

**MINUTES OF REGULAR MONTHLY MEETING
OF SAN MIGUEL COUNTY BOARD OF COMMISSIONERS
HELD TUESDAY, JUNE 28, 2011, BEGINNING AT 1:30 P.M.**

The San Miguel County Board of Commissioners held its regular monthly meeting on Tuesday, June 28, 2011, beginning at 1:30 p.m., at its chambers at the San Miguel County Courthouse, 500 West National Avenue, Second Floor, Las Vegas, New Mexico, and during said meeting met and convened as the County Board of Finance.

The agenda for the County Commission meeting is as follows:

CALL TO ORDER AND ROLL CALL

Chairman David R. Salazar called the meeting to order, and upon a call of the roll by the County Clerk, the following Commissioners were present and a quorum duly noted by the Chairman: Chairman David R. Salazar, Vice Chair Nicolas T. Leger, Commissioners Marcellino A. Ortiz, Arthur J. Padilla and Ron R. Ortega.

PLEDGE OF ALLEGIANCE AND SALUTATION TO THE STATE FLAG

The Commission, joined by staff and all in attendance, pledged allegiance to the U.S. flag and saluted the NM state flag.

APPROVAL OF AGENDA

Upon the recommendation of the County Manager, Commissioner Padilla moved, and Commissioner Ortega seconded, the approval of the agenda, with the understanding that Item 27 would be removed from the Agenda at this time. The motion carried. **(Unless otherwise noted, all motions were approved by unanimous voice vote of the Commission).**

APPROVAL OF MINUTES:

Commissioner Padilla moved, and Commissioner Ortega seconded, the approval of the minutes of the regular monthly meeting held May 10, 2011, and the motion carried. Commissioner Padilla moved approval of the minutes of the special meeting/budget hearing held May 26, 2011, and upon a second by Commissioner Ortega, the motion carried and the minutes were duly approved.

INTRODUCTION OF NEW EMPLOYEES

The following new employees were introduced to the Commission and the public by the County Manager:

Jacobie Quintana	Transit Operator/	DWI Division
(Probationary Employee)	Safe Ride Home Program	

SAN MIGUEL COUNTY BOARD OF FINANCE MEETING

1. COUNTY TREASURER'S MONTHLY REPORT

Finance Director Melinda Gonzales presented the Treasurer's monthly report, in the absence of County Treasurer Alfonso E. Ortiz, Jr.

2. INDIGENT APPEAL FROM PATIENT OF ALTA VISTA HOSPITAL WITH AN AMOUNT OWED, AFTER CALCULATION, OF \$4,216.10

Upon a motion by Commissioner Padilla, and a second by Commissioner Ortega, indigent claim file/appeal No. 1242 was approved by the Commission. Prior to the approval, Commissioner Ortega propounded questions to the Finance Director concerning the matter, and all questions were answered to the Commissioner's satisfaction.

3. INDIGENT CLAIMS FOR ALTA VISTA HOSPITAL IN THE AMOUNT OF \$63,807.44

Finance Supervisor Melinda Gonzales requested approval of indigent hospital claims to the hospital and in the amount noted above. Whereupon, Commissioner Padilla moved and Commissioner Ortega seconded approval, and the motion carried.

4. INDIGENT APPEAL FROM PATIENT OF CHRISTUS ST. VINCENT HOSPITAL WITH AN AMOUNT OWED, AFTER CALCULATION, OF \$9,879.60

Upon the recommendation of Finance Director Melinda Gonzales, claim/file/appeal No. 1234 in the amount of \$9,879.60 was duly approved upon a motion by Commissioner Padilla and a second by Commissioner Ortega. The motion carried.

5. INDIGENT CLAIMS FOR CHRISTUS ST. VINCENT HOSPITAL IN THE AMOUNT OF \$10,906.82.

Upon the recommendation of Finance Director Melinda Gonzales, Commissioner Ortega moved, and Commissioner Padilla seconded, the approval of indigent hospital claims to Christus St. Vincent in the amount of \$10,906.82 was approved by unanimous voice vote of the Commission.

