

**MINUTES OF THE REGULAR MONTHLY MEETING
OF THE BOARD OF COUNTY COMMISSIONERS OF
SAN MIGUEL COUNTY, NEW MEXICO,
HELD TUESDAY, FEBRUARY 14, 2012, BEGINNING AT 1:30 P.M.**

CALL TO ORDER AND ROLL CALL

Chairman Nicolas T. Leger called the meeting to order at 1:30 p.m., at the Commission chambers on the 2nd floor of the San Miguel County Courthouse. Upon a call of the roll by the Clerk, all five County Commissioners were present, and a quorum was duly established and noted as follows: Chairman Nicolas T. Leger, Vice Chairman Ron R. Ortega, and Commissioners David R. Salazar, Marcellino A. Ortiz and Arthur J. Padilla.

[Chairman Leger made some brief remarks thanking the Commissioners for their trust and confidence in selecting him as Chairman, and noting he was absent at the last meeting and had not expressed his appreciation in person. Leger also commended former chairman David R. Salazar, and thanked him for his leadership during many difficult and sometimes potentially volatile meetings, and otherwise.)

PLEDGE OF ALLEGIANCE AND SALUTATION OF THE NM FLAG

Joined by staff and all in attendance, the Commissioners pledged allegiance to the U.S. flag and offered their salutation to the NM state flag.

APPROVAL OF MINUTES

Upon a motion by Commissioner Padilla and a second by Ortiz, the Commission approved, without change, the minutes of its regular meeting held January 10, 2012.

APPROVAL OF AGENDA

Upon a motion by Commissioner Padilla and a second by Commissioner Salazar, the agenda was adopted without change, upon the recommendation of County Manager Les Montoya.

(ALL MOTIONS MADE AND SECONDED ARE DULY APPROVED AND ADOPTED WITHOUT FURTHER INDICATION OF SAID ACTION; AND ALL FORMAL ACTION IS BY UNANIMOUS VOICE VOTE, UNLESS OTHERWISE INDICATED.)

NEW BUSINESS/PRESENTATIONS

The Commission entertained the following two presentations at the inception of the meeting:

- (1) Presentation of Certificate to Deawna D. Tapia for her participation – representing San Miguel County – in the NM Middle School Spelling Bee Championship. (Ms. Tapia was commended by all Commissioners, and Commissioner Salazar requested, without objection, that Ms. Tapia be awarded \$50.00 from the County's achievement recognition fund.)
- (2) Introduction of El Valle Water Alliance officers, and a general presentation of the services provided by them, as follows: Ramon Lucero, Kenneth Lucero and Veronica Castro, of the El Valle Water Alliance, made presentations to the Commission concerning the existence, functions and goals of the organization. (All Commissioners commended the efforts of the Alliance, and noted it was exemplary of cooperation and goodwill between localities and agencies.)

[Pablo Sedillo, area representative for U.S. Senator Jeff Bingaman, also made a brief presentation. Sedillo recapped the federal budget as it affects NM, and noted also that Senator Bingaman is not inclined at this time to pursue any legislation which would add more land to the federal wilderness areas.]

THE COMMISSION THEN CONVENED AS THE SAN MIGUEL COUNTY BOARD OF FINANCE, AS FOLLOWS:

ITEM 1: COUNTY TREASURER'S MONTHLY REPORT

In the absence of County Treasurer Alfonso E. Ortiz Jr., Finance Supervisor Melinda Gonzales made a brief presentation on this Item, noting that all collections and revenues reported at the Treasurer's office were in order and as expected. (The County Manager noted that Mr. Ortiz had informed him that he would be unable to attend.)

ITEM 2: INDIGENT CLAIMS FOR ALTA VISTA HOSPITAL FOR \$25,432.49

Upon the recommendation of Finance Supervisor Melinda Gonzales, Commissioner Padilla moved and Commissioner Ortiz seconded, payment of indigent hospital claims to Alta Vista Regional Hospital in the amount of \$25,432.49, and the motion carried. (Gonzales represented to the Commission that all claims were duly processed by her office, and were lawful and proper.)

