

**MINUTES OF REGULAR MONTHLY MEETING OF
SAN MIGUEL COUNTY BOARD OF COMMISSIONERS
HELD TUESDAY JANUARY 9, 2018 BEGINNING AT 2:00 P.M.**

CALL TO ORDER

The San Miguel County Board of Commissioners held its regular monthly meeting on Tuesday January 9, 2018, 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 Najar 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 Maria Martinez to remove item #13 from the agenda. Second by Vice-Chairman Arthur Padilla. Motion carried.

Motion made by Vice-Chairman Arthur Padilla to approve the agenda. Second by Commissioner Chris Najar. Motion carried.

APPROVAL OF MINUTES

December 12, 2017 Regular Meeting
December 20, 2017 Special Meeting

Motion made by Commissioner Chris Najar to approve the minutes for the meetings of December 12, 2017 and December 20, 2017. Second by Commissioner Maria Martinez. Motion carried.

PUBLIC INPUT FORUM

Manuel Garcia- Presentation on County Cover ups-Road issues.
Salvador Higgins- Water leak problems in the City.

NEW BUSINESS

PRESENTATION: Opioid Law Suit
Presenter: New Mexico Attorneys Cid Lopez, Tim Chelpaty, and Felisha Weingarten

New Mexico Attorney Cid Lopez presented to the Commission the rising Opioid problem which is occurring in Our Country, but stated that they were here to focus on SMC problem. SMC is the 2nd highest in the state for Opioid death rate this past year. SMC is above the national average of Opioid abuse in the Country. Cid Lopez presented the litigation team of New Mexico Attorneys which each introduced themselves to the Board of County Commissioners, Tim Chelpaty, Ray Vargas, and Felisha Weingarten. Mr. Lopez informed the Commission that they are very much aware of SMC problem and are hoping they are given the opportunity to represent SMC.

REGULAR ORDER

1. ELECTION OF CHAIRMAN AND VICE-CHAIRMAN OF THE SAN MIGUEL COUNTY BOARD OF COMMISSIONERS

San Miguel County Chairman Rock Ulibarri informed the Commission the election of Chairman and Vice-Chairman according to Section 4-38-10, NMSA 1978, requires that at the first meeting of each year, the Board of County Commissioners select a Chairman and Vice-Chairman.

Motion made by Commissioner Maria Martinez to appoint Commissioner Chris Najar as Chairman. Second by Vice-Chairman Arthur Padilla. Motion carried.

Motion made by Vice-Chairman Arthur Padilla to appoint Commissioner Janice Varela to Vice-Chairman. Second by Commissioner Rock Ulibarri. Motion carried.

2. ADOPTION OF OPEN MEETING ACT RESOLUTION FOR 2018

San Miguel County Attorney Dave Romero informed the Commission of Section 10-15-1 of the New Mexico Open Meetings Act, NMSA 1978. This Act requires that each year the County Commission adopt a Resolution setting forth the date and time of the Commission Meetings and notice requirements for all meetings. Mr. Romero requested County Commission meetings be held the 2nd Tuesday of each month at 2:00 p.m.

Motion made by Commissioner Arthur Padilla to adopt the Open Meetings Resolution for 2018 as required by law. Second by Commissioner Rock Ulibarri. Motion carried.

3. MANAGER'S REPORT

San Miguel County Manager Vidal Martinez informed the Commission he had several items he would be going over with the Commission. (1) The County has received a discussion in order from the State of New Mexico Alcohol & Game Division in the matter of the transfer of liquor license from Western Refinery Retail to Romeroville Gas Station. (2) Several meetings have taken place with our state delegates to discuss the Legislative Capital Outlay. The County is requesting 3.2 million dollars from the legislation. (3) NM Association of Counties is scheduled to take place the week of the 15th of January. The County will also be conducting a 40 hour mediation class consisting of 20 employees and Supervisors. These classes will take place this Thursday, January 11 thru the 13th and continuing on the 18th and 19th of this month. Each individual attending the mediation classes will receive a certification at the end of the course.

