

**MINUTES OF REGULAR MONTHLY MEETING OF  
SAN MIGUEL COUNTY BOARD OF COMMISSIONERS  
HELD TUESDAY DECEMBER 12, 2017 BEGINNING AT 2:00 P.M.**

**CALL TO ORDER**

The San Miguel County Board of Commissioners held its regular monthly meeting on Tuesday December 12, 2017, beginning at 2:00 p.m. The meeting convened at the San Miguel Administration Complex located at 500 West National Avenue, Suite 200, New Mexico 87701.

**ROLL CALL:**

Upon a call of the roll, Chairman Rock Ulibarri present, Vice-Chairman Arthur J. Padilla present, Commissioner Janice Varela present, Commissioner Maria Martinez present, and Commissioner Chris Najjar 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 Arthur Padilla to move Item #4 to Item #1. Second by Commissioner Chris Najjar. Motion carried.

**APPROVAL OF MINUTES**

Motion made by Commissioner Chris Najjar to approve the minutes of the June 13, 2017 Regular meeting as a result of an error on the date. Second by Commissioner Maria Martinez. Motion carried.

**PUBLIC INPUT FORUM**

**Manuel Garcia-** Voiced concerns on County Road issues that yet need addressing.

**Salvador Higgins-**Voiced issues and concerns in regards to Fracking and discussed religious issues.

**John Olivas-** Voiced the updated issues in regards to the Sabinoso Wilderness.

**NEW BUSINESS**

**PRESENTATION: INDUSTRIAL HEMP VENTURES**

**Presenter: Mikki Anaya**

Mikki Anaya Industrial Hemp Volunteer informed the Commission that Industrial Hemp is not marijuana. On July 28, 2017 Industrial Hemp Farming Act of 2017 was introduced. Hemp is defined as having less than 0.3 percent Psychoactive THC from the controlled substance Act and now recognizes Industrial Hemp as an agricultural commodity not a drug.

## **REGULAR ORDER**

### **1. 2018 FAIR MARKET RENTS (FARMER'S) AND UTILITY ALLOWANCES FOR SAN MIGUEL COUNTY**

San Miguel County Acting Housing Authority Betty Valdez informed the Commission they are working with the 2018 Fair Market Rents and Utility Allowances for San Miguel County Section 8 program participants. Ms. Valdez informed the Commission when a revision of utility allowance schedules is updated, SMCHA board of County Commission approve the changes. Ms. Valdez requested the Commission approve the 2018 Fair Market Rents and Utility allowances for San Miguel County.

Motion made by Vice-Chairman Arthur Padilla to approve the 2018 Fair Market Rents and Utility allowances. Second by Commissioner Chris Najjar. Motion carried.

### **2. YEAROUT ENERGY SERVICE**

YearOut Energy Services Senior Sales Executive Scott Griffith informed the Commission they are a company that works under the State Efficiency the Water Conservation Act. Mr. Griffith stated that Yearout Energy Service works with helping communities get funding and Energy Audits completed so the community could be more energy efficient. Yearout Energy Service is a process called Energy Performance Contracting to create this process that will not cost the County any money. Mr. Griffith requested the Commission approval to allow Yearout Energy Service Company to provide a no cost, no obligation audit.

Motion made by Commissioner Janice Varela to approve the Yearout Energy Service no cost no obligation audit pending the County Attorney's approval. Second by Commissioner Chris Najjar. Motion carried.