ITEM 3: INDIGENT CLAIMS FOR CHRISTUS ST. VINCENT FOR \$6,665.41

Upon a presentation by Finance Supervisor Gonzales, Commissioner Padilla moved and Commissioner Ortega seconded, payment of indigent hospital claims to Christus St. Vincent in the amount of \$6,665.41, and the motion carried. (Gonzales represented to the Commission that all claims were duly processed by her office, and were lawful and proper.)

ITEM 4: FY 2012-13 SOLE COMMUNITY FUNDING REQUEST/ALTA VISTA

After several queries from Commissioners, and a brief presentation by Alta Vista's CFO Leonard Tapia, Commissioner Padilla moved and Commissioner Salazar seconded, approval of sole community provider funds to Alta Vista Regional Hospital in the amount of \$398,820 for FY 12/13. (Finance Supervisor Gonzales noted that the County's share is estimated to range between \$121,60 and \$127,622, with the remainder to be paid with federal funds.)

ITEM 5: FY 2012-13 SOLE COMMUNITY FUNDING REQUEST/CHRISTUS ST.VINCT

After a brief presentation by Tod Mason, Finance Officer for Christus St. Vincent, and upon the recommendation of Finance Supervisor Gonzales, Commissioner Padilla moved and Commissioner Ortiz seconded, approval of sole community provider funds to Christus St. Vincent in the amount of \$1,716,162 for FY 12/13. (Finance Supervisor Gonzales noted that the County's share is estimated to range between \$524,029 and \$549,172, with the remainder to be paid with federal funds.)

ITEM 6: RESOLUTION 2012-02-14-F1/LOAN AGREEMENT

Commissioner Ortega asked the Finance Supervisor to explain to the Commission and the public, the general nature of the above-entitled Resolution. Whereupon Gonzales noted with particularity the prior action taken by the Commission relative to the Loan Agreement and other documents which are the subject of the Resolution, which authorizes a loan from the NM Finance Authority in the amount of \$385,417, for an HVAC system at the Detention Center, and window replacement at the courthouse.

Whereupon, Commissioner Padilla moved and Commissioner Ortega seconded, approval of Resolution 2012-02-14-F1.

ITEM 7: BUDGET ADJUSTMENT 2012-02-14-F2/EMERGENCY MANAGEMENT

Upon the recommendation of Finance Supervisor Gonzales, Commissioner Padilla moved and Commissioner Ortiz seconded, approval of the above-titled Budget Adjustment, increasing line items in budget of the office of Emergency Management, as therein noted.

ITEM 8: RESOLUTION 2012-02-14-F3/DESIGNATION OF SIGNATORIES

Upon the recommendation of Finance Supervisor Gonzales, and an explanation by her in answer to a question from Commissioner Ortega, Commissioner Padilla moved and Commissioner Salazar seconded, approval of Resolution 2012-02-14-F2, authorizing Manager Montoya and Finance Supervisor Gonzales to be signatories on the documents therein identified, as concern the NM Environment Department.

ITEM 9: CASH BALANCE REPORT AS OF JANUARY 31, 2012

Finance Supervisor Gonzales presented the Commission with the cash balance report as of January 31, 2012, and noted that the report is in order, and contained no extraordinary matters of which the Commission should be concerned. (The item is presented monthly and no formal action is sought from nor required by the Commission.)

ITEM 10: APPROVAL OF ACCOUNTS PAYABLE

Upon a motion by Commissioner Padilla and a second by Commissioner Ortega, the Commission approved the County's disbursements as recommended by Finance Supervisor Gonzales, inclusive of Items 2012-7-1 through 2012-7-567, who certifies in the written document that all disbursements are lawful and proper.

[The Commission engaged in a brief discussion concerning a special meeting for a mid-fiscal-year budget review, and it was determined that the same be held Tuesday, February 28 2012, at 8:30 a.m.]