(4) Mr. Martinez informed the Commission that he met with the Warden to go over the Model in Mesa County. Mr. Martinez informed the Commission Commissioner Ulibarri has conducted research on this and will be going over his finding at next month's meeting in February. (5) Mr. Martinez along with the road department met with Steve Copeland & Association along with Mr. Trujillo the lawyer for the association to discuss road abandonment. (6) Budget Hearings are being conducted by Melinda Gonzales Finance Supervisor and himself (Mr. Martinez) starting January 8, 2018 thru January 22, 2018. The reason for the Budget Hearings is to go over the mid-year budget to see what needs to be done to finish up the year. (7) The County has set up a committee to go over the Ethnic Ordinance. A copy of the ordinance has been given to San Miguel County Attorney Dave Romero and Dina Holcomb the County's Union Lawyer to review. (8) Mr. Martinez had a meeting with EDC concerning the contract, and went over the deliverables with Michael Adams and President Joe Stineber. Mr. Martinez informed the Commission more will be discussed in executive session. (9) Mr. Martinez informed the Commission the last item of discussion, he, Melinda Gonzales and Dawn Kryder met with Representatives from Yesco concerning Energy Efficiency to go over how the County can reduce the utility bills.

Informational purposes only.

4. SAN MIGUEL COUNTY HOSPITAL UPDATE

San Miguel County Commissioner Rock Ulibarri gave an update to the Commission looking into the possibility of building a County hospital. Mr. Ulibarri informed the Commission there are over 900 homes within the San Miguel County area that have liens on them with Alta Vista Hospital, also Alta Vista has the highest rates in New Mexico. County Attorney Dave Romero will be working with Sandoval and Rio Arriba Counties to get perspective on their establishment of a County Hospital.

Informational purposes only.

5. APPOINTMENT VOTING MEMBER AND ALTERNATE FOR THE NMAC MUTI-LINE POOL

San Miguel County Manager Vidal Martinez informed the Commission he had received information from the New Mexico Association of Counties of a list of voting members and SMC does not have a Representative or an Alternate. Mr. Martinez requested the Commission appoint a Representative and an Alternate.

Motion made by Commissioner Rock Ulibarri to appoint County Manager Vidal Martinez as the Representative. Second by Commissioner Arthur Padilla. Motion carried.

Motion made by Commissioner Maria Martinez to appoint Commissioner Arthur Padilla as the Alternate. All Commissioners in favor of this motion. Motion carried.

6. APPROVAL OF ENGINEERING SERVICES AS-NEEDED-SOUDER MILLER AND ASSOCIATES

San Miguel County Planning and Zoning Supervisor Alex Tafoya informed the Commission at the last meeting County staff was authorized to enter into agreement with Souder Miller and Associates. At this time County staff is still negotiating contract with Souder Miller and Associates and feel that Souder Miller and Associates has not given their best offer yet. Mr. Tafoya requested the Commission table this item till next month's meeting in February.

Motion made by Vice-Chairman Janice Varela to table this item till next month. Second by Commissioner Padilla. Motion carried.

7. APPROVAL OF ENGINEERING SERVICES AS-NEEDED-MILLER ENGINEERING

San Miguel County Planning and Zoning Supervisor Alex Tafoya informed the Commission at the January Commissioners meeting authorization was given to County staff to enter into agreement with Miller Engineering for as-needed engineering services. Mr. Tafoya requested the Commission approve the agreement between San Miguel County and Miller Engineering.

Motion made by Commissioner Arthur Padilla to approve the agreement with Miller Engineering. Second by Commissioner Maria Martinez. Motion carried.

8. THE ANNUAL COUNTY COMMISSION INSPECTION OF THE DETENTION CENTER

San Miguel County Warden Matthew Elwell informed the Commission on February 27, 2018 the Detention Center will conduct a Special Commissioners meeting. Mr. Elwell informed the Commission it is required by State Statute 33-3-4 that an annual inspection of the Detention Center take place. The Detention Center will inspect the living quarters of the jail and also show the Commission where they have been and where they will be going this year. Mr. Elwell informed the Commission that they will be inviting the public to attend as well.

Informational purposes only.

9. APPROVAL TO ACCEPT THE MOST QUALIFIED BIDDER FOR ELECTRICAL SERVICES

San Miguel County Fleet Building & Safety Compliance Officer Dawn Kryder informed the Commission they are looking into providing electrical services for San Miguel County. Three companies have responded and have met all requirements, that being APIC Solutions, The Electric Horseman, Inc. and EGB Electric. Ms. Kryder requested the Commission approve the contract with APIC Solutions, The Electric Horseman Inc., and EGB Electric.

Motion made by Vice-Chairman Janice Varela to approve the Electrical Services Contract with APIC Solutions, The Electric Horseman and EGB Electric. Second by Commissioner Arthur Padilla. Motion carried.