6. INDIGENT BURIAL CLAIMS

Finance Director Melinda Gonzales informed the Commission that her office received a bill from Gonzales Funerals and Cremations for funeral services for an unclaimed body, namely, George Kraft, in the amount of \$600.00. Ms. Gonzales recommended approval, and Commissioner Padilla so moved. Upon a second by Commissioner Ortiz, the motion carried.

7. CASH BALANCE REPORT AS OF JUNE 10, 2011

For the information of the Commission, Finance Director Gonzales presented the cash balance report as of June 10, 2011. No action was taken, as the report was made solely for the information of the Commission.

8. ACCOUNTS PAYABLE LISTING ITEMS 2011-11-1 THROUGH 2011-11-560

Upon the recommendation of the Finance Director, Commissioner Padilla moved and Commissioner Ortega seconded, approval of the accounts payable listed above, and the motion carried.

SAN MIGUEL COUNTY REGULAR MEETING

9. RESOLUTION NO. 6-28-11-CLERK (APPROVING THE CREATION OF AND ADJUSTMENT TO PRECINCT BOUNDARIES, AS REQUIRED BY LAW)

County Clerk Melanie Y. Rivera made a presentation explaining Resolution No. 6-28-11 relating to precinct boundaries, all in anticipation of and preparation for the re-districting of the County's commission districts, pursuant to the 2010 decennial census. After answering several questions propounded by the Commission, Commissioner Padilla moved and Commissioner Ortiz seconded approval of Resolution No. 6-28-11, and the motion carried.

10. MEMORANDUM OF UNDERSTANDING BETWEEN SAN MIGUEL COUNTY SHERIFF DEPARTMENT AND THE UNITED STATES MARSHALS (USM)

Undersheriff Roy Pacheco presented the above described MOU for approval, and upon a motion by Commissioner Padilla and a second by Commissioner Ortiz, the MOU was approved by unanimous voice vote of the Commission.

11. REQUEST TO APPROVE 2011-2013 SAN MIGUEL COUNTY PROTEST BOARD

County Assessor Elaine Estrada recommended that the following persons be appointed as the County's Valuation Protests Board, as required by law, for a two-year term for 2011-2013: Nick Michalski and Roland Medrano as members, and Rubel Vigil and Corrine Leger as alternates. (Commissioner Leger noted for the record that Corrine Leger was his spouse, and the Chairman noted the same for the record).

Whereupon, Commissioner Padilla moved, and Commissioner Ortiz seconded, the appointments noted above, and the motion carried, Commissioner Leger abstaining.

12. ADMINISTRATIVE REGULATION REQUEST TO ESTABLISH ASSESSOR/APPRaiser CERTIFICATION POLICY FOR SAN MIGUEL COUNTY

County Assessor Estrada appeared before the Commission and made the presentation under this Agenda item. Whereupon, Commissioner Padilla moved, and Commissioner Ortiz, seconded, the approval and adoption of the Assessor's recommended IAAO Certification Compensation Pay regulation. The motion carried.

13. FUNDING REQUEST FOR FISCAL YEAR 2011-2012, BY THE LAS VEGAS/SMC ECONOMIC DEVELOPMENT COOPERATION/THE WL V TRANSPORTATION/RECREATION PROGRAM/THE COUNTY EXTENSION OFFICE AND THE COUNTY BOOK MOBILE PROGRAMS

Matt Martinez Jr., president of the Las Vegas/SMC EDC, accompanied by Lavinia Flores-Fenzi, made a presentation seeking funds for support of EDC, and answered several questions propounded by all Commissioners. A lengthy discussion ensued by the Commissioners, each expressing his views concerning economic development and the funding request made by EDC.

