

MINUTES of the REGULAR MEETING
of the BOARD of COUNTY COMMISSIONERS
of SAN MIGUEL COUNTY, NEW MEXICO

HELD TUESDAY, APRIL 12, 2022

ZOOM LINK is active. At least 72 hours in advance of this 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 and available in hard copy at the office of the San Miguel County Manager.

1. CALL TO ORDER

Chairman Harold Garcia called the meeting to order at 2:00 PM at the San Miguel County Administration Complex located at 500 West National Avenue, Suite 200, Las Vegas, New Mexico 87701.

2. ROLL CALL

Chairman Harold Garcia present, Vice-Chairman Janice Varela present, Commissioner Max Trujillo present, Commissioner Martin Sena present, and Commissioner Kenneth Medina present.

A quorum is present.

3. PLEDGE OF ALLEGIANCE

Representative Ambrose Castellano led the Chambers in the Pledge and Salute to the NM flag,

4. 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".

5. APPROVAL OF AGENDA

Vice-Chairman Janice Varela recommended item #H resolution in support of protecting the Upper Pecos River be moved to item #B.

Motion made by Commissioner Max Trujillo to approve the agenda with the recommended changes. Second by Commissioner Martin Sena Motion carried.

6. APPROVAL OF MINUTES

a. 2-8-2022-RM

Motion made by Commissioner Kenneth Medina to Approve minutes of 03-8-2022-RM. Second by Commissioner Max Trujillo. Motion carried.

7. PUBLIC INPUT FORUM

One citizen signed up for Public Input:

Patricia Lehan – Acknowledged the SMC Family and Community Health Council and its contribution to the community of San Miguel County. Ms. Lehan spoke on the Hermits Peak Fire and its impact on the county and asked that the county pursue legal challenges to the USDA forest service for accountability.

NEW BUSINESS

8. REGULAR ORDER

a. PRESENTATION OF WIND FARM AND REQUEST FOR INDUSTRIAL REVENUE BONDS IN SAN MIGUEL COUNTY

Jeremy Turner of Pattern Energy presented the Commission, Project SunZia Wind on transmission units of 3400 Mega Watts utilizing 8 to 10 wind farms. The project will roughly cover 750,000 acres with construction beginning Q2 of 2023 – Q1 of 2026 with 950 turbines total with 34 being placed in San Miguel County all on State Trust land. Pattern Energy wants to work with the County on possible issuance of Industrial Revenue Bonds. These bonds are paid entirely by Pattern Energy. SunZia Wind IRB are not to exceed \$400 million. Total payments, in Lieu of taxes, based on 120 MW equals \$336k a year and \$10 million over 30 years. 1500 construction jobs, 3000 temp-part time jobs. Commissioner Janice Varela asked if residents neighboring this project were aware and in approval. Mr. Turner indicated a majority approved.

b. RESOLUTION IN SUPPORT OF PROTECTING THE UPPER PECOS RIVER

Frank “Pancho” Adelo President of the Upper Pecos Water Shed Association informed the Commission of the Pecos Watershed Protection Act which was introduced by Senator Martin Heinrich; and so has representative Teresa Leger-Fernandez. This Act would make the Pecos Water Shed off-limits to mining due to previous pollutions to the Pecos River.

Vice-Chairman Janice Varela presented the Commission Resolution in support of the Pecos Watershed Protection Act.

Motion made by Commissioner Max Trujillo to approve Resolution in support of the Pecos Watershed Protection Act. Second by Commissioner Martin Sena. Motion carried.

c. SAN MIGUEL COUNTY FAMILY & COMMUNITY HEALTH COUNCIL UPDATE & PRESENTATION OF COMMUNITY RESOURCE GUIDE

Dr. Barbara Perea-Casey presented the Commission an updated Resource Directory for the year 2022. The resource directory provides information regarding medical services provided in service areas. This years Directory provides information such as tire repairs, glass installers, contractors etc.

d. APPROVAL OF HEALTH COUNCIL MEMBERS

Dr. Barbara Perea Casey presented the Commission three new Health Council Members. Patricia Gallegos – Started the Villanueva Community Center, Worked at the State hospital and was a previous health council member.

Brina Tafoya – a child counselor/ has her social work degree.

Carol Linder – PHD/ a Scientist and worked at NMHU.

Dr. Casey requested the Commission approve of the health council members.