10. APPROVAL TO ACCEPT THE MOST QUALIFIED BIDDER FOR PEST CONTROL SERVICES

San Miguel County Fleet Building & Safety Compliance Officer Dawn Kryder informed the Commission they are looking into providing Pest Control Services to the County. Elite Pest Control has met all requirements to be awarded said contract with San Miguel County. Ms. Kryder requested the Commission approve the contract with Elite Pest Control.

Motion made by Commissioner Maria Martinez to approve the contract with Elite Pest Control. Second by Vice-Chairman Janice Varela. Motion carried.

11. APPROVAL TO ACCEPT THE MOST QUALIFIED BIDDER FOR PLUMBING SERVICES

San Miguel County Fleet Building & Safety Compliance Officer Dawn Kryder informed the Commission JCG Plumbing has met all requirements to be rewarded said contract to provide plumbing services to San Miguel County. Ms. Kryder requested the Commission approve the contact to JCG Plumbing.

Motion made by Commissioner Arthur Padilla to approve the contract to JCG Plumbing Services. Second by Commissioner Maria Martinez. Motion carried.

12. OUT OF STATE TRAVEL FOR SAPELLO VOLUNTEER FIREFIGHTERS ERICA LARSON AND SCOTT HOOGERHUIS TO ATTEND THE JANUARY 2018 TEEEX INDUSTRIAL ANNUAL FIRE SCHOOL LOCATED ON THE TEXAS A&M CAMPUS IN COLLEGE STATION TEXAS

San Miguel County Manager Vidal Martinez informed the Commission San Miguel County Fire is requesting authorization for Sapello-Rociada Volunteer Firefighters Erica Larson and Scott Hoogerhuis to attend the January 2018 TEEEX Industrial Annual Fire School. SMC Fire Department Secretary Gina Medina informed the Commission Teex is going to be free of all charges to Sapello Volunteer Firefighters Erica Larson and Scott Hoogerhuis. Mr. Martinez requested the Commission review, discuss, and approve the out of state travel for Sapello Volunteer Firefighters to attend the January 2018 Teex Industrial Annual Fire School located on Texas A & M Campus in Texas.

Motion made by Commissioner Arthur Padilla review, discuss, and approve out of state travel for Sapello Volunteer Fighters. Second by Commissioner Rock Ulibarri. Motion carried.

13. RESOLUTION NO. 01-09-18-RA01; ADDITION OF APOSTOL SANTIAGO, A PROPOSED NAME THAT WILL REPLACE THE COUNTY VACATED ROAD C53B TO THE OFFICIAL E-911 ROAD LIST OF SAN MIGUEL COUNTY, NEW MEXICO

Item #13 has been removed from the agenda as per County Attorney Dave Romero.

14. PUBLIC WORKS DIVISION REPORT FOR THE MONTH OF DECEMBER 2017

San Miguel County Public Works Road Foreman Arnold Lopez informed the Commission, public works submits a report on a monthly basis on any maintenance including blading of County roads and/or special projects that have taken place within the month.

Informational purposes only.

15. RECOMMENDATION TO APPROVE THE REVISED JOB DESCRIPTION OF SAN MIGUEL COUNTY FIRE MARSHAL

San Miguel County Human Resources Supervisor Eileen Sedillo informed the Commission of the recommendation to revise the job description for the San Miguel County Fire Marshall to reflect the San Miguel County Organizational Charts. Ms. Sedillo requested Commission approval for the revised job description of Fire Marshall with the San Miguel County Fire Service division.

Motion made by Commissioner Maria Martinez to approve the revised job description of fire Marshall. Second by Vice-Chairman Janice Varela. Motion carried.

16. PERSONNEL ACTIONS OF CHANGES FOR THE MONTH OF DECEMBER 2017

San Miguel County Human Resources Supervisor Eileen Sedillo informed the Commission the Personnel Actions or Changes which have taken place in San Miguel County for the month of December 2017 are submitted for ratification and approval by the San Miguel County Board of County Commissioners. Ms. Sedillo requested the Commission approve and ratify the Personnel Actions or Changes that have taken place for the month of December 2017.

Motion made by Commissioner Rock Ulibarri to approve and ratify the personnel actions or changes for the month of December 2017. Second by Vice-Chairman Janice Varela. Motion carried.