Whereupon, on the recommendation of the County Manager, Commissioner Padilla moved that the County contribute the amount of \$5,000.00 to EDC for the fiscal year 2011-12, and also, that the County allow EDC to utilize the County's old public works building on Railroad Avenue, for nominal consideration. The motion was seconded by Commissioner Ortiz, and upon a call of the roll, each individual Commissioner voted aye.

Next to appear before the Commission to seek funding was the SMC Extension Service office, by its representative, Samantha Ortiz. Ortiz was accompanied by Jeff Bater of New Mexico State University, who also made a presentation to the Commission. After their presentation, both answered questions propounded by Commissioners, including several from Commissioner Ortega concerning the services provided and to be provided by the Extension Service office. Whereupon, on the recommendation of the County Manager, Commissioner Leger moved approval of the funding request by the Extension Service in the amount of \$32,812.00 for fiscal year 2011-12. Upon a second by Commissioner Ortega, the motion carried.

No other presentations were made, but upon the recommendation of the County Manager, the following funding requests were approved upon the motion of Commissioner Padilla and the second of Commissioner Ortega: WL V Schools Transportation, \$2,500.00, and \$3,000.00 for the NM Bookmobile, both for fiscal year 2011-12.

14. PRESENTATION AND APPROVAL OF SAN MIGUEL COUNTY SOLID WASTE TRANSFER STATION PERMIT APPLICATION AND MANAGEMENT PLAN BY MR. JACK CHAPPELLE OF ENGINEERING SOLUTIONS & DESIGN, INC.

SMC Solid Waste Supervisor Harold Garcia introduced Jack Chappelle of Engineering Solutions and Design, Inc., who made a detailed presentation concerning solid waste collection and services in San Miguel County. Chappelle's presentation included a handout, both of which covered short and long term plans for the County's solid waste collection system. At the conclusion of his presentation, Chappelle stood for questions, and all Commissioners propounded questions and engaged in ensuing discussion concerning the issues presented by consultant Chappelle.

The following members of the County's Solid Waste Steering Committee also addressed the Commission: Tom Nash, Ira Harge and Felix Alderete and Dwayne Yokun, all of whom commended the County's efforts regarding long-term planning for solid waste collection and disposal.

Whereupon, on the recommendation of Solid Waste Supervisor Harold Garcia and County Manager Montoya, Commissioner Ortega moved that the Management Plan presented by Mr. Chappelle, and contained in his written hand-out, be accepted and endorsed by the Commission as the County's short and long-term plan for solid waste collection, and all matters related thereto. Upon a second by Commissioner Padilla, Ortega's motion carried.

15. LODGERS' TAX ADVISORY BOARD RECOMMENDATION FOR 2011-2012 COUNTY LODGERS' TAX APPROPRIATIONS

Glen Post, chairman of the County's Lodgers' Tax Advisory Board, appeared before the Commission and made a presentation, informing the Commission that the following allotments and amounts are recommended for funding by the Advisory Board for fiscal year 2011-12, for the purposes noted:

- | | |
|---|------------------------|
| 1. Pecos Ethnobotany | \$ 500.00 Advertising |
| 2. Pecos Artesanos | \$ 500.00 Advertising |
| 3. Casa de Cultura | \$1,500.00 Advertising |
| 4. Las Vegas Arts Council
(Peoples Fair) | \$1,500.00 Advertising |
| 5. Music from Angel Fire | \$3,000.00 Advertising |
| 6. LV/SM Chamber of Commerce
(4 th of July) | \$1,000.00 Advertising |
| (Motor Cycle Rally) | \$1,000.00 Advertising |
| 7. San Miguel County | \$5,000.00 Advertising |

Whereupon, Commissioner Ortiz moved, and Commissioner Leger seconded, approval of the foregoing funding allotments from the Lodgers' Tax Fund for fiscal year 2011-12.