**HAVING CONCLUDED ITS BUSINESS AS THE
COUNTY BOARD OF FINANCE, THE COMMISSION
PROCEEDED TO REGULAR ORDER, AS FOLLOWS:**

**ITEM 11: MATTERS RELATING TO LAS VEGAS/SAN MIGUEL CHAMBER OF
COMMERCE AND LAS VEGAS/SAN MIGUEL COUNTY COLLABORATIVE**

Chairman Leger introduced this Item, noting past problems and conflict between the Las Vegas/San Miguel Chamber of Commerce (“Chamber”), and the Las Vegas/San Miguel Collaborative (“Collaborative”). The Chairman also advised those who may speak on the matter, that he cautioned against a re-hash of old conflicts and past problems, and was desirous of entertaining presentations concerning how people and organizations would solve the problems in the future, and work together. Chairman Leger then invited interested persons to address the Commission concerning this Item.

Whereupon Lavinia Fenzi, acting director of the Chamber, made a presentation and answered questions propounded by Commissioners. Ms. Fenzi spoke in support of all prior action taken by the Chamber and also provided written hand-outs to the Commission relative to same, and to future plans to be undertaken by the Chamber, including a request for additional funding.

Chairman Leger then invited presentations from the Collaborative, and Tito Chavez, president of Las Vegas First Business Alliance, spoke generally on behalf of the Collaborative. Mr. Chavez also presented an alternative funding request, to replace the prior conditional funding which the Commission had made to the Collaborative.

Whereupon Chairman Leger and all Commissioners expressed their concerns and their disappointment that the Chamber and the Collaborative had not worked together, and that their competition had erupted in a flurry of negative and adverse publicity and perception.

Commissioner Ortega spoke last, and noted with particularity his severe disappointment in the adverse competition exhibited by the Chamber and Collaborative, and mentioned in particular that the competing funding requests presented at today’s meeting is absolute proof that they refuse to work together, and that they are making no progress in this regard.

Upon the conclusion of his remarks, Commissioner Ortega moved and Commissioner Padilla seconded, that the conditional funding heretofore made to the Collaborative, in the approximate amount of \$17,000.00, revert in all respects to the Lodgers’ Tax Fund budget, for future disbursement as shall be determined by the Lodgers’ Tax Board and the County Commission, and that any proposals for such funding, be required to demonstrate collaboration and cooperation between the offeror(s) and other entities involved in promotional activities, as authorized by the NM Lodgers’ Tax Act.

ITEM 12: ANIMALS RUNNING AT LARGE AT PECOS RIVER RETREATS

Pecos area resident Bill Hixson made a presentation to the Commission concerning difficulties he and others experience with dogs and other animals running at large and unrestrained. He asked the Commission and staff to assist him and others similarly situated in combating the problem. Commissioners all expressed their concern and assured Hixson of their cooperation.

Mr. Hixson was followed by Robert Smith, who expressed similar concerns, and provided a photograph showing his dead Charlay calf, the victim of predation by roaming dogs. Smith was also assured by the Commission that staff would do all possible to help.

[At 3:55 p.m., Chairman Leger recessed the meeting for 15 minutes, to allow all in attendance to stretch their legs; and the meeting resumed at 4:10 p.m.]

ITEM 13: GRANT TO SHERIFF'S OFFICE/U.S. MARSHAL AND BYRNE GRANT

Upon a presentation by County Sheriff Benjie Vigil, Commissioner Padilla moved and Commissioner Ortiz seconded, approval of the above-titled grant providing \$2,000 to the Sheriff's office, for overtime payment to deputies as per the terms of the grant.

[This item was taken up after Item 14]

ITEM 14: BI-ANNUAL PRESENTATION RE LIQUOR EXCISE TAX FUNDS

Anna Lujan of the Fourth Judicial District Court, made a brief presentation and answered questions propounded by Commissioner Ortega. The matter was presented for the information of the Commission, and no action was taken.

ITEM 15: BID AWARD FOR SPEC BUILDING (USDA GRANT)

Upon a presentation by the County Manager, and an explanation by the County Attorney concerning Section 13-1-105 of the NM Procurement Code, Commissioner Padilla moved and Commissioner Ortiz seconded, that the contract for the SPEC building be awarded to New Image Construction, whose bid (\$439,217.56) exceeded project funds (\$420,000.00) but was within 10% of same, on the condition that the bid amount can be negotiated down, within available funds. (New Image was the lowest responsible bidder, but its bid exceeded project funds – but was within 10% of said funds, and negotiation and ultimate award is therefore allowed under Section 13-1-105 of the Procurement Code.)