17. RECOMMENDATION TO APPROVE THE INDEPENDENT CONTRACTOR AGREEMENT WITH WHITE SANDS DRUG & ALCOHOL COMPLIANCE THROUGH YEAR 2018

San Miguel County Human Resource Supervisor Eileen Sedillo informed the Commission of the contract with White Sands Drug & Alcohol Compliance of Alamogordo New Mexico. The White Sands Drug & Alcohol Compliance of Alamogordo, New Mexico writes the policy for the County. This Contract is assessed on a yearly basis by the County. Ms. Sedillo informed the Commission the DOT has decided to add several more drugs to the list of Random Drug and Random Alcohol Testing which will be added to the San Miguel County Pre-Employment Drug Testing. Ms. Sedillo requested the Commission approval of the Independent Contractor Agreement with White Sands Drug & Alcohol Compliance for the period of 1 year through December 31, 2018.

Motion made by Commissioner Maria Martinez to approve the Independent Contractor Agreement with White Sands Drug & Alcohol Compliance. Second by Commissioner Rock Ulibarri. Motion carried.

18. BANK TRANSFERS FOR THE MONTH OF DECEMBER

San Miguel County Treasurer Bertha Bustamante informed the Commission of the Bank Transfers which were made for the month of December.

Informational purposes only.

19. ACCOUNTS PAYABLE REPORT FOR THE PERIOD OF NOVEMBER 28, 2017 THROUGH DECEMBER 27, 2017 AND THE NOVEMBER 2017 HOUSING PAYMENT REGISTER

San Miguel County Finance Supervisor Melinda Gonzales presented to the Commission the Accounts Payable Report for the month of November 28, 2017 through December 27, 2017 and also the November 2017 Housing Payment Register that were processed through the finance office and Bernalillo County on behalf of San Miguel County.

Informational purposes only.

20. JOURNAL ENTRY REPORT FOR THE MONTH OF NOVEMBER 2017

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

Informational purposes only.

21. CASH BALANCE REPORT

San Miguel County Finance Supervisor Melinda Gonzales presented to the Commission the reconciled report for the month of October 2017.

Informational purposes only.

22. RECEIPT REPORT FOR THE MONTH OF NOVEMBER 2017

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

Informational purposes only.

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: Fire Division, Sheriff's Office, and Detention Center- AFSCME Members.
- B. 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, Economic Development Corporation, Tenorio vs San Miguel County and Water Rights Litigation with the NM State Engineer.

San Miguel County Manager Vidal Martinez informed the Commission at 4:17 p.m. that they would need to go into Executive Session.

ROLL CALL

Chairman Chris Najar- present
Vice-Chairman Janice Varela- present
Commissioner Maria Martinez- present
Commissioner Rock Ulibarri- present
Commissioner Arthur Padilla- present

ADJOURNMENT

Motion made by Commissioner Arthur Padilla to come out of executive session at 5:45 p.m. Second by Commissioner Maria Martinez. Motion carried.

Motion made by Commissioner Arthur Padilla to adjourn the meeting at 5:46 p.m. Second by Commissioner Maria Martinez. Motion carried.

Approved this 13th day of February 2018 as the Official Minutes of the Board of County Commissioners of San Miguel County, New Mexico, of its Regular Meeting held January 9, 2018.

Chris A. Najjar

Chairman, Chris A. Najjar
District 5

Vice-Chairman, Janice C. Varela,
District 2

Arthur J. Padilla

Commissioner, Arthur J. Padilla
District 3

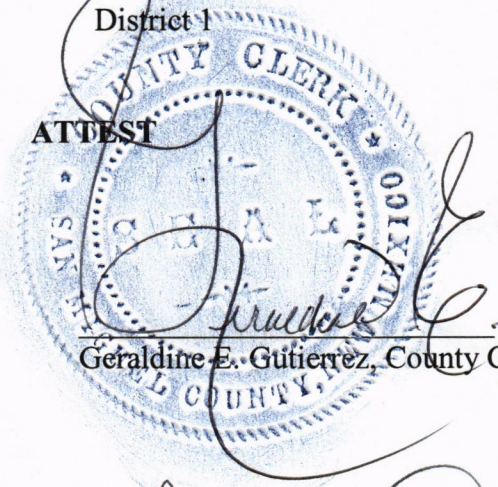
Maria L. Martinez

Commissioner, Maria L. Martinez
District 4

Rock G. Ulibarri

Commissioner, Rock G. Ulibarri
District 1

ATTEST



Geraldine E. Gutierrez, County Clerk

Arleen Ortiz

Arleen Ortiz

Minutes Submitted by Arleen Ortiz