

**MINUTES OF REGULAR MONTHLY MEETING OF
SAN MIGUEL COUNTY BOARD OF COMMISSIONERS
HELD TUESDAY JANUARY 14, 2020 BEGINNING AT 2:00 P.M.**

The San Miguel County Board of Commissioners held its regular monthly meeting on Tuesday January 14, 2020, beginning at 2:00 p.m. The meeting convened at the San Miguel County Administration Complex located at 500 West National Avenue, Suite 200, Las Vegas, New Mexico 87701.

CALL TO ORDER:

Madam Chair Maria Martinez called the meeting to order at 2:00 p.m.

ROLL CALL:

Upon a call of the roll, Madam Chair Maria Martinez present, Vice-Chairman Harold Garcia present, Commissioner Janice Varela present, Commissioner Chris Najjar present, and Commissioner Max Trujillo present and a quorum was duly noted.

PLEDGE OF ALLEGIANCE AND SALUTATION TO NM STATE FLAG

Commissioners, staff and citizens in attendance joined in the pledge and salute.

APPROVAL OF AGENDA

Motion made by Vice-Chairman Harold Garcia to approve the agenda. No Second.

Madam Chair Maria Martinez requested the Commission remove item #15, 18, and 23 from the agenda.

Motion made by Vice-Chairman Harold Garcia to approve agenda with changes recommended by Madam Chair, namely, that item #15, 18 and 23 be removed. Second by Commissioner Chris Najjar.

APPROVAL OF MINUTES

Commissioner Janice Varela requested a correction be made on Public Comment regarding Catherine Khans concerns on the on the Harlan Road Project for the December 10, 2019 Regular Commission Meeting.

Motion made by Vice-Chairman Harold Garcia to approve the correction made to Public Comment of the Regular monthly meeting held on December 10, 2019. Second by Commissioner Janice Varela. Motion carried.

PUBLIC INPUT FORUM

The following persons addressed the Commission during the public input forum

Catherine Kahn – Spoke on County Road issues/County Public Hearings.

Madam Chair Maria Martinez informed Ms. Kahn that she is out of order and Attorney Romero addressed the reasons for Ms. Kahn being out of order.

NEW BUSINESS

REGULAR ORDER

1. ADOPTION OF OPEN MEETINGS ACT RESOLUTION FOR 2020

San Miguel County Chair Maria Martinez presented to the Commission Section 10-15-1 of the New Mexico open meetings act NMSA 1978, which requires that each year the County Commission adopt a Resolution setting forth the date and time of the Commission meetings and notice requirements for all meetings. Madam Chair Maria Martinez requested the Commission adopt open meetings Resolution for 2020.

Motion made by Commissioner Janice Varela to adopt open meetings act resolution 2020. Second by Commissioner Max Trujillo. Motion carried.

2. ELECTION OF CHAIRMAN AND VICE CHAIRMAN OF THE SAN MIGUEL COUNTY BOARD OF COMMISSIONERS

San Miguel County Chair Maria Martinez informed the Commission of Section 4-38-10, NMSA 1978, which requires that at its first meeting of each year, the County Commission select a Chairman and Vice-Chairman.

Commissioner Janice Varela nominated Maria Martinez as Chairman. Second by Commissioner Chris Najjar. Motion carried.

Vice-Chairman Harold Garcia nominated Chris Najjar as Vice-Chairman. Second by Commissioner Max Trujillo. Motion carried.

3. LETTER COMMENTING ON THE CO-MEXICO EXPLORATORY DRILLING PERMIT FROM THE UNITED STATES FOREST SERVICE (USFS)

San Miguel County Commissioner Janice Varela informed the Commission that the United States Forest Service held a meeting in Pecos in December on the Co-Mexico Exploratory Drilling and the Comments are due January 17, 2020. Commissioner Varela requested that the County Manager write a letter to the USFS

Motion made by Commissioner Harold Garcia to approve the letter commenting on the Co-Mexico Exploratory Drilling. Second by Commissioner Max Trujillo. Motion carried.