Motion made by Vice-Chairman Janice Varela to approve of the health council members. Second by Commissioner Martin Sena. Motion carried.

e. RECOGNITION TO THOSE INVOLVED WITH OPERATION PAW PATROL

District Attorney Tom Clayton requested the Commission Table this item because the recipients of this recognition are addressing the fire that is happening in Hermits Peak.

Motion made by Commissioner Kenneth Medina to table. Second by Vice-Chairman Janice Varela. Motion carried.

f. CRIME VICTIMS' RIGHTS WEEK PROCLAMATION (APRIL 24-30, 2022)

District Attorney Tom Clayton informed the Commission of Crime Victims' Right Weeks scheduled for April 24 through the 30th. Events will be held during this period recognizing that individuals are victims of crime. A tree planting event will be held on May 1st at 3:00 p.m.

Ashley Archuleta Victim Advocate presented the Commission a proclamation for Crime Victims' Rights Week.

Motion made by Commissioner Max Trujillo to approve the proclamation for Crime Victims' rights week. Second by Commissioner Kenneth Medina. Motion carried.

g. PROCLAMATION, PROCLAIMING THE MONTH OF MAY AS MOTORCYCLE AWARENESS MONTH 2022

San Miguel County Manager Joy Ansley presented the Commission a proclamation proclaiming the month of May as Motorcycle Awareness Month 2022.

Motion made by Commissioner Martin Sena to approve the proclamation proclaiming the month of May as Motorcycle Awareness Month 2022. Second by Commissioner Kenneth Medina. Motion carried.

h. PROCLAMATION DECLARING APRIL 12 WEST LAS VEGAS DONS DAY, HONORING THE STATE CHAMPIONSHIP WRESTLING TEAM

Commissioner Martin Sena presented the Commission Proclamation number 04-12-2022 declaring April 12 West Las Vegas Dons Day, Honoring the State Championship Wrestling team. The Superintendent, Wrestling coach, and Commissioner Martin Sena recognized each individual on the wrestling team and played the West Las Vegas anthem.

Motion made by Commissioner Kenneth Medina to approve Proclamation number 04-12-2022 declaring April 12 West Las Vegas Dons Day Honoring the State Championship Wrestling team. Second by Commissioner Max Trujillo. Motion carried.

i. PROPOSED AMNESTY DAY FOR TRASH CLEANUP ON MAY 14, 2022

Commissioner Max Trujillo informed the Commission of an Amnesty Day for trash cleanup on May 14, 2022 which would allow for citizens to take their trash to our transfer stations/ convenience centers. This is in conjunction with City's Amnesty Day.

Motion made by Commissioner Max Trujillo to approve the Amnesty Day for Trash Cleanup on May 14, 2022. Second by Commissioner Kenneth Medina. Motion carried.

j. SAN MIGUEL COUNTY HOUSING AUTHORITY ANNUAL PLAN AND 5 YEAR PLAN 2022

Betty Valdez director of the San Miguel County Housing Authority presented the Commission the Annual and 5 year plan which is the road map for the Section 8 plan. The main focus this year is to expand the homeless youth voucher program.

Motion made by Commissioner Max Trujillo to approve the annual plan and 5 year plan 2022. Second by Commissioner Kenneth Medina. Motion carried.

k. HUD ADMINISTRATIVE PLAN AMENDMENT – CHAPTER 5, EXTENSIONS OF VOUCHER TEAM

Betty Valdez director of the San Miguel County Housing Authority informed the Commission of the HUD administrative plan which oversees the Section 8 program and the amendment they are requesting an extension of vouchers. But also allow a voucher to be transferred or voided.

Motion made by Vice-Chairman Janice Varela to approve HUD administrative plan amendment. Second by Commissioner Harold Garcia. Motion carried.

l. COUNTY MANAGER/ DEPUTY MANAGER'S REPORT

County Manager Joy Ansley informed the Commission that a task order was issued to Bohanon-Houston for the completion of a Feasibility study applicable to rodeo development. San Miguel County was awarded \$50,000 for the study. West Las Vegas Schools asked if San Miguel County would fund their equine therapy program so it would be available to all students and not just West students. The program will total around \$30,000. Severance tax bonds questionnaire was completed and those projects were the broadband project, clerk's storage facility, the detention centers body scanner, the sheriff's department vehicles, drug treatment center, and the shooting range. Manager Ansley informed the Commission that San Miguel County's architect identified issues at the El Valle Community Center. Two applications were submitted

for the Congressional direct spending application: The first being a purchase/development of a rodeo facility, and the second, digital imagery software for the Assessors which can be utilized by the whole county. \$1.5 million was approved for the drug treatment center. Updated the Commission on the ARP funds. \$310k Security Detention Center, \$321k Hazard Pay, \$195k Solid Waste, \$31k AED, 12,400 Drive thru Medical center, 4500 Canvass, \$172k??, 12,800 Media Campaign, 14,000 Animal Control Officer, and MOU with City Senior Center.