ITEM 16: PUBLIC HEARING AND PROPOSED ADOPTION OF SMC ORDINANCE NO. SMC-02-14-12-BICYCLE LANE

Chairman Leger noted that the Commission was presently conducting a formal public hearing on the proposed adoption of the referenced ordinance, and asked all in attendance to come forward and address the Commission, in support of the ordinance, or in opposition thereto, or otherwise.

Appearing and speaking in support of the proposed ordinance were ? and ?

The Chairman then asked if anyone else desired to speak on the matter, one way or another, and no person having come forward, Chairman Leger closed the public input portion of the hearing, and proceeded to defer to the Commission.

Whereupon, a discussion ensued among the Commissioners concerning the proposed ordinance, and its benefits, and upon the conclusion of said discussion and deliberation, Commissioner Padilla moved, and Commissioner Ortiz seconded, that the Commission adopt the six-month directory, non-punitive period (rather than one year), portion of the proposed ordinance, and Padilla's motion carried.

Commissioner Padilla then moved, and Commissioner Ortega seconded, that upon the expiration of the aforesaid six-month period, the ordinance be again presented for public hearing on its continuation as a mandatory ordinance (rather than allowing to become such automatically), and the motion carried.

Finally, Commissioner Padilla moved and Commissioner Salazar seconded, that proposed Ordinance No. SMC-02-14-12-BICYCLE LANE, be ordained and adopted, and upon a call of the roll, the motion carried unanimously, and the Ordinance was duly adopted.

[UPON THE DIRECTION OF THE CHAIR, ITEM 38 OF THE AGENDA WAS PRESENTED AND ACTED UPON AT THIS TIME, OUT OF ORDER, TO ACCOMMODATE INTERESTED PERSONS WHO HAD OTHER COMMITMENTS]

ITEM 38: CONTRACT AWARD FOR FOOD AND COMMISSARY SERVICES AT THE SMC DETENTION CENTER

Upon a presentation by SMC Detention Center Warden Patrick W. Snedeker, Commissioner Padilla moved and Commissioner Ortega seconded, that the food services contract at the Detention Center, to include commissary services, be awarded to Summit Food Services, under such terms and conditions as shall be negotiated and which shall be most advantageous to the County. (Warden Snedeker advised the Commission that the evaluation committee determined that the proposal submitted by Summit Food Services was the most responsible and advantageous, and noted also that said firm had been providing the subject services.)

ITEM 17: FY GRANT AGREEMENT/EMERGENCY MANAGEMENT (\$70,593.)

Emergency Manager Dennis English presented this Item, and asked the Commission to approve the above-titled grant agreement in the amount of \$70,593.00, for salary and benefits for the Emergency Manager, NIMS coordinator and EM administrative assistant. Whereupon Commissioner Padilla moved and Commissioner Ortiz seconded, approval of the aforesaid Grant Agreement, and the motion carried.

ITEM 18: GRANT AGREEMENT (\$88,245)-EM/HOMELAND SECURITY

Emergency Manager English presented this Item, and upon his recommendation, Commissioner Padilla moved and Commissioner Ortega seconded, acceptance of the above-titled NM Homeland Security grant and amount, per its terms and conditions.

ITEM 19: 2011 HAZARDOUS MATERIALS GRANT (\$22,600)

Emergency Manager English presented this Item, and upon his recommendation, Commissioner Padilla moved and Commissioner Salazar seconded, acceptance of the above-title NM Homeland Security grant and amount, per its terms and conditions.

(AS NOTED AT THE INCEPTION OF THE MINUTES, UNDER APPROVAL OF AGENDA, ALL MOTIONS MADE AND SECONDED ARE DULY APPROVED AND ADOPTED, WITHOUT FURTHER INDICATION OF SAID ACTION; AND ALL FORMAL ACTION IS BY UNANIMOUS VOICE VOTE, UNLESS OTHERWISE INDICATED.)

ITEM 20: AUTHORIZATION FOR BIDS FOR POST-DISASTER DEBRIS REMOVAL

Emergency Manager English presented this Item, and upon his recommendation, Commissioner Padilla moved, and Commissioner Ortiz seconded, authorization for English (SMC) to issue a request for proposals for disaster debris removal.