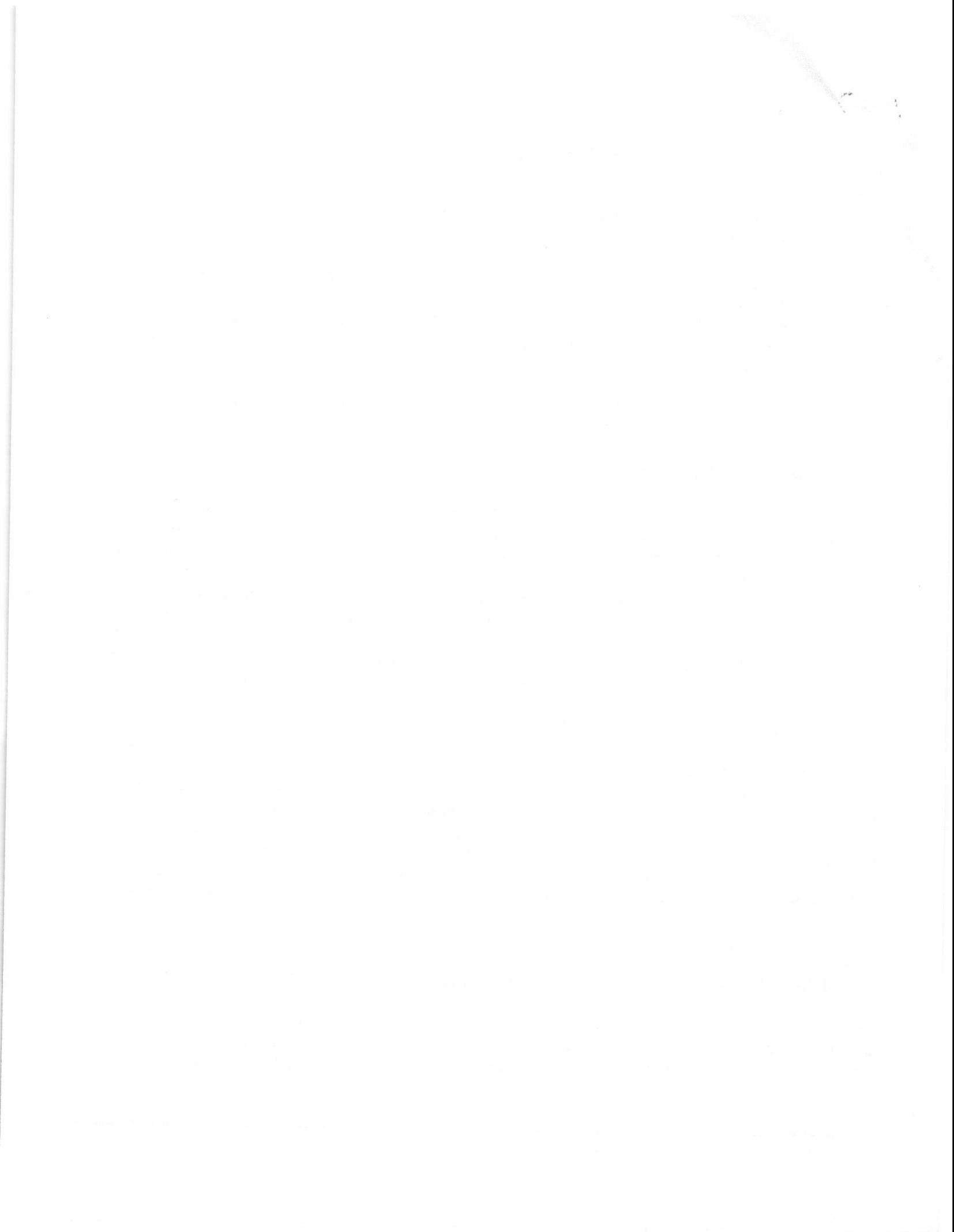
### **3. 2017 POVERTY SUMMIT & FALL BOARD MEETING**

San Miguel County Chairman Rock Ulibarri informed the Commission he recently attended the 2017 Poverty Summit & Fall Board Meeting in Fort Worth Texas. At this meeting the nation poverty was discussed. The average poverty level nationwide is 21 percent. For some reason San Miguel County poverty rate for children under the age of 5 years has increased in less than 10 years by 56 percent. Mr. Ulibarri informed the Commission that this is a major crisis that only the policy makers can solve. Mr. Ulibarri informed the Commission that on February 18, 2018 a Poverty Summit meeting will take place at the United World College in Montezuma NM with the State Senate to address working at breaking the cycle poverty in our County.

Informational purposes only.

### **4. RESOLUTION NO. 12-12-2017-CM1 IN SUPPORT OF LUNA COMMUNITY COLLEGE**

Luna Community College President Ricky Serna informed the Commission that Luna Community College is in the process of developing a Show Call Order Report which will establish policies and procedures that will address a number of concerns. The Higher Learning Commission has pointed out that LCC is looking



forward to working with San Miguel County. Mr. Serna requested the Commission approve the Resolution No. 12-12-2017-CM1 in support of LCC.

