



# Board of County Commissioners

*Maria L. Martinez*  
*Chair-District 4*

*Harold M. Garcia*  
*Vice-Chair-District 1*

*Janice C. Varela*  
*Commissioner-District 2*

*Max O. Trujillo*  
*Commissioner-District 3*

*Chris A. Najjar*  
*Commissioner-District 5*

*Vidal Martinez, Ed.D.*  
*County Manager*

## PUBLIC NOTICE DISSEMINATED FOR TODAY'S MEETING

The San Miguel County Board of Commissioners will hold a regular monthly meeting on Tuesday, August 13, 2019 beginning at 2:00 p.m., at the San Miguel County Administration Complex located at 500 West National Avenue, Suite 200, Las Vegas, New Mexico 87701. During the meeting, a County Board of Finance Meeting will take place.

**NOTICE TO PEOPLE WITH DISABILITIES:** If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter or any form of auxiliary aid or service to attend or participate in the hearing(s) or meeting(s), please contact the San Miguel County Managers Office at (505) 425-9333 at least one week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact the Commission Administrator at either of the above numbers if a summary or other type of accessible format is needed.

**Notice Published Las Vegas Optic: July 28, 2019**

**Notice Posted on the SMC Website at [www.co.sanmiguel.nm.us](http://www.co.sanmiguel.nm.us): July 24, 2019**

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At least 72 hours in advance of the meeting, the following agenda for today's meeting was posted and available for public inspection on the San Miguel County Website at [www.co.sanmiguel.nm.us](http://www.co.sanmiguel.nm.us), and also available in hard copy at the office of the San Miguel County Manager.

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## AGENDA

**CALL TO ORDER**

**ROLL CALL**

**PLEDGE OF ALLEGIANCE**

**SALUTATION TO THE NEW MEXICO STATE FLAG:**

**"I salute the flag of the State of New Mexico and the Zia Symbol of perfect friendship among United Cultures."**

**APPROVAL OF AGENDA**

Administration Complex  
500 West National Avenue, Suite 201 Las Vegas, New Mexico 87701 (505) 425-9333 phone (505) 425-7019 fax

**APPROVAL OF MINUTES**

July 9, 2019 Regular meeting

**PUBLIC INPUT FORUM**

**NEW BUSINESS**

**REGULAR ORDER**

**1. SAN MIGUEL COUNTY BOARD OF COUNTY COMMISSIONERS – CODE OF ETHICS**

**Background Information:** To adopt a code of ethics

**Action Requested of Commission:** Approve

**Presenter:** Maria Martinez, Commission Chair

**2. RESOLUTION NO. 08-13-19-CM REQUIRING THAT THE ROAD KNOWN AS COUNTY ROAD B55 AND BEYOND TO THE SANTA FE NATIONAL FOREST REMAIN OPEN FOR PUBLIC USE**

**Background Information:** Resolution No. 08-13-19-CM is being presented requiring County Road B55 and beyond to the Santa Fe National Forest remain open for public use.

**Action Requested of Commission:** Approve

**Staff Recommendation:** Approve

**Presenter:** Commissioner Max Trujillo

**3. UPDATE ON PECOS MINING PROJECT**

**Background Information:** To provide an update on the Pecos Mining Project.

**Action Requested of Commission:** Informational Purposes Only

**Staff Recommendation:** Informational Purposes Only

**Presenter:** Commissioner Janice Varela and Frank “Pancho” Adelo

#### **4. MANAGER'S REPORT**

**Background Information:** The Manager will report on the following:

1. New Mexico Counties Annual Conference Request for Proposals
2. Racino Feasibility Study
3. Illegal Dumping Application Grant

**Action Requested of Commission:** Informational

**Staff Recommendation:** Informational

**Presenter:** Vidal Martinez, County Manager

#### **5. MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN SAN MIGUEL COUNTY FAMILY AND COMMUNITY HEALTH COUNCIL AND SAN MIGUEL COUNTY**

**Background Information:** The allocation of \$10,000 for the San Miguel County Family and Community Health Council to support collaborative efforts to improve the health of the San Miguel County community.