4. APPROVAL OF EL VALLE COMMUNITY CENTER TO ICIP LIST

San Miguel County Planning and Zoning Supervisor Alex Tafoya informed the Commission of the Infrastructure Capital Improvements Plan (ICIP) process and the process with the Department of Finance and Administration. Discussion ensued. Madam Chair requested the Commission approve a contingent.

Motion made by Commissioner Max Trujillo to approve a contingent. Second by Commissioner Janice Varela. Motion carried.

Commissioner Harold Garcia is not voting on this item.

5. PROBATE COURT YEAR END COMMISSION REPORT

San Miguel County Probate Judge Dwight Torres presented to the Commission the probate court year end Commission report.

For informational purposes only.

6. SUPPORT OF THE LAS VEGAS FILM COUNCIL

LV Film Council Elmo Baca informed the Commission that the LV Film Council seeks to collaborate with municipal and state governments, educational institutions, community organizations and film industry professionals to advance its goals. The Council sees its role as an advocacy group to facilitate these initiatives and also to provide technical assistance, research and professional capacity to assist the City of Las Vegas and San Miguel County in projects and policies related to film tourism and film production.

Vice-Chairman Chris Najjar presented to the Commission Resolution No. SMC-01-14-20

Motion made by Commissioner Janice Varela to approve the Resolution No. SMC-01-14-20. Second by Commissioner Harold Garcia. Motion carried.

Recommendation by Commissioner Harold Garcia to approve Resolution No. SMC-01-14-20 as amended with the additions of a \$50,000 dollar planning grant and the \$75,000 to establish a county film tourism and production program.

7. UPDATE FROM THE LAS VEGAS/ SAN MIGUEL CHAMBER OF COMMERCE

Chamber of Commerce Phillip Martinez presented to the Commission a Calendar the Chamber of Commerce built over the holidays which shows amateur photos of places in San Miguel County. Mr. Martinez informed the Commission they now have a website which has a Community calendar and can be looked up at LasVegasNM.com. Mr. Martinez also informed the Commission of multiple Grants the Chamber of Commerce is working on.

For informational purposes only.

8. INFORMATION REGARDING PROPOSED SOCIAL MEDIA POLICY

San Miguel County Human Resource Director Eileen Sedillo presented to the Commission a draft regarding the proposed Social Media policy and informed the Commission that a resolution will hopefully be presented at the February Meeting regarding the adoption of a San Miguel Social Media Policy.

For informational purposes only.

9. AGREEMENT BETWEEN SAN MIGUEL COUNTY AND THE NEW MEXICO FOUNDATION OF DENTAL HEALTH, RESEARCH AND EDUCATION

San Miguel County Finance Supervisor Melinda Gonzales informed the Commission that the New Mexico Foundation of Dental Health reached out to the County to see if we would provide funding for the New Mexico Mission of Mercy event. Trish Rule informed the Commission they will be providing free dental, medical, and vision on May 2nd and 3rd at West Las Vegas High School to San Miguel Residents in need.

Motion made by Commissioner Harold Garcia to approve the agreement between San Miguel County and the New Mexico Foundation of Dental Health, Research and Education. Second by Vice-Chairman Chris Najjar. Motion carried.

10. FAIR MARKET RENTS 2020, UTILITY ALLOWANCES 2020, AND ADMINISTRATIVE PLAN REVISION TO A ONE-TIME 30 DAY SECTION 8 VOUCHER EXTENSION

San Miguel County Housing Authority Betty Valdez informed the Commission that HUD publishes the Fair Market rents and also informed them the utilities went up by 2 percent. Ms. Valdez requested the Commission approve the Fair Market rents, Utility Allowances, and a one-time 30 day voucher extension.

Motion made by Commissioner Harold Garcia to approve the Fair Market rents, Utility Allowances, and a one-time 30 day voucher extension. Second by Commissioner Janice Varela. Motion carried.