Motion made by Vice-Chairman Arthur Padilla to approve Resolution No. 12-12-2017-CM1. Second by Commissioner Maria Martinez. Motion carried.

**5. RESOLUTION NO. 12-12-2017-CM2 ENDORSING INDUSTRIAL HEMP RESEARCH AND DEVELOPMENT IN SAN MIGUEL COUNTY**

San Miguel County Commissioner Janice Varela informed the Commission she is looking forward to improving the Economic situation in our County. It is estimated that there are over 25,000 Hemp products used in the US. In 2016, 688 million Hemp base products were sold in the US. Right now there are 33 states that allow the Hemp Law in their books, with New Mexico hoisted into joining up with the other 33 states. Ms. Varela stated that she is hoping San Miguel County endorses the research and development of the Hemp Research. Ms. Varela requested the Commission approve the Resolution No. 12-12-2017-CM2 endorsing Industrial Hemp Research and Development in San Miguel County.

Motion made by Commissioner Chris Najar to approve the Resolution No. 12-12-2017-CM2. Second by Vice-Chairman Arthur Padilla. Motion carried.

**6. ORDINANCE NO. 06-13-2017 ESTABLISHING A CODE OF CONDUCT AND ETHICS-UPDATE**

San Miguel County Manager Vidal Martinez informed the Commission in June 13, 2017, the proposed ordinance was tabled for legal review. The following now will take place. (1) Dave Romero will review the proposal. (2) Dina Holcomb, Union Lawyer will also review proposal, seek union input, and approval. (3) San Miguel County will create employee committee to review proposal and make recommendations. (4) San Miguel County will submit for public hearing. (5) The committee currently reviewing the personnel ordinance will review the Code of Conduct and Ethics proposal for commonality or duplication.

Informational purposes only.

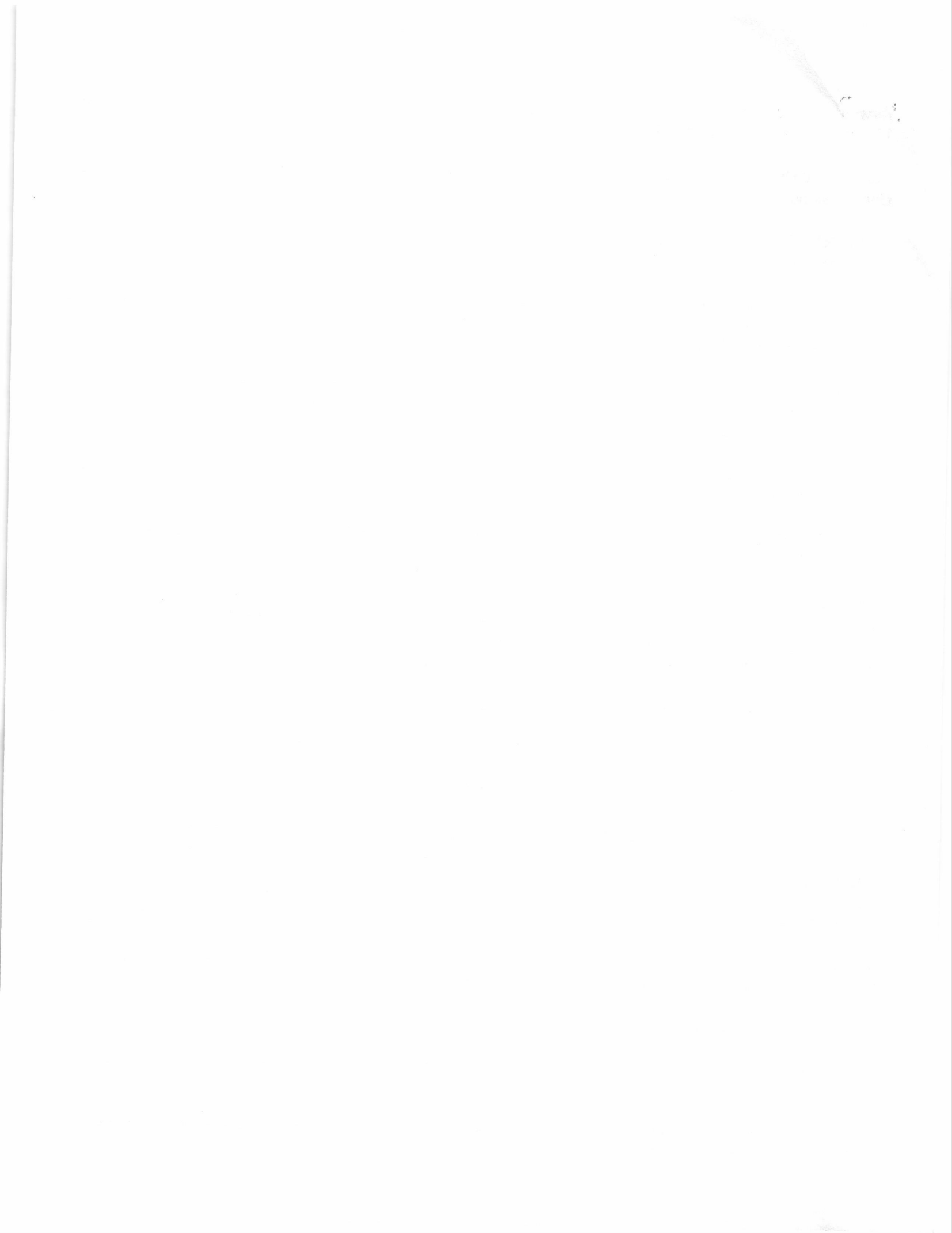
**7. LAS VEGAS NIGHT AT THE LEGISLATURE**