ITEM 21: OUT-OF-STATE TRAVEL REQUEST BY EMERGENCY MANAGER

Upon a presentation and request by Emergency Manager English, Commissioner Padilla moved and Commissioner Ortega seconded, approval of out-of-state travel request by English, for March 26-27, 2012, as delineated by English in his presentation and request.

ITEM 22: AGREEMENT WITH NM ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT (\$22,200)

Upon the recommendation of SMC Fire Chief Russell Pacheco, Commissioner Padilla moved and Commissioner Ortiz seconded, approval and acceptance of grant/agreement in the amount of \$22,200.00, from the NM Energy, Minerals and Natural Resources Department, for Wildland fire protection.

ITEM 23: BID AWARD FOR PROPANE FOR FIRE DISTRICTS

Upon the recommendation of Fire Chief Pacheco, Commissioner Padilla moved and Commissioner Ortega seconded, that the contract award for propane for the County's fire districts, be made to the sole offeror, Northern NM Gas Company, at the one-year fixed rate of \$1.68 per gallon.

ITEM 24: DWI FY 2012-13 BUDGET APPLICATION

Upon a presentation and recommendation by DWI Coordinator Wendy Armijo, Commissioner Padilla moved and Commissioner Ortiz seconded, approval of and authorization to submit the DWI Program's FY 12-13 DWI Distribution/Grant Application. (budget).

ITEM 25: DWI RESOLUTION 02-14-2012-DWI

Upon a presentation and recommendation by DWI Coordinator Wendy Armijo, Commissioner Padilla moved and Commissioner Ortega seconded, approval of Resolution 02-14-2012-DWI, authorizing participation in the DWI Grant and Distribution Program, and therein particularized.

ITEM 26: DWI 2012-13 GRANT APPLICATION/STATEMENT OF ASSURANCES

Upon a presentation and recommendation by DWI Coordinator Wendy Armijo, Commissioner Padilla moved and Commissioner Ortiz seconded, the statement of assurances to be submitted by the DWI Program for the LDWI Grant/Distribution.

ITEM 27: MOU BETWEEN DWI PROGRAM AND NM DEPT. OF FINANCE

Upon a presentation and recommendation of DWI Coordinator Wendy Armijo, Commissioner Padilla moved and Commissioner Ortega seconded, approved of the Memorandum of Understanding between the County's DWI Program and the NM Department of Finance and Administration, setting forth with particularity the terms and conditions of the DWI Program/Grant, its general administration and operation.

ITEM 28: COOPERATIVE AGREEMENT/DWI PROGRAM & NM DEPT. OF HEALTH

Upon a presentation and recommendation of DWI Coordinator Wendy Armijo, Commissioner Padilla moved and Commissioner Salazar seconded, approval of the above-titled Cooperative Agreement relative to the SMC DWI program.

ITEM 29: SERVICE AGREEMENT/DWI PROGRAM & CASELOADPRO

Upon a presentation and recommendation of DWI Coordinator Wendy Armijo, Commissioner Padilla moved and Commissioner Ortiz seconded, approval of the above-titled service agreement with CaseLoadPro.

[Commissioner Ortiz commended Ms. Armijo and her entire staff for their diligence and hard work, and said it was important that they be recognized.]

ITEM 30: RESOLUTION SMC-02-14-12-CC RE PUBLIC INPUT AT MEETINGS

County Manager Montoya made a brief presentation on this Item, noting that at least two Commissioners had requested that he place the matter on the Agenda for discussion. Montoya noted that in conformity with the Commissioners' request, the above-titled Resolution was drafted and is presented, allowing for public input at regular monthly meetings of the Commission, as a permanent agenda item.

Discussion then ensued by and between Commissioners, Montoya and the county attorney, relative to the proposed Resolution generally, and concerning rules of procedure for presentations to be made by the public – the Commissioners agreeing generally that existing rules of procedure vested in the chairman sufficient authority and discretion to ensure orderly and succinct presentations.

Whereupon, Commissioner Padilla moved and Commissioner Ortega seconded, adoption of Resolution SMC-02-14-12-CC, with the added proviso that the Manager determine, at his discretion, from time-to-time, where on the agenda the Item for public input will be placed.

