPMENT OPERATOR II WITH THE SAN MIGUEL COUNTY PUBLIC WORKS DIVISION AS PER THE RECOMMENDATION OF DANIEL ENCINIAS, SAN MIGUEL COUNTY INTERIM PUBLIC WORKS SUPERVISOR.

PROBATIONARY EMPLOYEE

MARK DOMINGUEZ - EQUIPMENT OPERATOR II - EFFECTIVE DATE OF HIRE: MARCH 22, 2010 - PROBATIONARY SALARY: \$20,900.00

[\(Backup\)](#)

County Manager Les Montoya advised the Commission that an Equipment Operator II position was vacant due to the promotion of Michael Wheel to Crusher Plant Equipment Operator II. The position was advertised in the Las Vegas Optic and in the San Miguel County Web Site. Several applications were received and the

top three candidates were interviewed. It was determined that Mark Dominguez was the best qualified to fill the position of Equipment Operator II.

Mr. Montoya requested the Commission ratify and approve of the hiring of Mark Dominquez as the new Equipment Operator II with the San Miguel County Public Works Division.

Motion to ratify the hiring of Mark Dominquez as the new Equipment Operator II with the San Miguel County Public Works Division, by Commissioner Marcellino Ortiz. Second by Commissioner June Garcia. Motion carried.

34. SAN MIGUEL COUNTY MANAGER REQUEST TO HIRE THE FOLLOWING INDIVIDUAL TO FILL THE VACANT POSITION OF DWI TRACKER WITH THE SAN MIGUEL COUNTY DWI DIVISION AS PER THE RECOMMENDATION OF WENDY ARMIJO, SAN MIGUEL COUNTY DWI COORDINATOR

PROBATIONARY PART TIME EMPLOYEE

CHARLES GRIEGO - DWI TRACKER - EFFECTIVE DATE OF HIRE: MARCH 22, 2010 - HOURLY SALARY: \$10.00

[\(Backup\)](#)

County Manager Les Montoya advised the Commission that the San Miguel County DWI Tracker position was advertised and several applications were received, and it was determined that Charles Griego was the best qualified to fill the vacant DWI Tracker position. The position is a Part Time position and Mr. Charles Griego will be working 32 hours a week.

Mr. Montoya requested the Commission ratify and approve the hiring of Charles Griego as the new DWI Tracker with the San Miguel County DWI Division.

Motion to ratify the hiring of Charles Griego as the new DWI Tracker with the San Miguel County DWI Division by Commissioner Albert Padilla. Second by Commissioner Marcellino Ortiz. Motion carried.

35. SAN MIGUEL COUNTY MANAGER'S REQUEST TO RATIFY THE HIRING OF THE FOLLOWING INDIVIDUAL TO FILL THE VACANT POSITION OF DETENTION OFFICER AT THE SAN MIGUEL COUNTY DETENTION CENTER AS PER THE RECOMMENDATION OF PATRICK SNEDEKER, WARDEN.

PROBATIONARY EMPLOYEE:

UFRENDO JODY JARAMILLO - DETENTION OFFICER - DATE OF HIRE: MARCH 1, 2010 -
PROBATIONARY SALARY: \$20,900.00

[\(Backup\)](#)

County Manager Les Montoya advised the Commission a Detention Officer Position is vacant due to a Detention Officer resigning his position.

Mr. Montoya requested the Commission ratify the hiring of Ufrendo Jody Jaramillo as a Detention Officer.

Motion to ratify the hiring of Ufrendo Jody Jaramillo as a Detention Officer by Commissioner June Garcia.
Second by Commissioner Marcellino Ortiz. Motion carried.

36. PERSONNEL ACTIONS OR CHANGES FOR THE MONTH OF FEBRUARY 2010.

[\(Backup\)](#)

County Manager Les Montoya advised the Commission of personnel changes which have taken place in San Miguel County during the month of February 2010, and submitted same for ratification and approval by the San Miguel County Board of Commissioners.

Motion to ratify and approve the personnel changes that have taken place during the month of February 2010, as presented by the County Manager, by Commissioner Albert Padilla. Second by Commissioner Marcellino Ortiz. 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 Albert Padilla to retire into Executive/Closed Session at 3:40 p.m. to discuss the matters outlined above by the County Manager. Second by Commissioner June Garcia. Motion carried.

Roll call was taken before County Commission retired into Executive Session

Chairman David Salazar	Yes
Vice-Chair June Garcia	Yes
Commissioner Albert Padilla	Yes
Commissioner Nicolas T. Leger	Yes
Commissioner Marcellino A. Ortiz	Yes

Unanimous vote to retire into executive session.

Commissioner June Garcia made a motion to return to regular session at 4:10 P.M. Second by Commissioner Marcellino A. Ortiz. Motion carried.

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

ADJOURNMENT

Commissioner June Garcia made motion to adjourn. Second by Commissioner Nicolas Leger. Motion carried. The meeting ended at 4:10 P.M.

Approved this _____ day of _____, 2010 as the Official Minutes of
The Board of County Commissioners of San Miguel County, New Mexico, of the Regular
Meeting held March 16, 2010.

David R. Salazar, Chairman

June Garcia, Vice-Chair

Nicholas T. Leger, Commissioner

Marcellino A. Ortiz, Commissioner

Albert Padilla, Commissioner

ATTEST

Melanie Y. Rivera, County Clerk

Minutes Submitted by: Javier L. Lopez