San Miguel County Manager Vidal Martinez informed the Commission Renee Garcia, Community Development Director for the City of Las Vegas is requesting that each participating agency provide the City with \$3,500 by December 18<sup>th</sup> for the 2018 Las Vegas Night at the Legislature. The participating agencies include: City of Las Vegas, Luna Community College, New Mexico Highlands University, and San Miguel County. Mr. Martinez is requesting the Commission approve the \$3,500 for Las Vegas Night at the Legislature.

Motion made by Commissioner Chris Najar to approve the \$3,500 contribution to the Las Vegas Night at the Legislature. Second by Vice-Chairman Arthur Padilla. Motion carried.

**8. LEGISLATIVE BRUNCH**

San Miguel County Planning and Zoning Supervisor Alex Tafoya and Public works Supervisor Morris Madrid



informed the Commission San Miguel County will be hosting a legislative brunch with local legislators to discuss SMC priorities. The brunch will take place at Public Works on Wednesday, December 20<sup>th</sup>, 2017 from 11:00am to 1:00 pm.

Informational purposes only.

## **9. APPOINTMENT TO PLANNING AND ZONING COMMISSION DISTRICT 4 AND DISTRICT 5**

San Miguel County Planning and Zoning Supervisor Alex Tafoya informed the Commission on the consideration appointing an individual to serve on the Planning and Zoning Commission as the representative for County Commission District 4 and District 5 for a term as set by the Board of County Commissioners. Mr. Tafoya requested the Commission appoint an individual to serve as representative for District 4 and District 5.

Motion made by Vice-Chairman Arthur Padilla to appoint Kenny Lujan to represent District 4. Second by Commissioner Janice Varela. Motion carried.

Motion made by Commissioner Janice Varela to remove Chris Torres and appoint Harold Garcia to represent District 5. Second by Vice-Chairman Arthur Padilla. Motion carried.