11. ADDENDUM TO AGREEMENT – MILLER ENGINEERING CONSULTANTS

San Miguel County Planning and Zoning Supervisor Alex Tafoya informed the Commission that the second year of the Agreement for Engineering Services As-Needed, between San Miguel County and Miller Engineering Consultants is set to expire. Miller Engineering has indicated that they wish to extend the Agreement for a third year. Mr. Tafoya requested the Commission approve the Addendum to agreement between San Miguel County and Miller Engineering Consultants for a third year.

Motion made by Vice-Chairman Harold Garcia to approve the Addendum to agreement between San Miguel County and Miller Engineering Consultants for a third year. Second by Commissioner Harold Garcia. Motion carried.

12. APPLICATION NO. SC-0091 TERRELL TUCKER RE-SUBDIVISION

San Miguel County Planning and Zoning Supervisor Alex Tafoya informed the Commission that the county received an application to re-subdivide Tract T-2 within the current Terrell Tucker Summary Subdivision into two (2) new tracts. Mr. Tafoya requested the Commission review the application, conduct a public hearing on the application and accept public comment, and approve the application.

San Miguel County Attorney Romero swore everyone in to speak on item #12 at 3:49 p.m.

Motion made by Commissioner Janice Varela to go into public hearing at 3:50 p.m. Second by Commissioner Max Trujillo. Motion carried.

Jeanne Langelier-Symington – In favor of the Terrell Tucker Re-Subdivision.

Attorney Romero swore in Christopher Benson in at 3:56 p.m.

Christopher Benson – Representing Mr. Tucker/In Favor of the Terrell Tucker Re-Subdivision.

Motion made by Commissioner Max Trujillo to close the public hearing at 4:02 p.m. Second by Commissioner Harold Garcia. Motion carried.

Motion made by Commissioner Max Trujillo to approve Application No. SC-0091 Terrell Tucker Re-Subdivision. Second by Commissioner Harold Garcia. Motion carried.

13. CDBG PRE-PROJECT SELECTION PUBLIC HEARING

San Miguel County Planning and Zoning Supervisor Alex Tafoya informed the Commission that the Community Development Block Grant (CDBG) program requires that a Pre-Project Selection Public Hearing be held and conducted in order to report on past CDBG program activities, receive public input to generate ideas about potential projects eligible for CDBG funding and select a project for a CDBG application. The Pre-Project Selection Public Hearing must be a hearing unto itself, separate from the regular County Commission meeting. Mr. Tafoya requested the Commission adjourn from the regular Commission meeting and call to order the CDBG Pre-Project Selection Public Hearing, hear a presentation as per CDBG Exhibit 1-Q-1, accept public input, and select a project.

Commissioner Janice Varela requested the Commission table this item until February’s meeting. Second by Madam Chair Maria Martinez.

Roll call vote

Madam Chair Maria Martinez – Yes
Commissioner Harold Garcia – No
Commissioner Janice Varela – Yes
Commissioner Max Trujillo – Pass
Vice-Chairman Chris Najjar – Not present

14. ADOPTION OF REQUIRED CDBG ANNUAL CERTIFICATIONS AND COMMITMENTS

San Miguel County Planning and Zoning Supervisor Alex Tafoya informed the Commission that the Community Development Block Grant Program (CDBG) requires entities that accept CDBG funds to adopt certain federal regulations by a resolution adopted by the governing body and suggests such adoption occur annually. The required federal regulations include Citizen Participation, Fair Housing, Residential Anti-Displacement & Relocation Assistance, Section 3 and Procurement. Mr. Tafoya requested the Commission adopt Resolution No. 01-14-20-CDBG.

Motion made by Commissioner Janice Varela to adopt Resolution No. 01-14-20-CDBG. Second by Commissioner Max Trujillo. Motion carried.

15. CDBG PRE-PROJECT SELECTION PUBLIC HEARING

Item was removed from the agenda.