ITEM 31: RFP FOR PROFESSIONAL SERVICES FOR EL CORRUCO ROAD PROJ.

Upon the recommendation of Public Service Foreman Harold Garcia – and after several questions from Commissioners – Commissioner Salazar moved and Commissioner Padilla seconded, authorization for the issuance of a request for proposals for professional services (civil engineering and environmental) for the initiation of the Corruco road project (County Road B-41-E).

ITEM 32: RFP FOR PROFESSIONAL SERVICES FOR LOSVIGILES ROAD

Upon the recommendation of Public Service Foreman Garcia, Commissioner Padilla moved and Commissioner Ortiz seconded, authorization for the issuance of a request for proposals for professional services (civil engineering and environmental) for the initiation of the roadway guardrail safety project in Los Vigiles (County Road A-11-E).

ITEM 33: INVITATION FOR BIDS FOR BACKHOE

Upon the recommendation of Public Service Foreman Garcia, Commissioner Padilla moved and Commissioner Salazar seconded, approval of the return to seller of the County's four x four backhoe, and concurrent issuance of an invitation for bids for replacement of same.

ITEM 34: RESOLUTION RE POLICY FOR TRAFFICE SIGN MAINTENANCE

Upon the recommendation of Public Service Foreman Garcia, Commissioner Padilla moved and Commissioner Ortiz seconded, adoption of Resolution No. 02-14-12-PW/ROAD, relating to sign maintenance retro-reflectivity.

ITEM 35: PUBLIC WORKS MONTHLY REPORT

SMC Road Foreman Daniel Encinias appeared to make his monthly presentation and up-date and proceeded to do so.

Whereupon Commissioner Salazar expressed to Encinias his dissatisfaction with the attention and timeliness being given to requests for road maintenance and repair. Salazar mentioned several examples, of long-standing requests made by constituents, which have not been addressed by Encinias and his crew. Salazar expressed his concern that matter were not improving, and that the Commission needed to address the back-log which appears to be worsening.

Other Commissioners expressed similar dissatisfaction, and concurred that resolution of the problem needs to be addressed as soon as possible. Whereupon Chairman Leger suggested that a work session be held by the Commission, at which time concerns and solutions can be amply discussed with staff. All Commissioners concurred, and the County Manager said he would follow-up with such a special meeting/work session.

Commissioner Ortiz concluded this Item by thanking Encinias and the road crew for recent work done in the Pecos area, and commended them for same.

ITEM 36: CONTRACT AWARD FOR PROGRAM PROVIDER (JUVENILE JUSTICE)

Upon the recommendation of Warden Snedeker, Commissioner Padilla moved and Commissioner Ortiz seconded, that the professional services contract for substance abuse and family centered services at the Detention Center, be awarded to Somos Familia, whose proposal was rated as responsible and advantageous for the County. (In answer to queries from Commissioner Ortega, the Warden noted that any problems encountered recently by Somos Familia relative to funding and administration, have been resolved and will not be detrimentally impact its services at the Dentention Center.)

ITEM 37: REJECTION OF BIDS FOR HVAC IMPROVEMENT PROJECT

Upon the recommendation of Warden Snedeker, Commissioner Padilla moved and Commissioner Salazar seconded, that all bids received for the HVAC improvement project at the Detention Center, be rejected, and that a new invitation for bids be issued for this procurement.

ITEM 38: CONTRACT AWARD FOR FOOD SERVICE/DETENTION CENTER

[Formal action on this Item was advanced and taken previously, immediately preceding Item 17 hereinabove.]

ITEM 39: COUNTY MANAGER'S RECOGNITION OF STAFF PARTICIPATION

County Manager Les Montoya informed the Commission that San Miguel County's staff has participated robustly and enthusiastically in all events and training provided by the New Mexico Association of Counties, including the recent conference held in Santa Fe.

The County Manager thanked all staff and acknowledged in particular those who have attained educational training, and he was joined by all Commissioners in expressing appreciation and commendation.

ITEM 40: PERSONNEL ACTIONS FOR JANUARY, 2012

Upon a presentation by Human Resources Supervisor KiKi Arellano, and the concurrence of the County Manager, Commissioner Padilla moved and Commissioner Ortega seconded, approval and ratification of all personnel changes and actions made and taken for the month of January, 2012.