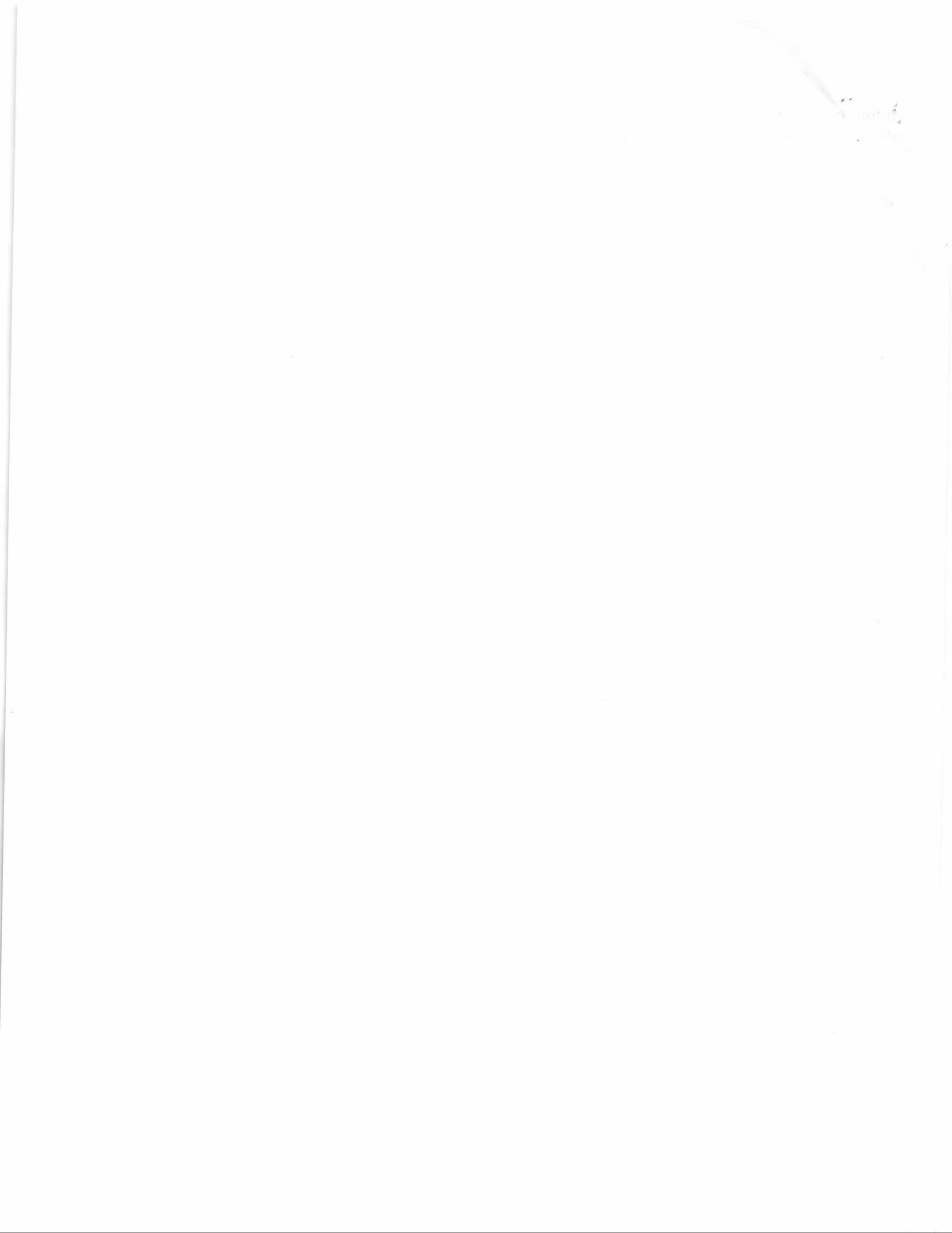
## **10. AWARD OF ENGINEERING SERVICES AS-NEEDED**

San Miguel County Planning and Zoning Supervisor Alex Tafoya presented to Commission San Miguel County proposals in response to RFP. No. 2017-PZ Engineering Services as needed. Evaluation of the proposals was conducted by a committee that worked independently of each other. The committee then met and determined the five companies that submitted proposals should be interviewed. Interviews were conducted and the evaluation scores were reviewed. The committee is recommending that two companies be selected for award of contract for engineering services as needed. Mr. Tafoya requested the Commission authorize County Manager and staff to enter into contract negotiations with Miller Engineering and Souder Miller and Associates for engineering services as needed.

Motion made by Commissioner Chris Najar to authorize County Manager and Staff to award Engineering Services as needed to Miller Engineering and Souder Miller and Associates. Second by Commissioner Janice Varela. Motion carried.

## **11. AGREEMENT BY AND BETWEEN SAN MIGUEL COUNTY, NEW MEXICO AND TAOS COUNTY, NEW MEXICO FOR CONFINEMENT OF TAOS COUNTY PRISONERS AT THE SAN MIGUEL COUNTY DETENTION CENTER**

San Miguel County Warden Matthew A. Elwell presented to Commission an agreement between San Miguel County, New Mexico and Taos County New Mexico for the confinement of Taos County prisoners at the San Miguel County Detention Center, this agreement is being presented for San Miguel County Commission review and approval. The cost per day to house a prisoner is ninety dollars, along with twenty dollar booking fee. Mr. Elwell requested the Commission review and approval the agreement between San Miguel County and Taos County.



