

**MINUTES OF REGULAR MONTHLY MEETING OF  
SAN MIGUEL COUNTY BOARD OF COMMISSIONERS  
HELD TUESDAY DECEMBER 10, 2019 BEGINNING AT 2:00 P.M.**

The San Miguel County Board of Commissioners held its regular monthly meeting on Tuesday December 10, 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 Vice-Chairman Harold Garcia to approve the agenda. Second by Commissioner Max Trujillo. Motion carried.

**APPROVAL OF MINUTES**

Motion made by Commissioner Chris Najjar to approve the minutes of the Special monthly meeting held on November 6, 2019. Second by Vice-Chairman Harold Garcia. Motion carried.

Motion made by Commissioner Chris Najjar to approve the minutes of the Regular monthly meeting held on November 12, 2019. Second by Vice-Chairman Harold Garcia. Motion carried.

Motion made by Commissioner Chris Najjar to approve the minutes of the Special monthly meeting held on November 13, 2019. Second by Vice-Chairman Harold Garcia. Motion carried.

**PUBLIC INPUT FORUM**

The following persons addressed the Commission during the public input forum

**Manuel Martinez** – Spoke on County matters.

**Rosalie/Greg/Carlos Martinez** – Spoke on their support of the Harlan Road project.

**Catherine Kahn** – Spoke of her concerns on the Harlan Road project. Also spoke on the Mining Moratorium.

**NEW BUSINESS**

**REGULAR ORDER**

**1. APPOINTMENT OF NEW MEXICO COUNTY INSURANCE AUTHORITY (NMCIA)  
VOTING MEMBER AND ALTERNATE**

San Miguel County Manager Vidal Martinez requested the Commission appoint Commissioner Max Trujillo to the New Mexico County Insurance Authority as the Voting Member and Commissioner Chris Najjar as the alternate for the year 2020.

Motion made by Vice-Chairman Harold Garcia to appoint Commissioner Max Trujillo to the New Mexico County Insurance Authority as the Voting Member and Commissioner Chris Najjar as the alternate. Second by Commissioner Janice Varela. Motion carried.

**2. DISCUSSION ON DATE AND TIME TO HOLD A PUBLIC HEARING FOR MINING  
MORATORIUM**

San Miguel County Commissioner Janice Varela informed the Commission that the last hearing for the Mining Moratorium was canceled because of the weather. The Commission discussed and agreed that January 7, 2020 at 5:00p.m they would hold a public hearing for the Mining Moratorium in Pecos.

For informational purposes only.

**3. ROAD PETITION NO. CR-19-001**

San Miguel County Manager Vidal Martinez informed the Commission that the San Miguel County road viewers held and conducted a public road viewing of Harlan Drive within the Glenwood Estates Subdivision in regard to Road Petition No. CR-19-001. At the September 10, 2019 County Commission meeting, the recommendations of the road viewers were presented for consideration by the Board of County Commissioners. Upon hearing the recommendations submitted by the road viewers and accepting public comment, the Board of County Commissioners took action to table the matter.

County Manager Martinez requested the Commission consider bringing the matter back to the table for consideration and also to take action to adopt Harlan Drive as a County road.

Motion made by Commissioner Chris Najjar to adopt Harlan Drive as a County road. Second by Vice-Chairman Harold Garcia. Motion carried.

Madam Chair Maria Martinez requested a roll call vote.

- Chair Maria Martinez – Yes
- Vice-Chairman Harold Garcia – Yes
- Commissioner Chris Najjar – Yes
- Commissioner Max Trujillo – Yes
- Commissioner Janice Varela – No

**4. SAN MIGUEL COUNTY MANAGERS RECOMMENDATION FOR APPROVAL OF THE  
GOVERNING HOLIDAYS FOR THE CALENDAR YEAR 2020**

San Miguel County Human Resource Supervisor Eileen Sedillo presented to the Commission of Resolution Number SMC-RES-12-10-2019 which is the Governing Holidays for the Calendar year 2020. Ms. Sedillo requested the Commission approve of Resolution Number SMC-RES-12-10-2019. Motion made by Commissioner Chris Najjar to approve Resolution Number SMC-RES-12-10-2019. Second by Commissioner Janice Varela. Motion carried.

**5. RECOMMENDATION TO APPROVE THE JOB DESCRIPTION FOR SAN MIGUEL COUNTY FINANCE DIVISION CERTIFIED PROCUREMENT OFFICER/ACCOUNTANT**

San Miguel County Human Resource Supervisor Eileen Sedillo informed the Commission of a new job description for San Miguel County Finance Division Certified Procurement Officer/Accountant. This is not a new position. Its defining a position that exists, that is recently vacated. This position is responsible for all the oversight concerning purchasing and procurement for San Miguel County; managing RFP's, ITB's, RFI's, etc.; approving purchase orders and change orders etc. Ms. Sedillo requested the Commission approve of the Job Description for the San Miguel County Finance Division Certified Procurement Officer/Accountant.