ITEM 41: COUNTY MANAGER'S RECOMMENDATION FOR EMPLOYMENT

Upon the recommendation of the County Manager, Commissioner Ortega moved and Commissioner Ortiz seconded, the employment of Robert C. Baca as a probationary employee, effective January 24 2012, at a salary of \$21,850.00.

ITEM 42: COUNTY MANAGER'S RECOMMENDATION FOR EMPLOYMENT

Upon the recommendation of the County Manager and the DWI Coordinator, Commissioner Padilla moved and Commissioner Ortiz seconded, the employment of Jennifer Bellin as the DWI prevention specialist, as a probationary employee, effective February 20, 2012, at a salary of \$27,664.00.

ITEM 43: COUNTY MANAGER'S RECOMMENDATION FOR EMPLOYMENT

Upon the recommendation of the County Manager and Warden, Commissioner Padilla moved and Commissioner Ortiz seconded, the employment of the following persons as detention officers, on probationary status, each at a salary of \$20,900.00, effective as noted in parentheses for each: Joey Romero (January 16, 2012), Leslie Torres (January 16, 2012), Albert Sanchez (January 30, 2012), and Aaron Gallegos (January 30, 2012).

ITEM 44: COUNTY MANAGER'S RECOMMENDATION FOR EMPLOYMENT

Upon the recommendation of the County Manager and County Assessor Elaine Estrada, Commissioner Padilla moved and Commissioner Salazar seconded, the employment of Rudy Ortega as a clerk with the Assessor's office, with probationary status, at a salary of \$17,100.00, effective February 6, 2012.

ITEM 45: OUT-OF-STATE TRAVEL REQUEST FOR NACO CONFERENCE

Upon the recommendation of the County Manager, Commissioner Padilla moved and Commissioner Ortiz seconded, approval of out-of-state travel for Commissioner Ortega, the County Manager and the County Finance Supervisor, for their imminent travel to and attendance at the NACO conference in Washington, D.C.

HAVING CONCLUDED THE FOREGOING REGULAR ORDER, THE COUNTY MANAGER RECOMMENDED THAT THE COMMISSION RETIRE INTO EXECUTIVE/CLOSED SESSION TO CONSIDER THE FOLLOWING MATTERS:

Personnel matters, matters subject to the attorney client privilege pertaining to threatened or pending litigation in which SMC is or may become a participant, matters pertaining to the discussion of the acquisition or disposal of real property, and matters pertaining to the discussion of bargaining strategy preliminary to collective bargaining negotiations, all as permitted by Section 10-15-1(H)(2), (5), (7) and (8) of the Open Meetings Act, NMSA 1978, as amended.

Whereupon, at 5:35 p.m., Commissioner Padilla moved and Commissioner Salazar seconded, that the Commission retire into executive/closed session to consider the matters noted and recommended by the County Manager, as noted above. Upon a call of the roll by the Clerk, all five Commissioners in attendance answered in the affirmative on the motion to retire in executive/closed session, and the Commission proceeded to close the meeting as permitted by law.

At 7:35 p.m. Commissioner Padilla moved and Commissioner Ortiz seconded, that the Commission reconvene in public session, and the motion carried. Whereupon Chairman Leger noted for the record that the Commission considered and discussed in executive/closed session only those matters and subjects for which the motion for closure was made.

There being no further business to come before the Commission, and no person seeking recognition by the Commission, at 7:37 p.m. Commissioner Padilla moved and

Commissioner Salazar seconded, the adjournment of the meeting, the motion carried and the meeting was duly adjourned.

MOVED, SECONDED AND ADOPTED this 13th day of March, 2012, by the Board of County Commissioners of San Miguel County, New Mexico, as the official minutes of its regular monthly meeting held February 14, 2012.

Nicolas T. Leger, Chairman

Ron R. Ortega, Vice Chairman

David R. Salazar, Member

Marcellino A. Ortiz, Member

Arthur J. Padilla, Member

ATTEST:

Melanie Y. Rivera
San Miguel County Clerk

(S E A L)