Motion made by Vice-Chairman Arthur Padilla to review and approve the agreement between San Miguel County and Taos County. Second by Commissioner Maria Martinez. Motion carried.

**12. 1<sup>ST</sup> EXTENSION AGREEMENT FOR JUVENILE DETENTION- SAN MIGUEL COUNTY, NEW MEXICO AND TAOS COUNTY, NEW MEXICO**

San Miguel County Warden Matthew A. Elwell presented to Commission an agreement for Juvenile Detention, for housing and care of San Miguel County Juvenile Detainees at the Taos County Juvenile Detention Center, this agreement is being presented for San Miguel County Commission review and approval. The cost per day for each Juvenile detained is \$130 plus \$10 booking fee. Mr. Elwell requested the Commission review and approval 1<sup>st</sup> Extension Agreement for Juvenile Detention between San Miguel County and Taos County.

Motion made by Commissioner Maria Martinez to review and approve the Juvenile Detention agreement between Taos County and San Miguel County. Second by Commissioner Janice Varela. Motion carried.

**13. AGREEMENT BY AND BETWEEN SAN MIGUEL COUNTY, NEW MEXICO AND MORA COUNTY, NEW MEXICO, FOR CONFINEMENT OF MORA COUNTY PRISONERS AT THE SAN MIGUEL COUNTY DETENTION CENTER**

San Miguel County Warden Matthew A. Elwell informed the Commission an agreement by and between San Miguel County and Mora County for the confinement of Mora County prisoners at the San Miguel County Detention Center is presented to the Commission for review and approval. The cost per day to house a prisoner is ninety dollars along with a twenty dollar booking fee. Mr. Elwell requested the Commission review and approve agreement by and between San Miguel County and Mora County for confinement of Mora County prisoners at the San Miguel County Detention Center.

Motion made by Commissioner Maria Martinez to review and approve the agreement between San Miguel County and Mora County. Second by Vice-Chairman Arthur Padilla. Motion carried.

**14. APPROVAL OF BID AWARD FOR THE 2017 REVENUE BOND ROADWAY AND DRAINAGE IMPROVEMENT PROJECT IN LOS VIGILES TO THE LOWEST MOST QUALIFIED BIDDER.**

San Miguel County Public Works Supervisor Morris Madrid informed the Commission that bids went out for advertisement and bids were opened on November 30, 2017. Mr. Madrid advised the Commission the lowest qualified bidder for the 2017 Revenue Bond Roadway and Drainage Improvement Project in Los Vigils with approval will be awarded to Rocky Road Gravel and Well Drilling LLC. Mr. Madrid requested the Commission approve awarding the bid to Rocky Road Gravel and Well Drilling LLC.

Motion made by Vice-Chairman Arthur Padilla to approve awarding the bid to Rocky Road Gravel and Well Drilling LLC as the lowest most qualified bidder. Second by Commissioner Chris Najar. Motion carried.

**15. PUBLIC WORKS DIVISION REPORT FOR THE MONTH OF NOVEMBER 2017**

San Miguel County Public Works Division Road Foreman Arnold Lopez informed the Commission San Miguel County Public Works submits a report on a monthly basis on any maintenance including blading of County roads and/or special projects on County Roads.



Informational purposes only.

**16. RESOLUTION NO. 12-12-17 RA01; ADDITION OF SWEET PEA LN, A NEWLY NAMED PRIVATE ROAD TO THE OFFICIAL E-911 ROAD LIST OF SAN MIGUEL COUNTY, NEW MEXICO**

San Miguel County IT Supervisor Diego Trujillo informed the Commission that during a routine audit San Miguel County addressing data, it was discovered that there are three (3) addressed structures on a single road located off NM Highway 266 between Las Tusas and San Ignacio, New Mexico which is causing an addressing problem as per San Miguel County Ordinance No. SMC-07-13-99-ORD-2, Section 4.1-C. Letters were sent out to the residents on November 8, 2017 informing them of San Miguel County's intent to name the road. All three residents returned a road naming petition agreeing to the name of "Sweet Pea Ln." The new road name has been determined to be acceptable by SMC Rural Addressing staff per San Miguel County Ordinance No SMC-07-13-99-ORD-2. The \$100 fee has been waived because the road name was required and not requested in order to promote the health, safety and welfare of the public. Mr. Trujillo requested the Commission review and approve Resolution No. 12-12-17-RA01 addition of "Sweet Pea Ln." a newly named private road.

