

**MINUTES OF REGULAR MONTHLY MEETING OF
SAN MIGUEL COUNTY BOARD OF COMMISSIONERS
HELD TUESDAY NOVEMBER 12, 2019 BEGINNING AT 2:00 P.M.**

The San Miguel County Board of Commissioners held its regular monthly meeting on Tuesday November 12, 2019, 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 Commissioner Chris Najjar to approve the agenda. Second by Commissioner Janice Varela. Motion carried.

APPROVAL OF MINUTES

Motion made by Commissioner Max Trujillo to approve the minutes of the Regular Monthly meeting held on October 8, 2019. Second by Commissioner Chris Najjar. Motion carried.

There was no motion made for the October 30, 2019 special meeting, the meeting was canceled.

PUBLIC INPUT FORUM

The following persons addressed the Commission during the public input forum

Manuel J. Garcia – Mr. Garcia spoke on abandoning and vacating roads, he also spoke on his opposition of a racino in San Miguel County.

Tim Blose – Spoke on his support for the designation of the Pecos River.

June Vorhis – Spoke on her opposition of the abandonment of County Road C53D.

Diane Fisher – Spoke on her opposition of the abandonment of County Road C53D.

Patricia Smith – Spoke on the benefits of recycling, she would like the County to look into a plan or a course of action for managing and recycling wastes.

NEW BUSINESS

Oath of office San Miguel County Detention Center

San Miguel County Warden Matthew Elwell informed the Commission of a promotional process that took place in October. Mr. Elwell gave thanks and expressed his gratitude for the two of his officers, Mr. Xavier Romero who will be promoted to the rank of Sergeant and Mr. Lawrence Aragon who will be promoted to the rank of Lieutenant.

Madam Chair Maria Martinez gave thanks to the officers and lead while the officers followed in the oath of office.

Presentation: Grant Proposal and Updates

Presenter: Elizabeth Juarros and Philip Martinez, Chamber of Commerce

Elizabeth Juarros presented to the Commission two grant proposals that have to do with keeping our community clean. The first proposal is to the Solid Waste Bureau of the New Mexico Environment Department in order to establish a recycling center in Pecos. The Second proposal is to the New Mexico Tourism Department through New Mexico true, keep New Mexico clean and beautiful program to support the beautification of the Gallinas River Park in Las Vegas.

Presentation: Collaboration with County and Grant Initiatives

Presenter: Matt Probst and Melissa Duran

Matt Probst gave a presentation and information on agencies working together to combat what is being called the opioid crisis and substance misuse. Mr. Probst gave an update on an initiative that El Centro lead which was an opportunity for a Federal Planning grant which was completed on September 30, 2020. Mr. Probst also gave information on a second opportunity for a grant that El Centro lead an initiative for. This is a RCORP implementation grant which is a three year grant. This implementation now includes the entire Northeast quadrant. The Corner stone partners that are now working with this implementation grant are The New Mexico Department of Health, Behavioral Health Services Division, UNM Project Echo, and area Health education centers.

REGULAR ORDER

1. MEMORANDUM OF UNDERSTANDING BETWEEN SAN MIGUEL COUNTY AND THE CITY OF LAS VEGAS

San Miguel County Manager Vidal Martinez and Elizabeth Juarros informed the Commission of a Memorandum of understanding between San Miguel County and the City of Las Vegas in support of efforts to revitalize the Gallinas River Park. County Manager Martinez requested the Commission review and approve the Memorandum of understanding between San Miguel County and the City of Las Vegas.

Motion made by Vice-Chairman Harold Garcia to approve the Memorandum of understanding between San Miguel County and the City of Las Vegas. Second by Commissioner Janice Varela. Motion carried.

2. RESOLUTION NO. 11-12-19-ONRW

Rachel Conn of Amigos Bravos informed the Commission of Resolution No. 11-12-19-ONRW. This resolution supports and protects our local watershed from future degradation by petitioning the water quality control

commission to designate the Pecos River as an outstanding national resource watershed. Commissioner Janice Varela presented to the Commission Resolution No. 11-12-19-ONRW. Ms. Conn requested the Commission review and approve Resolution No. 11-12-19-ONRW.

Motion made by Vice-Chairman Harold Garcia to approve Resolution No. 11-12-19-ONRW. Second by Commissioner Chris Najjar. Motion carried.

3. RESOLUTION NO. 11-12-19-NMC 2020 LEGISLATIVE PRIORITIES

San Miguel County Vice-Chairman Harold Garcia presented to the Commission Resolution No. 11-12-19-NMC 2020 Legislative Priorities supporting the association of counties on their four legislative priorities. Vice-Chairman Garcia requested the Commission review and approve Resolution No. 11-12-19-NMC 2020 Legislative Priorities.

Motion made by Commissioner Chris Najjar to approve Resolution No. 11-12-19-NMC 2020 Legislative Priorities. Second by Commissioner Max Trujillo. Motion carried.