**Action Requested of Commission:** Review and Approve

**Staff Recommendation:** Approve

**Presenter:** Vidal Martinez, County Manager

#### **6. MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN SAN MIGUEL COUNTY AND THE CITY OF LAS VEGAS SENIOR PROGRAM**

**Background Information:** The allocation of \$75,000 for the Senior Programs within San Miguel County. The funding will be used for meals, transportation services, Tai Chi classes and weekly activities for senior citizens.

**Action Requested of Commission:** Review and Approve

**Staff Recommendation:** Approve

**Presenter:** Vidal Martinez, County Manager

**7. AGREEMENT BETWEEN SAN MIGUEL COUNTY AND VILLANUEVA DAVID F. CARGO LIBRARY EL VALLE COMMUNITY CENTER**

**Background Information:** The allocation of \$30,000 to the Villanueva David F. Cargo Library El Valle Community Center that will be used for Early Childhood Literacy, Workforce Development and Digital Skills Training for students and adults.

**Action Requested of Commission:** Review and Approve

**Staff Recommendation:** Approve

**Presenter:** Vidal Martinez, County Manager

**8. MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN SAN MIGUEL COUNTY AND NMSU SAN MIGUEL COUNTY 4-H EXTENSION OFFICE**

**Background Information:** The allocation of \$36,387 to the County 4-H Extension Office for 4-H educational and service programs.

**Action Requested of Commission:** Review and Approve

**Staff Recommendation:** Approve

**Presenter:** Vidal Martinez, County Manager

**9. AGREEMENT BETWEEN SAN MIGUEL COUNTY AND SAMARITAN HOUSE, INC.**

**Background Information:** The allocation of \$30,000 to the Samaritan House, Inc. for emergency and temporary shelter, meals, shower and laundry facilities, vouchers, and case management.

**Action Requested of Commission:** Review and Approve

**Staff Recommendation:** Approve

**Presenter:** Vidal Martinez, County Manager

**10. CENSUS OUTREACH INITIATIVE**

**Background Information:** The Department of Finance and Administration has allocated up to \$2.4 million to counties for census outreach efforts. The funding allocation formula developed by DFA takes into account the county's population and proportion of anticipated non-self respondents based on data from the 2010 census. San Miguel County is eligible for such funding.

**Action Requested of Commission:** Informational

**Staff Recommendation:** Informational

**Presenter:** Diego Trujillo, IT Director

#### **11. RESOLUTION NO. 08-13-19-RA**

**Background Information:** Resolution No. 08-13-19-RA is being presented regarding the Creation of the 2020 San Miguel County Complete Count Committee

**Action Requested of Commission:** Approve

**Staff Recommendation:** Approve

**Presenter:** Maria Martinez, Commission Chair

#### **12. SAN MIGUEL COUNTY DETENTION CENTER MEDICAL AND BEHAVIORAL HEALTH SERVICES**

**Background Information:** At the July 9, 2019 commission meeting the Commission approved the selection of CorrHealth as the selected provider to provide medical and behavioral health services for those incarcerated within the detention center. Approval was also given to the County Manager to negotiate a contract; contract has been negotiated and brought forth for approval. This contract will be approved as an annual contract that may be renewed annually for four years.

**Action Requested of Commission:** Review for Approval

**Staff Recommendation:** Approval

**Presenter:** Matthew A. Elwell, Warden

#### **13. SAN MIGUEL COUNTY DETENTION CENTER INSPECTION BY COUNTY COMMISSION**

**Background Information:** The San Miguel County Detention Center is requesting the Commission to pick a date during the month of September for a detention center inspection as required by New Mexico State Statue Section 33-3-4 — Inspection of jails by appropriate governing body.

