

**MINUTES OF THE SPECIAL MEETING/PUBLIC HEARING
OF THE BOARD OF COUNTY COMMISSIONERS OF
SAN MIGUEL COUNTY, NEW MEXICO,
HELD MONDAY, MARCH 30, 2015, BEGINNING AT 11:00 A.M.**

CALL TO ORDER AND ROLL CALL

Chairman Arthur J. Padilla called the special meeting to order at 11:01 a.m., at the Commission chambers on the 2nd floor of the San Miguel County Administration Building. 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 Arthur J. Padilla, Vice Chairman Gilbert J. B. Sena (who appeared by telephone), and Commissioners Nicolas T. Leger, Marcellino A. Ortiz and Rock G. Ulibarri.

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.

PURPOSE OF SPECIAL MEETING/PUBLIC HEARING

1. Convene and conduct a public hearing on the proposed adoption of an ordinance adopting a hold harmless gross receipts tax, effective July 1, 2015.

Chairman Padilla asked County Manager Les Montoya to read the entirety of the Public Notice for today's special meeting and public hearing, and Montoya proceeded to do so.

Whereupon, at 11:12 a.m., Chairman Padilla directed County Attorney Jesus L. Lopez to announce the public hearing, and request public comment from anyone desiring to address the Board of County Commissioners on the proposed adoption of San Miguel County Ordinance No. 03-30-15-GRT, imposing a gross receipts tax equal one-quarter of one percent, effective July 1, 2015, as permitted by Section 7-20E-28, NMSA 1978.

The County Attorney proceeded to invite public comment, and Glen Post, Harold Garcia, Patrick W. Snedeker, Alex Tafoya, Gary Gold and Dennis English addressed the County Commission in support of the adoption of the proposed ordinance; and Anne Marie Gallegos and Lavinia Fenzi spoke against adoption of the proposed ordinance.

At 11:43 a.m., the County Attorney asked three times if any other person desired to address the Commission, and no other person sought recognition.

The County Attorney then advised the County Commission that it had duly conducted a public hearing as required by law, and that notice of the public hearing, together with the title and complete text of the proposed ordinance was published in the Las Vegas Optic on March 13, 2015, at least two weeks in advance of today's special meeting and public hearing; and that proposed San Miguel County Ordinance No. 03-30-15-GRT was now properly before the Commission for formal action.

[An audio recording of the entire public hearing and meeting is maintained by the County Clerk's office, and available for public inspection and copying at any time during regular business hours.]

2. Take formal action to adopt the ordinance, dedicating the revenues from the hold harmless gross receipts tax for a specific purpose or area of government services, as permitted by Section 7-20E-28, NMSA 1978.

Whereupon, Chairman Padilla asked the County Manager to advise the Commission of the Manager's recommendations for dedication of the revenues to be generated by the proposed ordinance, and Montoya informed the Commission that it was his recommendation that the revenues be dedicated to the general fund, road improvement and maintenance, law enforcement, economic development, and capital outlay projects.

Thereafter, Chairman Padilla asked for the pleasure of the Commission, and Commissioner Ulibarri stated that he preferred that the tax be imposed in increments of one-sixteenth; Commissioner Leger said he favored the proposed ordinance; Commissioner Ortiz also stated that he favored the proposed ordinance; and Vice Chairman Sena, appearing by telephone, also expressed his support of the proposed ordinance. (All Commissioners said they preferred not to impose an additional gross receipts tax, but that essential county services required continued funding; and Chairman Padilla noted that the proposed increment, two-eighths of one per cent, was less than the three-eighths that could be imposed.)

Whereupon, at 12:05 p.m., Commissioner Ortiz moved adoption of proposed Ordinance No. 03-30-15-GRT, imposing a hold harmless gross receipts tax equal to one-fourth of one percent, the revenues from which should be dedicated to the general fund, road improvements and maintenance, law enforcement, economic development and capital outlay projects; and upon a second by Commissioner Leger, the motion carried upon a roll call vote of all five Commissioners, with only Commissioner Ulibarri voting nay.

ADJOURNMENT

There being no other business to come before the Commission, at 12:10 p.m., Commissioner Ulibarri moved and Commissioner Ortiz seconded, that the special meeting and public hearing be adjourned, and the motion carried by unanimous voice vote of all Commissioners.

MOVED, SECONDED AND ADOPTED this 14th day of April, 2015, by the Board of County Commissioners of San Miguel County, New Mexico, as the official minutes of its special meeting and public hearing held March 30, 2015.

Arthur J. Padilla, Chairman

Gilbert J. B. Sena, Vice Chairman

Nicolas T. Leger, Commissioner

Marcellino A. Ortiz, Commissioner

Rock G. Ulibarri, Commissioner

ATTEST:

Geraldine E. Gutierrez
San Miguel County Clerk

(S E A L)