m. MOVE MAY MEETING TO PECOS

County Manager Joy Ansley informed the Commission of past meetings being held in Pecos and Vice-Chairman Janice Varela would like to have this meeting in Pecos. Manager Ansley requested the Commission approve moving the May meeting to Pecos at 1:00p.m.

Motion made by Commissioner Max Trujillo to move the May meeting to Pecos at 1:00 p.m. Second by Commissioner Martin Sena. Motion carried.

n. MOVE JUNE COMMISSION MEETING DATE

County Manager Joy Ansley requested the Commission move the June Commission meeting date because it falls within the same time frame as the summer conference.

Motion made by Commissioner Max Trujillo to move the June meeting date to June 7th at 2:00 p.m. Second by Commissioner Kenneth Medina. Motion carried.

o. REJECT BIDS FOR VOTING MACHINE STORAGE BUILDING

County Manager Joy Ansley informed the Commission of bids that were submitted for the Voting Machine storage building the set price was \$425,000. The Bids that were submitted came over \$95,000 more than the set price. Manger Ansley requested the Commission reject the bids and re-bid it.

Motion made by Commissioner Max Trujillo to reject the bids submitted. Second by Vice-Chairman Janice Varela. Motion carried.

p. FAIR HOUSING PROCLAMATION

County Manager Joy Ansley presented the Commission the fair housing proclamation. Manager Ansley requested the Commission approve of the fair housing proclamation.

Motion made by Commissioner Martin Sena to approve of the fair housing proclamation. Second by Vice-Chairman Janice Varela. Motion carried.

q. RESOLUTION 4-12-2022 CDBG

County Manager Joy Ansley presented the Commission resolution 4-12-2022 CDBG which certifies that San Miguel County will implement a citizen participation plan, fair housing plan, residential anti displacement relocation assistance plan, section 8 plan and procurement policy.

Motion made by Vice-Chairman Janice Varela to approve resolution 4-12-2022 CDBG. Second by Commissioner Kenneth Medina. Motion carried.

r. COVID UPDATE

Motion made by Commissioner Martin Sena to table Covid update. Second by Commissioner Kenneth Medina. Motion carried.

s. DEPARTMENT HEAD UPDATES

San Miguel County Probate Judge Dwight Torres updated the Commission that the probate court is striving to make probate a smooth process for taxpayers. The probate court for the first 4 months of 2022 thus far has 40 cases; 2021 was 123 cases. Presentations were done at the San Miguel Senior Center and Realtors Association.

San Miguel County Public Works Director Gerald Garcia introduced the new Public Works Road Foreman Johnny Trujillo, and informed the Commission of the maintenance and blading of County roads that took place for the month of March 2022.

San Miguel County I.T. director Kenneth Abeyta updated the Commission on operations in the I.T. office in 2022 including re-wiring all county facilities; back-up and service operations, and analyzing video/radio in Commission chambers.

San Miguel County Planning and Zoning Supervisor Amanda Salas updated the Commission on operations in the P&Z office in 2022. Approved businesses; Day-care center, cannabis producers are under review and reviewing energy production/ transmission. New lodgers are increasing lodgers tax coffers to include short term rentals. A new code enforcement ordinance is being written; and a film ordinance also.

t. SAN MIGUEL COUNTY MANAGER RECOMMENDATION TO APPROVE THE INDEPENDENT CONTRACTOR AGREEMENT WITH WHITE SANDS DRUG & ALCOHOL COMPLIANCE THROUGH YEAR 2024

San Miguel County Human Resource Director Eileen Sedillo presented the Commission a contractor agreement with White Sands Drug and Alcohol. White Sands has been the provider for San Miguel County in support of a drug free workplace. Ms. Sedillo requested the Commission approve the agreement with White Sands to keep providing those services through the year 2024.