**Action Requested of Commission:** Select date for inspection

**Staff Recommendation:** Commission select a date for the inspection

**Presenter:** Matthew A. Elwell, Warden

#### **14. SAN MIGUEL COUNTY DETENTION CENTER MEDICATED ASSISTED TREATMENT (MAT) PROGRAM**

**Background Information:** The MAT program officially began on June 23, 2018 with a grant to address the growing opioid epidemic facing our county, state and country. A MAT program can only be successful with the dedication of staff and community involvement; the detention center would like to recognize these staff members and community partners who continue to provide the support for our program.

**Action Requested of Commission:** Presentation and Community Recognition

**Staff Recommendation:** Presentation and Community Recognition

**Presenter:** Sarah Parson, Classification/Program Specialist; Krystal C de Baca, Case Manager

#### **15. RECOMMENDATION TO APPROVE THE AMENDED ADMINISTRATIVE REGULATION NO. 08-13-19-EF SAN MIGUEL COUNTY EMPLOYEE FUND PROGRAM GUIDELINES**

**Background Information:** The purpose of the San Miguel County Employee Fund is to unite efforts of the County employees in assisting fellow employees in time of illness, death and or retirement. The Employee Fund will also provide funding for recreation activities that allow San Miguel County Employees to interact in a social atmosphere for the purpose of promoting morale.

**Action Requested of Commission:** Approval of the Amended Administrative Regulation No. 08-13-19-EF San Miguel County Employee Fund Program Guidelines.

**Staff Recommendation:** Approval of the Amended Administrative Regulation No. 08-13-19-EF San Miguel County Employee Fund Program Guidelines.

**Presenter:** Eileen Sedillo, Human Resource Supervisor

#### **16. NEW MEXICO COUNTIES ANNUAL CONFERENCE REQUEST FOR PROPOSAL**

**Background Information:** San Miguel County would like to submit a proposal to host the annual conference of the New Mexico Counties in Las Vegas, New Mexico.

**Action Requested of Commission:** Approval

**Staff Recommendation:** Approval

**Presenter:** Yolanda Cruz, DWI Coordinator

#### **17. SOLEIL WEST CONTRACT APPROVAL – PUBLIC SAFETY FACILITY**

**Background Information:** As provided under New Mexico State Procurement Code, County staff determined it to be in the best interests of the County to enter into contract negotiations with a second responsible offeror after determining that the initial cost proposal of \$21,458 for the conceptual design submitted by NCA Architects was rather high. NCA later revised its cost proposal and reduced it to \$12,500 plus gross receipts tax. Soleil West submitted a cost proposal of \$3,200 plus gross receipts tax.

**Action Requested of Commission:** Authorization to complete contract negotiations with Soleil West Architects and authorize County Manager Vidal Martinez to sign the contract.

**Staff Recommendation:** As requested of the County Commission.

**Presenter:** Alex Tafoya, Planning and Zoning Supervisor

#### **18. LEGISLATIVE AGREEMENT NO. ZD9046 –EL PUEBLO FIRE TRUCK**

**Background Information:** San Miguel County received 2019 Legislative Agreement No. ZD9046, which provides \$50,000 to purchase and equip a fire truck for El Pueblo volunteer fire department in San Miguel County.

**Action Requested of Commission:** Accept the Legislative Agreement No. ZD9046 and authorize Commission Chair Maria L. Martinez to sign the agreement.

**Staff Recommendation:** As requested of the County Commission

**Presenter:** Alex Tafoya, Planning and Zoning Supervisor

## **19. APPOINTMENT TO LODGERS' TAX ADVISORY BOARD**

**Background Information:** A vacancy representing the lodging industry exists on the San Miguel County Lodgers' Tax Advisory Board. San Miguel County Lodgers' Tax Ordinance provides for the chairperson of the County Commission to appoint members to serve on the Lodgers' Tax Advisory Board subject to confirmation by the Board of County Commissioners. At present, the Lodgers' Tax Advisory Board does not have a recommendation to make for such an appointment.