16. PUBLIC WORKS DIVISION MONTHLY REPORT FOR THE MONTH OF MAY 2011

In the absence of Road Foreman Daniel Encinias, Harold Garcia stood for questions concerning the monthly report for the Public Works Division. No questions were asked by any Commissioner.

17. NOTICE OF REQUEST FOR PROPOSALS FOR HAULING SERVICES FOR THE PUBLIC WORKS ROAD DIVISION WITHIN VARIOUS COUNTY ROADS AS MAY BE IDENTIFIED BY SAN MIGUEL COUNTY

Harold Garcia requested permission to issue a Request for Proposals for hauling services for road projects, on an-as-needed basis. Whereupon Commission Padilla moved that the RFP be authorized. Upon a second by Commissioner Ortiz, the motion carried.

18. REJECTION OF BIDS SAN MIGUEL COUNTY HARRIS ROAD IMPROVEMENTS PHASE II 2010-2011 LOCAL GOVERNMENT ROAD FUNDS

Harold Garcia informed the Commission that all bids received for the above-described road project were above the project funds available for the project, and none came within 10% of the project funds, thus disallowing negotiations under the Procurement Code. Therefore, Garcia recommended that all bids received be rejected, for the reason that they are all over project budget. Whereupon, Commissioner Ortega moved, and Commissioner Padilla seconded, that all bids be rejected, and the motion carried.

19. AWARD OF BID FOR STORRIE PROJECT ROAD IMPROVEMENTS, 2010-2011 CO-OP PROJECTS

Harold Garcia advised the Commission as follows: San Miguel County advertised for bids for the construction of the Storrie Project Road Improvements (2010-2011 Co-op Project) on May 9th, 2011. Three (3) contractors submitted bids, namely, Lumar Inc., Rocky Road Gravel Products and Crespin Paving. Rocky Road Gravel Products was the lowest most qualified bidder in the amount of \$56,583.45 inclusive of NMGRT. Therefore, Garcia recommended that the contract award be made to Rocky Road Gravel Products in the amount of \$56,583.45, inclusive of GRT. Whereupon, Commissioner Ortega moved, and Commissioner Ortiz seconded, the approval of Garcia's recommendation, as aforesaid. The motion carried and the contract award was made as aforesaid.

20. HOMELESS VETERANS TRANSITIONAL HOUSING/REINTEGRATION CENTER PROGRAM PROJECT - COMPLETION OF ARCHITECTURAL PLANNING AND DESIGN PROCESS

Tim Gallegos of Somos Familia, together with architect Kevin Balciar and Warden Snedeker, together made a presentation concerning the envisioned housing/reintegration center for homeless veterans. They made a detailed presentation, which included project renderings and a

hand-out. Commissioners asked questions and commended all for their hard work and their presentation. (No action was taken nor requested, as the item was presented for information only).

21. CARE OF PRISONER(S) CONTRACT - CITY OF LAS VEGAS, NEW MEXICO AND SAN MIGUEL COUNTY, NEW MEXICO

Major John Lujan made this presentation, and upon a motion by Commissioner Padilla, and a second by Commissioner Ortiz, the foregoing extension agreement at \$65.00 per day per inmate, was approved by the Commission.

22. NEW MEXICO DETENTION CENTER(S) - TRAINING ACADEMY PROGRAM

Major John Lujan made this presentation, and upon a motion by Commissioner Ortega and a second by Commissioner Padilla, the following was approved upon the adoption of the motion: The Contractual Agreement, by and between Luna Community College, the New Mexico Association of Counties, and San Miguel County, New Mexico; for the provision of educational services for a New Mexico Detention Center(s) Training Academy Program, for the period beginning July 1, 2011 and ending in June 30, 2012.

23. AUTHORIZATION TO REQUEST BIDS - SAN MIGUEL COUNTY DETENTION CENTER - DETENTION OFFICER UNIFORMS

Upon a presentation by Warden Snedeker, Commissioner Padilla moved, and Commissioner Ortiz seconded, that the Warden be authorized to issue a request for proposals for uniforms at the Detention Center. The motion carried.