Motion made by Commissioner Kenneth Medina to approve the contractor agreement with White Sands Drug and Alcohol. Second by Commissioner Martin Sena. Motion carried.

u. SAN MIGUEL COUNTY INCIDENT RESPONSE PLAN

San Miguel County IT Director Kenneth Abeyta presented the Commission an Incident Response Plan which describes in detail the phases of processes: Responsible Accountable Consulted Informed (RACI) charts, activities to respond to cyber security incidents and reduce the impact, time and cost to County of San Miguel.

Motion made by Commissioner Max Trujillo to approve the Incident Response Plan. Second by Vice-Chairman Janice Varela. Motion carried.

v. RESOLUTION NO. 04-12-22 RA01 ADDITION OF CUTTERY LN, A NEWLY NAMED PRIVATE ROAD TO THE OFFICIAL E-9-1-1 ROAD LIST OF SAN MIGUEL COUNTY

San Miguel County IT Director Kenneth Abeyta presented the Commission Resolution No. 04-12-22 RA01 which is changing a private road off of County Road B65 to Cuttery Ln for E-9-1-1 purposes. This is just to add it to the road list; the County will not be responsible for the road.

Motion made by Vice-Chairman Janice Varela to approve of Resolution No. 04-12-22 RA01. Second by Commissioner Kenneth Medina. Motion carried.

Motion made by Commissioner Max Trujillo for a five minute recess at 4:35 p.m. Second by Commissioner Martin Sena. Motion carried.

Regular meeting continued at 4:51 p.m.

w. RESOLUTION NO. 04-01-2022 NOMINAL FEE PROGRAM

Chairman Harold Garcia requested the Commission table this item due to Fire Chief not being present.

Motion made by Commissioner Kenneth Medina to table. Second by Vice-Chairman Janice Varela. Motion carried.

x. RESOLUTION NO. 04-02-2022 FIRE SUB-STATION CONCHAS DAM

County Manager Joy Ansley informed the Commission of three Fire stations in Conchas Dam and the state Fire Marshals office has requested that the Mica Station be decommissioned because of insufficient members to keep it as an active station.

Motion made by Vice-Chairman Janice Varela to approve of Resolution No. 04-02-2022. Second by Commissioner Martin Sena. Motion carried.

y. ORDINANCE 04-12-22-FIRE-ORD

County Manager Joy Ansley presented the Commission Ordinance 04-12-22-Fire-ORD which is a proposal to consider adoption of the burn ordinance to publish for public.

Motion made by Commissioner Martin Sena to approve of Ordinance 04-12-22-Fire-ORD. Second by Commissioner Kenneth Medina. Motion carried.

**z. SAN MIGUEL COUNTY PUBLIC WORKS DEPARTMENT-RECOMMENDATION OF AWARD-
SAN MIGUEL COUNTY TPA CALL FOR SPECIAL PROJECTS PENDARIS AND LOS VIGILES
PRIORITY**

Public Works Director Gerald Garcia informed the Commission that San Miguel County solicited competitive bids for the TPF call for Special projects/roadway improvement projects. Two bids were received and evaluated and GM Emulsion was the lowest qualified bidder. Mr. Garcia requested the Commission award the contractual agreement to GM Emulsion for the TPF call for special projects.

Motion made by Vice-Chairman Janice Varela to award the contractual agreement to GM Emulsion. Second by Commissioner Kenneth Medina. Motion carried.

**aa. REQUEST TO PUBLISH THE PROPOSED UPDATED LODGERS' TAX ORDINANCE NO:
04122022-P&Z**

Planning and Zoning Director Amanda Salas presented the Commission the updated Lodgers' Tax Ordinance so it is more in line with State Statue. Ms. Salas requested the Commission approve the request to publish the updated Lodgers' Tax Ordinance No: 04122022-P&Z so a public hearing can be held at the June meeting.

Motion made by Commissioner Martin Sena to approve. Second by Vice-Chairman Janice Varela. Motion carried.

ab. AWARD CONTRACT FOR ELITE PEST CONTROL

Finance Director Melinda Gonzales (retiring) requested the Commission approve an amendment to award the contract to Elite Pest Control for the 4th and final year.

Motion made by Commissioner Kenneth Medina to award the contract to Elite Pest Control. Second by Vice-Chairman Janice Varela. Motion carried.