**Action Requested of Commission:** Consider or solicit any possible candidates that represent the lodging industry to serve on the Lodgers' Tax Advisory Board and make a recommendation to the Commission Chair for appointment to serve on the Board.

**Staff Recommendation:** As requested of the Commission.

**Presenter:** Alex Tafoya, Planning and Zoning Supervisor

## **20. APPLICATION NO. CU-0260 – PECOS RT MONOPOLE**

**Background Information:** San Miguel County received Application No. CU-0260 – Pecos RT Monopole submitted by CenturyTel Corporation for the purpose of obtaining conditional use permit approval to construct and operate a sixty (60) foot telecommunications monopole on property located at Silver Feather Trail in the vicinity of Pecos, New Mexico. The Planning and Zoning Commission has conducted a public hearing on said Application and its recommendation will be submitted to the Board of County Commissioners.

**Action Requested of Commission:** (1) Consider Application No. CU-0260 *de novo* and conduct a public hearing on said Application; and (2) approve Application No. CU-0260.

**Staff Recommendation:** As requested of the County Commission.

**Presenter:** Alex Tafoya, Planning and Zoning Supervisor

## **21. LEASE AGREEMENT VERTICAL BRIDGE DEVELOPMENT LLC**

**Background Information:** The lease agreement between San Miguel County and Vertical Bridge Development, LLC., is now ready to be submitted to the New Mexico State Board of Finance for



approval. However, the lease must first be approved and signed by the Board of County Commissioners.

**Action Requested of Commission:** (1) approve the lease agreement between San Miguel County and Vertical Bridge Development, LLC.; and (2) designate authority to the Planning and Zoning Supervisor to revise the lease agreement as may be required by the New Mexico State Board of Finance.

**Staff Recommendation:** As requested of the County Commission.

**Presenter:** Alex Tafoya, Planning and Zoning Supervisor

## **22. 2019/2020 STRATEGIC PLAN FOR ROAD PROJECTS TENTATIVE PLAN**

**Background Information:** Brief discussion/update on on-going project(s) for San Miguel County.

**Action Requested of Commission:** Information Only

**Staff Recommendation:** Information Only

**Presenter:** Arnold Lopez, Public Works Interim Director

## **23. RECOMMENDATION OF AWARD OF BID TO ROCKY ROAD GRAVEL PRODUCTS, LLC., FOR THE 8<sup>TH</sup> STREET RE-CONSTRUCTION PROJECT.**

**Background Information:** An Advertisement for Bids was advertised for the 8<sup>th</sup> Street Re-Construction Project. Bids were opened on August 6, 2019. The award of bid to Rocky Road Gravel Products, LLC., for the Contractual Agreement for the re-construction project of 8<sup>th</sup> Street, is presented for San Miguel County Commission approval.

**Action Requested of Commission:** Review and Approval.

**Staff Recommendation:** Review and Approve

**Presenter:** Arnold Lopez, Public Works Interim Director

## **24. PUBLIC WORKS DIVISION REPORT FOR THE MONTH OF JULY 2019**

**Background Information:** The San Miguel County Public Works Division submits a report to County Commission on a monthly basis on any maintenance including blading of county roads and/or special projects with county roads that are addressed.