24. MEMORANDUM OF AGREEMENT - GED/PREPARATION/LITERACY IMPROVEMENT/WORK READINESS CLASSES - SAN MIGUEL COUNTY DETENTION CENTER - LUNA COMMUNITY COLLEGE

Upon a presentation by Warden Snedeker, the following was approved after a motion by Commissioner Padilla and a second by Commission Leger, and adoption of said motion: A Memorandum of Agreement, by and between Luna Community College and San Miguel County, New Mexico, specific to the provision of GED Preparation/Literacy Improvement/Work Readiness Classes, for detainees at the San Miguel County Detention Center, for the period beginning July 1, 2011 and ending in June 30, 2012.

25. EXTENSION OF AGREEMENT/CONTRACT FOR INMATE CONFINEMENT - HARDING COUNTY, NM. AND SAN MIGUEL COUNTY, NM

Upon a presentation by Warden Snedeker, Commissioner Ortega moved, and Commissioner Padilla seconded, approval of the following: Agreement for Inmate Confinement with Harding County. (Commissioner Ortega informed the Commission and staff that the Harding County

Manager expressed to him that Harding County is very happy with the arrangement with San Miguel County).

26. AMENDMENT - COST OF CARE AGREEMENT FOR JUVENILE CONFINEMENT BERNALILLO COUNTY, NEW MEXICO, AND SAN MIGUEL COUNTY, NEW MEXICO

Upon a presentation by Warden Snedeker, Commissioner Padilla moved and Commissioner Ortiz seconded, approval of the following: An Amendment to the Cost of Care Agreement for Juvenile Confinement, by and between Bernalillo County, New Mexico and San Miguel County, New Mexico, for the housing and care of San Miguel County juvenile detainees, at \$145.00 per day.

27. RESOLUTION NO. 06-28-11-LEASE ADDENDUM AND ADDENDUM NO. THREE TO LEASE AGREEMENT - SAN MIGUEL COUNTY AND EL CENTRO FAMILY HEALTH

With the approval of the Commission, this item was removed from the Agenda at the inception of the meeting.

28. ADDENDUM TO ARCHITECTURAL SERVICES TO EXTEND SERVICES AGREEMENT - SOLEIL WEST

Upon a presentation by Planning & Zoning Supervisor Alex Tafoya, Commissioner Ortiz moved and Commissioner Padilla seconded, approval of the following: Agreement for architectural services with Soleil West on an as-needed basis, from year-to-year, for up to four years.

29. ADDENDUM TO AGREEMENT FOR ENGINEERING SERVICES - ENGINEER'S INC.

Upon a presentation by Planning & Zoning Supervisor Alex Tafoya, Commissioner Leger moved and Commissioner Padilla seconded, approval of the following, which motion carried: Agreement for professional engineering services with Engineer's, Inc., for a one-year term, for services on an as-needed basis, for a third year.

30. ADDENDUM TO AGREEMENT ENGINEERING SERVICES - MILLER ENGINEERING CONSULTANTS, INC.

Upon a presentation and recommendation by Planning & Zoning Supervisor Alex Tafoya, Commissioner Padilla moved, and Commissioner Ortiz seconded, approval of the following, which motion carried: Agreement for professional engineering services with Miller Engineering Consultants, Inc., for services on an as-needed basis, for a one-year term.

31. RESOLUTION NO. 06-28-11-FARMERS ELECTRIC

Upon a presentation and recommendation by Planning & Zoning Supervisor Alex Tafoya, Commissioner Padilla moved, and Commissioner Ortiz seconded, adoption of the above Resolution granting to Farmers Electric a one-year franchise as provided in SMC Ordinance No. 12-14-04. The motion carried.