Motion made by Commission Max Trujillo to approve of the Job Description. Second by Vice-Chairman Harold Garcia. Motion carried.

**6. PUBLIC WORKS DIVISION REPORT FOR THE MONTH OF NOVEMBER 2019**

San Miguel County Public Works Division Road 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 November 2019.

For informational purposes only.

**BOARD OF FINANCE MEETING**

**7. BANK TRANSFERS FOR THE MONTH OF DECEMBER**

San Miguel County Finance Supervisor Melinda Gonzales presented to the Board of County Commissioners the bank transfers for the month of December 2019.

For informational purposes only.

**8. RESOLUTION 2019-12-10-F1**

San Miguel County Finance Supervisor Melinda Gonzales informed the Commission that a budget adjustment is being requested to move \$500 from the General Fund (101) to the Trust & Agency Fund (109) for the purpose of opening a bank account for property taxes paid in protest. The \$500 will remain in the bank account as a minimum balance to the account to ensure the account remains open.

To budget the Local Government Transportation Projects Fund (LGTPF) grant in the amount of \$595,394.74 with the scope Gonzales Ranch Road Improvement Project – Plan, design, construction management, construction, reconstruction, pavement rehab, drainage improvements and miscellaneous construction. The Department of Transportation portion of the grant is \$565,625 and the County has a match of \$29,769.74 which will be transferred from Fund 996, Capital Outlay/Infrastructure Gross Receipt Taxes.

To re-budget Legislative Appropriation 18-C2551 for the Detention Facility.

Ms. Gonzales requested the Commission review and approve Resolution 2019-12-10-F1.

Motion made by Commissioner Janice Varela to approve Resolution 2019-12-10-F1. Second by Commissioner Max Trujillo. Motion carried.

**9. RESOLUTION 2019-11-12-F2**

San Miguel County Finance Supervisor Melinda Gonzales introduced to the Commission Resolution No. 2019-11-12-F2. This is a resolution authorizing a special limited obligation of the governmental unit to pay for.....

Ms. Gonzales advised the Commission the approval of this resolution had already been made by the Board of County Commissioners at the November 12, 2019 Regular Meeting.

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

San Miguel County Finance Supervisor Melinda Gonzales requested the Commission table this item.

Motion made by Vice-Chairman Harold Garcia to table. Second by Commissioner Chris Najjar. Motion carried.

**11. FY2020 FIRST QUARTER DFA BUDGET TO ACTUAL SUBMISSION, FINANCIAL REPORT ADJUSTMENT SCHEDULE AND FIRST QUARTER LINE ITEM TRANSFERS**

San Miguel County Finance Supervisor Melinda Gonzales presented to the Commission the quarterly reports that are submitted to DFA, Financial report adjustment schedule and a first quarter line item transfer.

For informational purposes only.

**12. RECEIPT REPORT FOR THE MONTH OF OCTOBER 2019**

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

For informational purposes only.

**13. CASH BALANCE REPORT FOR THE MONTHS OF OCTOBER 2019**

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

For informational purposes only.

**14. ACCOUNTS PAYABLE REPORT FOR THE PERIOD OF OCTOBER 2019**

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

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

**15. BUDGET REPORT FOR THE PERIOD OF JULY 1, 2019 THROUGH OCTOBER 31, 2019**

San Miguel County Finance Supervisor Melinda Gonzales presented to the Board of County Commissioners the budget report for the period of July 1, 2019 through October 31, 2019.

For informational purposes only.

**16. JOURNAL ENTRY REPORT FOR THE MONTH OF OCTOBER 2019**

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

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

Motion made by Vice-Chairman Harold Garcia to retire into Executive Session at 2:52p.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. 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 Chris Najjar to adjourn the meeting at 3:18p.m. Second by Vice-Chairman Harold Garcia. Motion carried.

Approved this 14<sup>th</sup> day of January, 2019 as the Official Minutes of the Board of County Commissioners of San Miguel County, New Mexico, of its Regular Meeting held December 10, 2019.

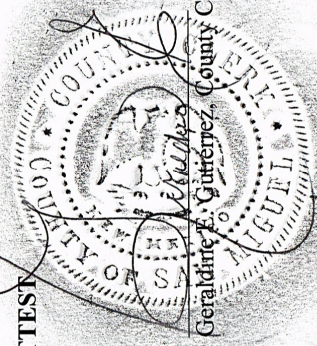
Maria L. Martinez  
Madam Chair, Maria L. Martinez  
District 4

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, County Clerk

Zachary Garza  
Minutes Submitted by Zachary Garza