**Action Requested of Commission:** For Informational Purposes Only

**Staff Recommendation:** For Informational Purposes Only

**Presenter:** Arnold Lopez, Public Works Interim Director

## **25. UPDATE ON PROBATE OFFICE AND PROBATE COURT QUARTERLY COMMISSION REPORT**

**Background Information:** To update the Commission on the quarterly reports for the Probate Office.

**Action Requested of Commission:** Information only

**Staff Recommendation:** None

**Presenter:** Dwight J. Torres, Probate Judge

## **BOARD OF FINANCE MEETING**

### **26. BANK TRANSFERS FOR THE MONTH OF JULY**

**Background Information:** Regulation No. ADM-R-08-09-2016-CM Governing Wire Transfer

**Action Requested of Commission:** Information only

**Staff Recommendation:** None

**Presenter:** Bertha Bustamante, County Treasurer

### **27. RESOLUTION 2019-08-13-F1**

**Background Information:** A resolution authorizing submission of a completed application for financial assistance and project approval to the New Mexico Finance Authority for the Cabo Lucero Volunteer Fire Department.

**Action Requested of Commission:** Informational purposes

**Staff Recommendation:** Informational purposes

**Presenter:** Melinda Gonzales, Finance Supervisor

**28. TO ENTER INTO AGREEMENT WITH EL CENTRO BASED ON RESOLUTION APPROVED IN JULY 2019**

**Background Information:** To finalize an agreement with El Centro based on funding approval.

**Action Requested of Commission:** Review and approval

**Staff Recommendation:** Informational purposes only.

**Presenter:** Melinda Gonzales, Finance Supervisor

**29. ACCOUNTS PAYABLE REPORT FOR THE PERIOD OF JULY 2019.**

**Background Information:** Present payments processed through the finance office and Bernalillo County on behalf of San Miguel County.

**Action Requested of Commission:** Review and approve.

**Staff Recommendation:** Review and approve.

**Presenter:** Melinda Gonzales, Finance Supervisor

**30. BUDGET REPORT FOR THE PERIOD OF JULY 1, 2018 THROUGH JUNE 30, 2019**

**Background Information:** To provide the Commissioners with a FY18/19 Year to Date Budget Report.

**Action Requested of Commission:** Informational purposes only.

**Staff Recommendation:** Informational purposes only.

**Presenter:** Melinda Gonzales, Finance Supervisor

**31. CASH BALANCE REPORT FOR THE MONTH OF JUNE 2019**

**Background Information:** To report the June 2019 reconciled cash balances.

**Action Requested of Commission:** Informational purposes only.

**Staff Recommendation:** Informational purposes only.

**Presenter:** Melinda Gonzales, Finance Supervisor

### **32. RECEIPT REPORT FOR THE MONTH OF JUNE 2019**

**Background Information:** To provide the Commissioners with a Receipt Detail Report for the month of June 2019.

**Action Requested of Commission:** Informational purposes

**Staff Recommendation:** Informational purposes.

**Presenter:** Melinda Gonzales, Finance Supervisor

### **33. JOURNAL ENTRY REPORT FOR THE MONTH OF JUNE 2019**

**Background Information:** To provide the Commissioners with a Journal Entry Reports for the month of June 2019

**Action Requested of Commission:** Informational purposes

**Staff Recommendation:** Informational purposes.

**Presenter:** Melinda Gonzales, Finance Supervisor

### **34. CONTINUING CONTRACT SERVICES WITH DAVE ROMERO, JR. LAW FIRM P.A.**

**Background Information:** It is recommended that the contract with Dave Romero, Jr. Law Firm P.A. be extended for the period of September 1, 2019 through August 31, 2020. The Commission may convene into executive session to discuss the contract.

**Action Requested of Commission:** Review, discuss and approve

**Staff Recommendation:** Same as above

**Presenter:** Maria Martinez, Commission Chair

**EXECUTIVE/ CLOSED SESSION**

- A. Limited Personnel Matters, as permitted by NMSA 1978, Section 10-15-1(H)(2) (as amended) of the Open Meetings Act, more specifically personnel matters regarding specific county departments:  
County Attorney Contract : Dave Romero Law Firm permitted by NMSA 1978, Section 10-15-1(H)(2) (as amended) of the Open Meetings Act, more specifically personnel matters regarding specific county departments: County Attorney Contract : Dave Romero Law Firm

**ADJOURNMENT**