4. RATIFICATION OF TRAVEL FOR COMMISSIONER MAX TRUJILLO TO ATTEND THE NALEO CONFERENCE IN PHOENIX, ARIZONA AND TRAVEL FOR COMMISSIONER CHRIS NAJAR AND YOLANDA CRUZ, DWI COORDINATOR TO LAS VEGAS NEVADA

Madam Chair Maria Martinez requested ratification of travel for Commissioner Max Trujillo to attend the NALEO National Policy institute on Public Finance Management and Bonds, scheduled for December 6-7,2019 in Phoenix, AZ and ratification of travel for Commissioner Chris Najjar and Yolanda Cruz, DWI Coordinator to attend standards of excellence academy and FIT for a better tomorrow, in Las Vegas Nevada.

Motion made by Vice-Chairman Harold Garcia to approve ratification of travel for Commissioner Max Trujillo to attend the NALEO conference in Phoenix, Arizona and travel for Commissioner Chris Najjar and Yolanda Cruz, DWI Coordinator to Las Vegas Nevada. Second by Commissioner Janice Varela. Motion carried.

5. CONSIDERATION OF ADDITIONAL LODGERS' TAX FUNDING – PECOS BUSINESS ASSOCIATION

San Miguel County Planning and Zoning Supervisor Alex Tafoya informed the Commission that at its October 8, 2019 meeting, the Board of County Commissioners took action to ratify the recommendation of the award of lodgers' Tax funds to various groups that submitted proposals in response to Lodgers' Tax RFP No. 2019-2. The Pecos Business Association is one such group that received an award of Lodgers' Tax Funds in the amount of \$8,262.00, however, a representative of the Pecos Business Association voiced concerns that the award was not adequate for the needs of the Association and requested that an additional \$4,000.00 be awarded. Mr. Tafoya requested the Commission consider the request made by the Pecos Business Association for additional funding.

Motion made by Commissioner Chris Najjar to approve the additional funding. Second by Commissioner Max Trujillo. Motion carried.

6. APPOINTMENT TO LODGERS' TAX ADVISORY BOARD

San Miguel County Planning and Zoning Supervisor Alex Tafoya informed the Commission that come January 2020 a vacancy on the Lodgers' Tax Advisory Board will exist. Both the New Mexico Lodgers' Tax Act and the County Lodgers' Tax Ordinance provide that the chair of the County Commission appoint members to serve on the Lodgers' Tax Advisory Board. Mr. Tafoya requested the Commission consider appointing someone to serve on the Lodgers' Tax Advisory Board beginning in January 2020.

Motion made by Vice-Chairman Harold Garcia to appoint Diane Moore. Second by Commissioner Chris Najjar. Motion carried.

7. AMENDMENT TO APPLICATION NO. RV-0047

San Miguel County Planning and Zoning Supervisor Alex Tafoya informed the Commission of application No. RV-0047 to adjust the lot lines of three (3) lots within the Hawk's Landing Subdivision was approved by the Board of County Commission in May 2019. Since then, the property owner has determined that the lot line adjustment on the east side to Lot 21 that was approved in May 2019 would be better suited if it were adjusted and moved to the southern portion of the east side of the lot due to the steep slope terrain of that portion of the Lot, and is requesting an amendment to the survey plat adjusting the lot line of Lot 21. The size of the Lot would increase by 0.50 acre, more or less. Mr. Tafoya requested the Commission review the request, accept public comment on the request, and approve the amendment and lot line adjustment.

Motion made by Commissioner Janice Varela to approve the amendment and lot line adjustment. Second by Vice-Chairman Harold Garcia. Motion carried.

8. OUT OF STATE TRAVEL – JAIL AND PRISONER OPERATIONAL AND LEGAL ISSUES

San Miguel County Warden Matthew Elwell requested the Commission approve out of state travel for Deputy Warden Antonio Padilla, to attend training on jail and Prisoner Operational and Legal Issues conference to be held in Las Vegas, NV January 14 through January 17, 2020. This training focuses on the legal issues related to housing for gender specific individuals, the Prison Rape Elimination Act and legal issues of opioid withdrawal and Medicated Assisted Treatment and transitioning.

Motion made by Commissioner Janice Varela to approve out of state travel for Antonio Padilla. Second by Commissioner Chris Najjar. Motion carried.

9. OUT OF STATE TRAVEL – PEPPERBALL INSTRUCTOR TRAINING

San Miguel County Warden Matthew Elwell requested the Commission approve out of state travel for Lieutenant Steven Garcia and Lieutenant Lawrence Aragon, to attend Pepper ball Instructor Training in Palm Beach, FL December 4 through December 7, 2019. This is a recertification training which allows us to train and certify staff on proper use of the non-lethal pepper ball system.

Motion made by Commissioner Chris Najjar to approve out of state travel for Lieutenant Steven Garcia and Lieutenant Lawrence Aragon. Second by Commissioner Max Trujillo. Motion carried.