Motion made by Commissioner Maria Martinez to approve Resolution No. 12-12-17-RA01. Second by Commissioner Janice Varela. Motion carried.

**17. SAN MIGUEL COUNTY MANAGER RECOMMENDATION FOR APPROVAL OF THE GOVERNING HOLIDAYS FOR THE CALENDAR YEAR 2018**

San Miguel County Manager Vidal Martinez presented to the Commission the Resolution Number SMC-RES-12-12-2017 Governing Holidays for the Calendar Year 2018 Holiday Calendar is being submitted to the Board of San Miguel County Commissioners for approval. Mr. Martinez is requesting the Commission review and approve Resolution Number SMC-RES-12-12-2017 Governing Holidays for Calendar Year 2018.

Motion made by Vice-Chairman Arthur Padilla to approve Resolution SMC-RES-12-12-2017. Second by Commissioner Chris Najjar. Motion carried.

**18. RECOMMENDATION TO APPROVE THE FOLLOWING JOB DESCRIPTIONS WITHIN SAN MIGUEL COUNTY DETENTION CENTER**

- 1. Case Manager**
- 2. Inmate Program Officer**

San Miguel County Manager Vidal Martinez informed the Commission the San Miguel County Detention Center has two available positions. (1) Case Manager will be responsible for assessing and assisting all inmates in risk assessments, program recommendations, program classification, program administration and assistance with pre and post release case management process for the inmates incarcerated. (2) Inmate Program Officer will be changed from a part time position to a full time position. This individual will be responsible for establishing, organizing and implementation of all inmate programs. Mr. Martinez requested the Commission approval of the above job descriptions within the San Miguel County Detention Center.

Motion made by Commissioner Chris Najjar to approve the above job descriptions at the SMC Detention Center. Second by Commissioner Maria Martinez. Motion carried.

## **19. PERSONNEL ACTIONS OR CHANGES FOR THE MONTH OF NOVEMBER 2017**

San Miguel County Manager Vidal Martinez presented to the Commission the Personnel Actions or Changes which have taken place for the month of November 2017 are submitted for ratification and approval by the San Miguel Board of County Commissioners. Mr. Martinez requested the Commission approve and ratify the personnel actions or changes that have taken place during the month of November 2017.

Motion made by Vice-Chairman Arthur Padilla to approve and ratify the Personnel Actions or Changes for the month of November 2017. Second by Commissioner Chris Najjar. Motion carried.

## **BOARD OF FINANCE MEETING**

### **20. BANK TRANSFERS FOR THE MONTH OF NOVEMBER**

San Miguel County Finance Supervisor Melinda Gonzales presented to the Commission the Bank Transfers for the month of November and the monies that were collected for the months of September, October, and November in the County Treasurer's Office.

Informational purposes only.

### **21. CASH BALANCE REPORT**

San Miguel County Finance Supervisor Melinda Gonzales presented to the Commission the reconciled Report for September 2017.

Informational purposes only.

### **22. JOURNAL ENTRY REPORT FOR THE MONTH OF OCTOBER 2017**

San Miguel County Finance Supervisor Melinda Gonzales presented to the Commission the Journal Entry Report for the month of October 2017.

Informational purposes only.

### **23. RECEIPT REPORT FOR THE MONTH OF OCTOBER 2017**

San Miguel County Finance Supervisor Melinda Gonzales presented to the Commission the Receipt Detail Report for the month of October 2017.

Informational purposes only.

### **24. ACCOUNTS PAYABLE REPORT FOR THE PERIOD OF OCTOBER 27, 2017 THROUGH NOVEMBER 27, 2017 AND THE OCTOBER 2017 HOUSING PAYMENT REGISTER**

San Miguel County Finance Supervisor Melinda Gonzales informed the Commission the present payments processed through the finance office and Bernalillo County on behalf of San Miguel County for the month of October. Chairman Rock Ulibarri stood for a motion to approve the Accounts Payable Report for the period of October 27, 2017 through November 27, 2017 and the October 2017 Housing Payment Register.