16. STATEMENT OF VACATION APPLICATION NO. SV-0034

Minutes-Regular Meeting January 14, 2020

San Miguel County Planning and Zoning Supervisor Alex Tafoya informed the Commission that San Miguel County received Statement of Vacation Application No. SV-0034 submitted by Valerie Carter and Douglas B. Pandorf, who propose to vacate three lots that are situated within the Hermit's Peak Subdivision and create two (2) new lots. Mr. Tafoya requested the Commission review application SV-0034, hold and conduct a public hearing on the application and accept public comment, and approve application SV-0034.

Motion made by Commissioner Harold Garcia to go into public hearing at 4:26 p.m. Second by Commissioner Max Trujillo. Motion carried.

San Miguel County Attorney Romero swore everyone in to speak on item #16 at 4:26 p.m.

Alex Tafoya – Answered questions on the application.

Attorney Romero swore in Catherine Kahn in at 4:30 p.m.

Catherine Kahn – Spoke on the changes in taxes for combining lots.

Motion made by Commissioner Harold Garcia to close the public hearing at 4:39 p.m. Second by Commissioner Janice Varela. Motion carried.

Motion made by Commissioner Max Trujillo to approve application SV-0034. Second by Commissioner Harold Garcia. Motion carried.

17. STATEMENT OF VACATION APPLICATION NO. SV-0035

San Miguel County Planning and Zoning Supervisor Alex Tafoya informed the Commission that San Miguel County received statement of Vacation Application No. SV-0035, submitted by Michael Gregory, Jr., and Warren and Jackie Hill, for the purpose of a lot line adjustment between Lot 15, within Phase Three of Pendaries Park Subdivision and Rociada Properties, Inc. Mr. Tafoya requested the Commission review application SV-0035, conduct a public hearing on the application and accept public comment, and approve application SV-0035.

Motion made by Commissioner Harold Garcia to go into public hearing at 4:41 p.m. Second by Commissioner Janice Varela. Motion carried.

San Miguel County Attorney Romero swore everyone in to speak on item #17 at 4:42 p.m.

Warren Hill – Informed the Commission that the reason for this lot line adjustment is to eliminate an encroachment from the adjacent lands outside of the subdivision. In favor of the lot line adjustment.

Motion made by Commissioner Max Trujillo to close the public hearing at 4:44 p.m. Second by Commissioner Harold Garcia. Motion carried.

Motion made by Commissioner Max Trujillo to approve application SV-0035. Second by Commissioner Janice Varela. Motion carried.

18. APPLICATION NO. SC-0091 TERRELL TUCKER RE-SUBDIVISION

Item was removed from the agenda.

19. PUBLIC WORKS DIVISION REPORT FOR THE MONTH OF DECEMBER 2019

San Miguel County Public Works Division Foreman Arnold Lopez and Public Works Director Gerald Garcia informed the Commission of all Maintenance and Blading of County roads that took place in the month of December 2019

For informational purposes only.

20. APPROVE AND ADOPT RESOLUTION NO.DWI-01-14-20 AUTHORIZING THE COUNTY OF SAN MIGUEL TO SUBMIT AN APPLICATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION, LOCAL GOVERNMENT DIVISION TO PARTICIPATE IN THE LOCAL DWI GRANT AND DISTRIBUTION PROGRAM

San Miguel County Manager Vidal Martinez informed the Commission that Ms. Cruz had to step out for an emergency. Mr. Martinez requested the Commission table this item.

Motion made by Commissioner Harold Garcia to table. Second by Commissioner Janice Varela. Motion carried.

San Miguel County DWI Coordinator Yolanda Cruz presented to the Commission resolution no. DWI-01-14-20 authorizing the County of San Miguel to Submit an Application to the Department of Finance and Administration, Local Government Division to Participate in the Local DWI Grant and Distribution Program. Ms. Cruz requested the Commission adopt resolution no. DWI-01-14-20.

Motion made by Commissioner Harold Garcia to adopt resolution no. DWI-01-14-20. Second by Commissioner Janice Varela. Motion carried.