10. SAN MIGUEL COUNTY DETENTION CENTER MEDICATED ASSISTED TREATMENT (MAT) PROGRAM EVALUATOR CONTRACT WITH DATA ANALYTICS RESEARCH TEAM

San Miguel County Warden Matthew Elwell informed the Commission of an agreement with Data Analytics Research Team (DART) to perform research of the detention center's MAT program. The continued evaluation of the program gives the county data to meet the requirements of our grant showing outcomes of the program. This is a grant funded evaluation of the detention center MAT program. Warden Elwell requested the Commission approve an extension of our agreement with Data Analytics Research Team.

Motion made by Vice-Chairman Harold Garcia to approve an extension of our agreement with Data Analytics Research Team. Second by Commissioner Chris Najjar. Motion carried.

11. CONTRACT FOR DETAINEE CONFINEMENT BETWEEN SAN MIGUEL COUNTY AND THE CITY OF LAS VEGAS

San Miguel County Warden Matthew Elwell informed the Commission that the City of Las Vegas wishes to contract with San Miguel County for confinement of detainees. Warden Elwell requested the Commission approve the Contract for Detainee Confinement.

Motion made by Commissioner Janice Varela to approve the Contract for Detainee Confinement. Second by Commissioner Max Trujillo. Motion carried.

12. PUBLIC WORKS DIVISION REPORT FOR THE MONTH OF OCTOBER 2019

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

For informational purposes only.

BOARD OF FINANCE MEETING

13. BANK TRANSFERS FOR THE MONTH OF OCTOBER

San Miguel County Treasurer Bertha Bustamante presented to the Board of County Commissioners the bank transfers for the month of October 2019.

For informational purposes only.

14. QUARTELY TAX DOLLAR REPORT

San Miguel County Treasurer Bertha Bustamante presented to the Board of County Commissioners the Quarterly tax dollar report for the months of July, August, and September 2019.

For informational purposes only.

15. RESOLUTION 2019-11-12-F1

San Miguel County Finance Supervisor Melinda Gonzales informed the Commission of Resolution 2019-11-12-F1 which provides information on the changes to the Budget Adjustment Resolution in October, 2019. Budget adjustment requests for gross receipt tax revenue, equalization distribution revenue and salary adjustments. Budget adjustment for the Selective Traffic Grants for grants ending September 2019 and beginning October 2019 through September 2020. Budget adjustment for Lodgers Tax. Ms. Gonzales requested the Commission approve Resolution 2019-11-12-F1.

Motion made by Commissioner Janice Varela to approve Resolution 2019-11-12-F1. Second by Commissioner Max Trujillo. Motion carried.

16. RESOLUTION 2019-11-12-F2

San Miguel County Finance Supervisor Melinda Gonzales informed the Commission of Resolution 2019-11-12-F2 authorizing a special limited obligation of the governmental unit to pay a principal amount of \$407,871 together with interest, for the purpose of purchasing a new firefighting apparatus and respective equipment and refunding the San Miguel County New Mexico Fire Protection Improvement Revenue Bond, Series 2009, all for the Cabo Lucero Volunteer Fire Department. Ms. Gonzales requested the Commission approve Resolution 2019-11-12-F2.

Motion made by Vice-Chairman Harold Garcia to approve Resolution 2019-11-12-F2. Second by Commissioner Max Trujillo. Motion carried.

17. RECEIPT REPORT FOR THE MONTH OF SEPTEMBER 2019

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

For informational purposes only.

18. 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 Janice Varela to approve Ratification of the indigent burial payments. Second by Commissioner Chris Najjar. Motion carried.

19. JOURNAL ENTRY REPORT FOR THE MONTH OF SEPTEMBER 2019

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

For informational purposes only.

20. CASH BALANCE REPORT FOR THE MONTHS OF SEPTEMBER 2019

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

For informational purposes only.

21. BUDGET REPORT FOR THE PERIOD OF JULY 1, 2019 THROUGH SEPTEMBER 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 September 30, 2019.

For informational purposes only.

22. ACCOUNTS PAYABLE REPORT FOR THE PERIOD OF SEPTEMBER 2019

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

Motion made by Commissioner Janice Varela to approve the accounts payable report for the period of September 2019. Second by Commissioner Chris Najjar. Motion carried.

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: SMC vs. 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: SMC vs. Blame Her Ranch

Motion made by Vice-Chairman Harold Garcia to retire into Executive Session at 3:51p.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: SMC vs. 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 Vice-Chairman Harold Garcia to adjourn the meeting at 4:10p.m. Second by Commissioner Max Trujillo. Motion carried.

Approved this 10th day of December, 2019 as the Official Minutes of the Board of County Commissioners of San Miguel County, New Mexico, of its Regular Meeting held November 12, 2019.

Maria L. Martinez
Madam Chair, Maria L. Martinez
District 4

Harold M. Garcia
Vice-Chairman, Harold M. Garcia
District 1

Max O. Trujillo
Commissioner, Max O. Trujillo
District 3

Chris A. Najjar
Commissioner, Chris A. Najjar
District 5

Janice C. Varela
Commissioner, Janice C. Varela
District 2

ATTEST

Geraldine E. Gutierrez
Geraldine E. Gutierrez, County Clerk