32. APPROVAL OF SAN MIGUEL COUNTY HOUSING AUTHORITY ANNUAL PLAN

Upon the presentation and recommendation of the County Manager, in the absence of Housing Director Christina Barajas, Commissioner Padilla moved, and Commissioner Ortega seconded, approval of the SMC Housing Authority Annual Plan, as required by HUD. The motion carried and the Plan was duly approved.

33. OUR LADY OF SORROWS PARISH PARKING AGREEMENT

Upon the presentation and recommendation of Safety Coordinator Amber M. Trujillo, Commissioner Padilla moved, and Commissioner Ortiz seconded, approval of the parking agreement between SMC and Our Lady of Sorrows Church, for use of parking space, a continuing agreement renewed from year-to-year. The motion carried.

34. APPROVAL TO ACCEPT PROPOSAL/BID AND NEGOTIATE FOR THE PUBLIC AWARENESS CAMPAIGN FOR THE OFFICE OF EMERGENCY MANAGEMENT

Emergency Manager Dennis English informed the Commission that the County requested proposals for professional services for a public awareness campaign, under a state Homeland Security grant. He stated that only one proposal was received, namely, from Parametrix, an Albuquerque firm, in the amount of \$12,700.00. Whereupon, Commissioner Padilla moved, and Commissioner Ortiz seconded, that a contract award be made to Parametrix in the foregoing amount, pursuant to the RFP issued and the recommendation of Mr. English. The motion carried and the contract award was duly made.

35. REQUEST TO ACCEPT BID FOR THE VIDEO/SURVEILLANCE UP-GRADE TO THE COURTHOUSE ANNEX (4TH JUDICIAL COURT HOUSE)

Emergency Manager Dennis English informed the Commission that the County invited bids for an upgrade of the project noted above, and only one bid was received, from SCI, Inc., an Albuquerque firm, in the amount of \$127,482.92, and English recommended award of contract to said firm in said amount. Whereupon Commissioner Padilla moved, and Commissioner Ortega

seconded, award of contract for the aforesaid procurement, to the firm and in the amount noted hereinabove. Motion carried.

36. RATIFY THE OUT OF STATE TRAVEL TO THE EMERGENCY MANAGERS INSTITUTE IN EMMITSBURG MARYLAND FOR DENNIS ENGLISH OF THE SAN MIGUEL COUNTY/ LAS VEGAS OFFICE OF EMERGENCY MANAGEMENT

The out-of-state travel request and ratification noted above was approved upon a motion by Commissioner Ortega and a second by Commissioner Ortiz, which motion carried.

37. DISCUSSION OF RADIO PROGRAM TO INFORM THE GENERAL PUBLIC ON A MONTHLY BASIS OF COUNTY BUSINESS/PROGRAMS AND PROJECTS

Commissioner Ortega presented this item, and provided the Commission, staff and the public, with a detailed and informative explanation of why it would be a good idea for County officials and staff to appear from time-to-time at radio station KNMX, to explain all the happenings in county government generally. All Commissioners and the County Manager agreed with Commissioner Ortega that a radio appearance would be beneficial, and they all supported the recommendation made by Commissioner Ortega. Whereupon Chairman Salazar noted that no formal action was needed from the Commission on this matter, but that it was understood that the radio program/appearance would proceed with the support and cooperation of all concerned.

38. JOB DESCRIPTION APPROVAL FOR ADMINISTRATIVE ASSISTANT ROAMING CLERK, AT A SALARY OF \$18,000 TO \$25,000, AT A RANGE I PAY CLASSIFICATION

The County Manager presented this item for approval, and after discussion by the Commission concerning who the assigned person would report to, and other related concerns, Commissioner Padilla moved, and Commissioner Ortiz seconded, approval of the job description for a roaming clerk, as presented by the Manager, who assured the Commission that he would work-out and resolve the concerns expressed by them. The motion carried.