21. FY21 MEMORANDUM OF UNDERSTANDING BETWEEN SAN MIGUEL COUNTY DWI PROGRAM AND THE NEW MEXICO DEPARTMENT OF FINANCE AND ADMINISTRATION

San Miguel County DWI Coordinator Yolanda Cruz informed the Commission of a Memorandum of Understanding between San Miguel County DWI program and the New Mexico Department of Finance and Administration. Ms. Cruz requested the Commission review and approve of the Memorandum of Understanding.

Motion made by Commissioner Janice Varela to approve of FY21 Memorandum of Understanding between San Miguel County and DWI program and the New Mexico Department of Finance and Administration. Second by Commissioner Max Trujillo. Motion carried.

22. STATEMENT OF ASSURANCES FOR THE LOCAL DWI GRANT AND DISTRIBUTION PROGRAM FY21

San Miguel County DWI Coordinator Yolanda Cruz informed the Commission of the statement of assurances for the local DWI grant and distribution program FY21. Ms. Cruz requested the Commission approve the statement of assurances for the local DWI grant and distribution program.

Motion made by Commissioner Harold Garcia to approve the statement of assurances for the local DWI grant and distribution program. Second by Commissioner Max Trujillo. Motion carried.

23. REIMBURSEMENT FOR JENNIFER LAFEBRE LUNA COMMUNITY CLASSES

Item was removed from the agenda.

24. BANK TRANSFERS FOR THE MONTH OF DECEMBER

San Miguel County Treasurer Bertha Bustamante presented to the Commission the bank transfers for the month of December 2019.

For informational purposes only.

25. TAX DOLLAR QUARTER REPORT

San Miguel County Treasurer Bertha Bustamante presented to the Commission the Quarterly tax dollar report for the months of October, November, and December 2019.

26. ADDENDUM TO CONTRACT WITH EGB ELECTRIC

San Miguel County Finance Supervisor Melinda Gonzales informed the Commission of a contract with EGB electric and informed them that the Maintenance Department is satisfied with their performance and would like to enter into a third year contract. Ms. Gonzales requested the Commission review and approve the addendum to contract with EGB Electric.

Motion made by Commissioner Harold Garcia to approve the addendum to contract with EGB Electric. Second by Commission Max Trujillo. Motion carried.

27. ADDENDUM TO CONTRACT WITH JCG PLUMBING

San Miguel County Finance Supervisor Melinda Gonzales informed the Commission of a contract with JCG Plumbing and informed them that the Maintenance Department is satisfied with their performance and would like to enter into a third year contract. Ms. Gonzales requested the Commission review and approve the addendum to contract with EGB JCG Plumbing.

Motion made by Commissioner Harold Garcia to approve the addendum to contract with JCG Plumbing. Second by Commission Janice Varela. Motion carried.

28. INDIGENT CLAIMS

San Miguel County Finance Supervisor Melinda Gonzales informed the Commission that the Finance Office has received, reviewed and processed two indigent burial claims. Ms. Gonzales is seeking Ratification of the indigent burial payments.

Motion made by Commissioner Harold Garcia to approve Ratification of the indigent burial payments. Second by Commissioner Janice Varela. Motion carried.

29. RESOLUTION 2020-01-14-F1

San Miguel County Finance Supervisor Melinda Gonzales informed the Commission of resolution 2020-01-14-F1 which is a budget adjustment resulting from the 2020 New Mexico Fire Protection Grants. The four fire districts that received funding are

El Pueblo fire Department in the amount of \$145,646.80 for facility improvements.

Sheridan in the amount of \$200,000.00 for facility improvements.

Trementina in the amount of \$100,000.00 for apparatus.

Pecos Volunteer Fire Department in the amount of \$200,000.00 for facility improvements.

A budget increase for the Cabo Lucero New Mexico Finance Authority Loan/Refinancing is needed to expend the loan funds.

The County is increasing the Justice Assistance Grants by \$5,840.50 which reflects the 2017 JAG funds awarded that have yet to be spent. Ms. Gonzales requested the commission approve resolution 2020-01-14-F1.

Motion made by Commissioner Harold Garcia to approve resolution 2020-01-14-F1. Second by Commissioner Max Trujillo. Motion carried.