9. BOARD FINANCING MEETING

a. TRANSFERS FOR THE MONTH OF JANUARY, FEBRUARY AND MARCH 2022

San Miguel County Treasurer Jennifer LaFebre presented the Commission the transfer for the month of January, February, and March 2022 in the amount of \$12,561,550.38.

b. RESOLUTION 2022-04-12-F1

Finance Director Melinda Gonzales (retiring) presented the Commission Resolution 2022-04-12-F1 which is to budget for \$7,000 of wipp funds.

Motion made by Commissioner Martin Sena to approve Resolution 2022-04-12-F1. Second by Vice-Chairman Janice Varela. Motion Carried.

c. INDIGENT CLAIMS

Finance Director Melinda Gonzales (retiring) informed the Commission on Indigent Claims payments for the month of February 2022.

Motion made by Commissioner Kenneth Medina to ratify Indigent Claims. Second by Chairman Harold Garcia. Motion Carried.

d. ACCOUNTS PAYABLE FOR THE MONTH OF FEBRUARY 2022

Finance Director Melinda Gonzales (retiring) presented the Commission Accounts payable for the month of February 2022.

Motion made by Commissioner Martin Sena to approve Accounts Payable for the Month February 2022. Second by Vice-Chairman Janice Varela. Motion Carried.

e. BUDGET REPORT FOR THE PERIOD OF JULY 1, 2021 THROUGH FEBRUARY 28, 2022

Finance Director Melinda Gonzales (retiring) informed the Commission all accounts reported for the period of July 1, 2021 through February 28, 2022.

*For Informational Purposes Only.

f. CASH BALANCE REPORT FOR THE MONTH OF FEBRUARY 2022

Finance Director Melinda Gonzales (retiring) informed the Commission of the Cash balance report for the month of February 2022.

*For Informational Purposes Only.

g. JOURNAL ENTRY REPORT FOR THE MONTH OF FEBRUARY 2022

Finance Director Melinda Gonzales (retiring) presented the Commission the Journal Report for the month of February 2022.

*For Informational Purposes Only.

h. RECEIPT REPORT FOR THE MONTH OF FEBRUARY 2022

Finance Director Melinda Gonzales (retiring) informed the commission on the receipt report for the month of January 2022.

*For Informational Purposes Only.

10. ADJOURNMENT

Motion to Adjourn Regular Meeting by Commissioner Kenneth Medina. Second by Vice-Chairman Janice Varela. Motion carried.

Regular meeting adjourned at 5:05 p.m.

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 county at the above number if a summary or other type of accessible format is needed

Approved this 10th day of May, 2022 as the Official Minutes of the Board of County Commissioners of San Miguel County New Mexico, of its Regular Meeting held April 12, 2022.



Harold M. Garcia, Chairman District 1



Janice C. Varela, Vice-Chairman District 2



Max O. Trujillo, Commissioner District 3

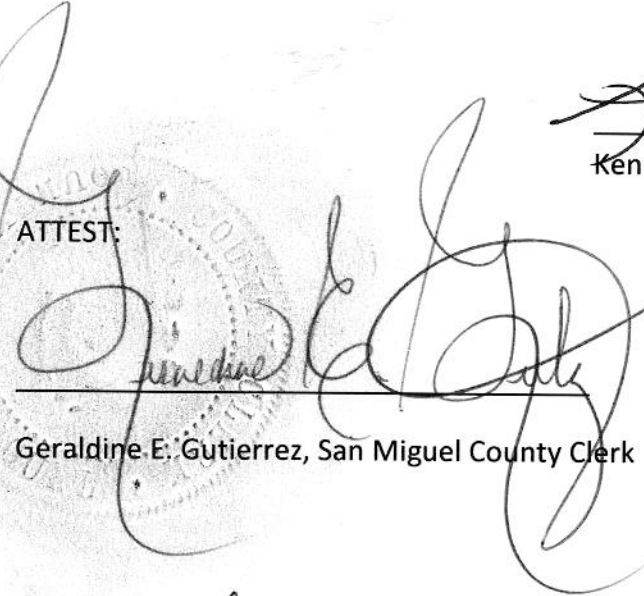


Martin M. Sena, Commissioner District 4



Kenneth C. Medina, Commissioner District 5

ATTEST:



Geraldine E. Gutierrez, San Miguel County Clerk



Minutes submitted by Zachary Garza