39. SAN MIGUEL COUNTY MANAGER'S REQUEST TO RATIFY THE HIRING OF THE FOLLOWING INDIVIDUALS TO FILL THE VACANT POSITIONS OF DETENTION OFFICERS AT THE SAN MIGUEL COUNTY DETENTION CENTER AS PER THE RECOMMENDATION OF PATRICK SNEDEKER, WARDEN/FACILITY ADMINISTRATOR

PROBATIONARY EMPLOYEES:

REYNALDO GUTIERREZ - DETENTION OFFICER - DATE OF HIRE: MAY 16, 2011 - PROBATIONARY SALARY: \$20,900.00

ALBREY VIGIL - DETENTION OFFICER - DATE OF HIRE: JUNE 6, 2011 - PROBATIONARY SALARY: \$20,900.00

JUNIOR RAIDEN RUIZ - DETENTION OFFICER - DATE OF HIRE: JUNE 6, 2011 - PROBATIONARY SALARY: \$20,900.00

Upon the recommendation of the County Manager and Warden Snedeker, Commissioner Padilla moved, and Commissioner Ortega seconded, the employment of the above individuals, for the positions and at the salaries noted for each. The motion carried.

40. COUNTY MANAGER'S RECOMMENDATION TO RATIFY THE HIRING OF THE FOLLOWING INDIVIDUAL TO FILL THE VACANT POSITION OF THE TRANSIT OPERATOR FOR THE SAFE RIDE HOME PROGRAM WITH SAN MIGUEL COUNTY DWI DIVISION AS PER THE RECOMMENDATION OF WENDY ARMIJO, DWI COORDINATOR

RECOMMENDATION TO RATIFY AND HIRE:

PART TIME/PROBATIONARY EMPLOYEE:

JACOBIE QUINTANA - TRANSIT OPERATOR SAFE RIDE HOME PROGRAM - DATE OF HIRE: MAY 12, 2011 - HOURLY SALARY: \$10.00

Upon the recommendation of the County Manager and DWI Coordinator Wendy Armijo, Commissioner Padilla moved, and Commissioner Ortiz seconded, the employment of the above named individual for the position and at the salary noted above. The motion carried.

41. PERSONNEL ACTIONS OR CHANGES FOR THE MONTH OF MAY 2011

The County Manager informed the Commission of all personnel changes which took place in county government during the preceding month, and asked for ratification of same. Whereupon Commissioner Padilla moved, and Commissioner Ortiz seconded, approval and ratification of the personnel changes reported by the County Manager, and the motion carried.

Executive/Closed Session

The County Manager recommended to the Commission that it retire into executive session to consider the following matters:

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 or disposal of real property, as permitted by Section 10-15-1(H)(8) of the Open Meetings Act, NMSA 1978.**
- D. Matters pertaining to the discussion of bargaining strategy preliminary to collective bargaining negotiations, as permitted by Section 10-15-1(H)(5), NMSA 1978.**

Commissioner Ortiz then moved, and Commissioner Padilla seconded, that the Commission retire into executive session to consider the matters outlined above by the County Manager. Whereupon the Clerk called the roll of the Commission, and each of the five Commissioners voted in the affirmative to retire into executive session per Commissioner Ortiz's motion as aforesaid.

At 7:58 p.m., the Commission returned to public session, Chairman Salazar noting for the record that no action was taken in executive session, and that the Commission discussed and considered in closed session only those matters specified in the motion for closure, and no others.

ADJOURNMENT

At 8:01 p.m., Commissioner Padilla moved, and Commissioner Leger seconded, adjournment of the meeting, and the motion carried.

MOVED, SECONDED AND APPROVED this 12th day of July, 2011, at the official Minutes of the regular monthly meeting of the San Miguel County Board of Commissioners held July 28, 2011.

David R. Salazar, Chairman

Nicolas T. Leger, Vice Chairman

Marcellino A. Ortiz, Member

Ron R. Ortega, Member

Arthur J. Padilla, Member

ATTEST:

Melanie Y. Rivera
San Miguel County Clerk

(S E A L)