30. ACCOUNTS PAYABLE REPORT FOR THE PERIOD OF NOVEMBER 2019

San Miguel County Finance Supervisor Melinda Gonzales informed the Commission of the accounts payable report for the period of November 2019. Ms. Gonzales requested the Commission review and approve the accounts payable report for the period of November 2019.

Motion made by Commissioner Harold Garcia to approve the accounts payable report for the period of November 2019. Second by Commissioner Max Trujillo. Motion carried.

31. RECEIPT REPORT FOR THE MONTH OF NOVEMBER 2019

San Miguel County Finance Supervisor Melinda Gonzales presented to the Commission a receipt detail report for the month of November 2019.

For informational purposes only.

32. JOURNAL ENTRY REPORT FOR THE MONTH OF NOVEMBER 2019

San Miguel County Finance Supervisor Melinda Gonzales informed the Commission of the journal entry report for the month of November 2019.

For informational purposes only.

33. CASH BALANCE REPORT FOR THE MONTHS OF NOVEMBER 2019

San Miguel County Finance Supervisor Melinda Gonzales informed the Commission of the November 2019 reconciled cash balances.

For informational purposes only.

34. BUDGET REPORT FOR THE PERIOD OF JULY 1, 2019 THROUGH NOVEMBER 30, 2019

San Miguel County Finance Supervisor Melinda Gonzales presented to the Board of County Commissioner the budget report for the period of July 1, 2019 through November 30, 2019.

For informational purposes only.

Executive/Closed Session

A. Attorney-Client Privilege Pertaining to Threatened or Pending Litigation, as permitted by NMSA 1978, Section 10-15-1(H)(7) (as amended) of the Open Meetings Act. More specifically: Mesa Grande; and Blame Her Ranch.

Madam Chair Maria Martinez recommends to retire into Executive Session to discuss Attorney-Client Privilege Pertaining to Threatened or Pending Litigation, as permitted by NMSA 1978, Section 10-15-1(H)(7) (as amended) of the Open Meetings Act. More specifically: Mesa Grande; and Blame Her Ranch.

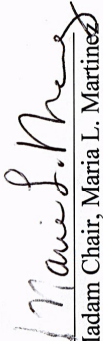
Motion made by Vice-Chairman Harold Garcia to retire into Executive Session at 5:08p.m to discuss Attorney-Client Privilege Pertaining to Threatened or Pending Litigation, as permitted by NMSA 1978, Section 10-15-1(H)(7) (as amended) of the Open Meetings Act. More specifically: Mesa Grande; and Blame Her Ranch. Second by Commissioner Max Trujillo. Motion carried.

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

ADJOURNMENT

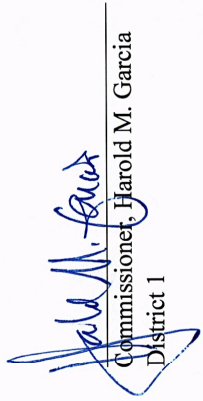
Motion made by Commissioner Janice Varela to adjourn the meeting at 6:16p.m. Second by Commissioner Max Trujillo. Motion carried.


Approved this 10th day of March, 2020 as the Official Minutes of the Board of County Commissioners of San Miguel County, New Mexico, of its Regular Meeting held January 14, 2020.


Madam Chair, Maria L. Martinez
District 4

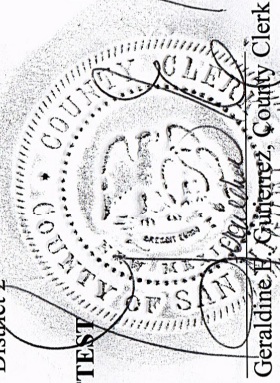

Vice-Chairman, Chris A. Najjar
District 5


Commissioner, Max O. Trujillo
District 3


Commissioner, Harold M. Garcia
District 1


Commissioner, Janice C. Varela
District 2

ATTEST



Geraldine H. Gutierrez, County Clerk


Minutes Submitted by Zachary Garza