Motion made by Commissioner Janice Varela to review and approve the Accounts Payable Report. Second by Vice-Chairman Arthur Padilla. Motion carried.

## **25. INDIGENT BURIAL- NELSON'S FUNERAL HOME**

San Miguel County Finance Supervisor Melinda Gonzales informed the Commission the Finance Office has received and processed two indigent burial claims, one from Direct Cremation and Burial for \$600 and the other from Riverside Funeral Home of Santa Fe for \$600.

Motion made by Commissioner Maria Martinez for ratification of the indigent burial payments. Second by Commissioner Janice Varela. Motion carried.

## **26. RESOLUTION 2017-12-12-F1**

San Miguel County Finance Supervisor Melinda Gonzales informed the Commission that an increase of \$12,000 from Fund 220 is needed to be used in conjunction with Law Enforcement Protection Funds to purchase a new unit for the Sheriff's Office.

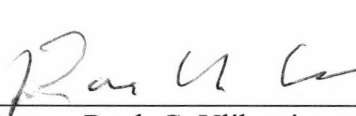
Motion made by Commissioner Janice Varela to review and approve Resolution 2017-12-12-F1. Second by Vice-Chairman Arthur Padilla. Motion carried.

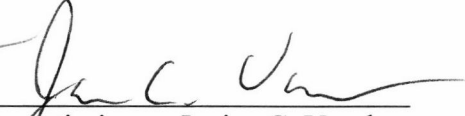
San Miguel County Manager informed the Commission that at this time there is no need for the Board of County Commissioners to go into executive session.

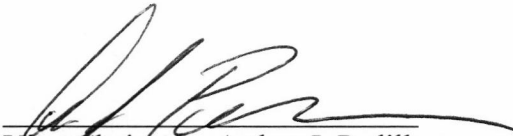
## **ADJOURNMENT**

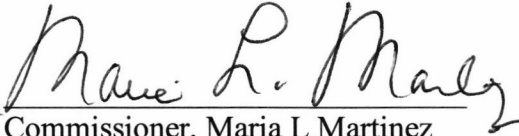
Motion made by Vice-Chairman Arthur Padilla to adjourn the meeting at 4:37 pm. Second by Commissioner Maria Martinez. Motion carried.

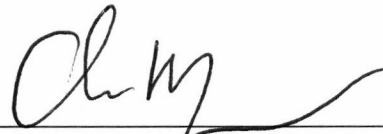
Approved this 9<sup>th</sup> day of January, 2017 as the Official Minutes of the Board of County Commissioners of San Miguel County, New Mexico, of its Regular Meeting held December 12, 2017.


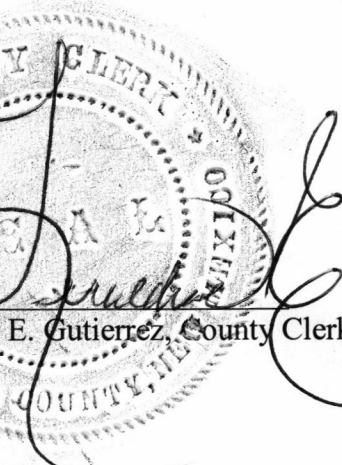
  
Chairman, Rock G. Ulibarri  
District 1

  
Commissioner, Janice C. Varela,  
District 2

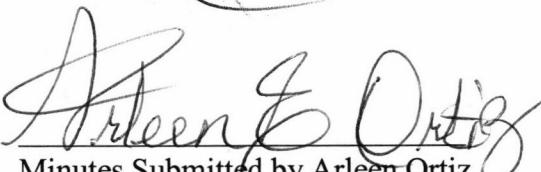
  
Vice Chairman, Arthur J. Padilla  
District 3

  
Commissioner, Maria L. Martinez  
District 4

  
Commissioner, Chris A. Najjar  
District 5

**ATTEST**  
  
  
Geraldine E. Gutierrez, County Clerk



  
Minutes Submitted by Arleen Ortiz

