

**MINUTES OF REGULAR MONTHLY MEETING OF
SAN MIGUEL COUNTY BOARD OF COMMISSIONERS
HELD TUESDAY JANUARY 8, 2019 BEGINNING AT 2:00 P.M.**

CALL TO ORDER

The San Miguel County Board of Commissioners held its regular monthly meeting on Tuesday January 8, 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.

ROLL CALL:

Upon a call of the roll, Chairman Chris Najjar present, Vice-Chairman Janice Varela present, Commissioner Maria Martinez present, Commissioner Harold Garcia 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 Commissioner Harold Garcia to approve the agenda. Second by Commissioner Maria Martinez. Motion carried.

APPROVAL OF MINUTES

Motion made by Commissioner Max Trujillo to approve the November 8, 2018 minutes. Second by Vice-Chairman Janice Varela. Motion carried.

Motion made by Commissioner Harold Garcia to approve the minutes of the Regular Monthly meeting held on December 11, 2018. Second by Commissioner Maria Martinez. Motion carried.

INTRODUCTION OF NEW SAN MIGUEL COUNTY EMPLOYEES

San Miguel County Human Resource Director Eileen Sedillo introduced to the Commission the new San Miguel County employees.

Mario Sanchez – Chief Deputy Assessor – San Miguel County Assessor’s Office.
Gina Vigil – First Deputy – San Miguel County Assessor’s Office.
Mike Padilla – Under Sheriff – San Miguel County Sheriff’s Office.

PUBLIC INPUT FORUM

Manuel J. Garcia – Solid waste decisions/Repercussions.

NEW BUSINESS

Presentation: San Miguel Family and Community Health Council

Presenter: Dr. Barbara A. Perea Casey

Dr. Barbara A. Perea Casey presented the Commission of the purpose and benefits of the health counsel. The Health Counsel provides a Hub for all the other health issues that are occurring within the county. They work with local governments, schools, health care providers, nonprofit organizations, applicates and community members. They work on educational issues to educate the public about health issues occurring in the county.

REGULAR ORDER

1. ADOPTION OF OPEN MEETINGS ACT RESOLUTION FOR 2019

San Miguel County Chairman Chris Najjar presented to the Commission Section 10-15-1 of the New Mexico open meetings act NMSA 1978, Resolution for 2019 which 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. Chairman Najjar requested the Commission adopt open Meetings Resolution for 2019.

Motion made by Vice-Chairman Janice Varela to adopt open Meetings Resolution for 2019. Second by Commissioner Maria Martinez. Motion carried.

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

San Miguel County Chairman Chris Najjar informed the Commission of Section 4-38-10, NMSA 1978, which requires that at its first meeting of each year, the County Commission select a Chairman and Vice-Chairman.

Commissioner Harold Garcia nominated Maria Martinez as Chairman. Second by Commissioner Max Trujillo. Motion carried.

Commissioner Harold Garcia made a motion for nomination ceased. No second motion. Motion not carried.

Commissioner Maria Martinez nominated Harold Garcia as Vice-Chairman. Second by Commissioner Max Trujillo. Motion carried.

Commissioner Maria Martinez presented to the Commission an award for Chairman Chris Najjar for his hard work that he has done for this county.

3. SAN MIGUEL COUNTY RESOLUTION 2019-01-08 PECOS CANYON

San Miguel County Commissioner Janice Varela and former Chairman Huey Ley informed the Commission of Resolution 2019-01-08 which is a resolution urging the New Mexico State Legislature and Governor Michelle Lujan Grisham to allocate funding for planning and improvements to the upper area of the Pecos Canyon, located in San Miguel County.

Motion made by Commissioner Janice Varela to approve the Resolution in support of Pecos Canyon. Second by Vice-Chairman Harold Garcia to approve the Resolution in support of Pecos Canyon. Motion carried.

4. CAPITAL OUTLAY REQUEST TO SUPPORT TRI COUNTY JUSTICE CENTER

San Miguel County Vice-Chairman Harold Garcia is requesting Capital Outlay in support of improvements to the Tri County Family Justice Center. The building is approximately 10 years old and has settling issues on the exterior and flooring issues on the interior. Vice-Chairman Garcia requested the Commission approve Capital Outlay request to support Tri County Justice Center.

Motion made by Commissioner Chris Najar to approve capital outlay request to support Tri County Justice Center. Second by Commissioner Max Trujillo. Motion carried.

5. MEMORANDUM OF UNDERSTANDING BETWEEN SAN MIGUEL COUNTY AND LAS VEGAS/SAN MIGUEL CHAMBER OF COMMERCE

San Miguel County Manager Vidal Martinez informed the Commission of services requested from San Miguel County by the Chamber of Commerce. The following services being requested are as follows: To develop a Las Vegas/San Miguel Chamber of Commerce website; to sponsor events and/or activities that promote community development; business interest; promote the community; and promote networks between business, government entities and non-profit organizations. The Chamber of Commerce will present to the County Commission in June 2019 on accomplishments and activities. County Manager Martinez requested the Commission approve the MOU between San Miguel County and Las Vegas San Miguel Chamber of Commerce.

Motion made by Commissioner Chris Najar to approve the MOU between San Miguel County and Las Vegas San Miguel Chamber of Commerce. Second by Vice-Chairman Harold Garcia. Motion carried.

6. SAN MIGUEL COUNTY VS. PURDUE PHARMA INC.

San Miguel County Attorney Dave Romero informed the Commission on the opioid suit San Miguel County filed against Purdue Pharma.

For informational purposes only.

7. APPOINTMENT TO PLANNING AND ZONING COMMISSION DISTRICTS ONE, THREE AND FIVE

San Miguel County Planning and Zoning Supervisor Alex Tafoya informed the Commission that with our newly elected County Commissioners now in office, appointments or re-appointments to the Planning and Zoning Commission will need to take place. It is necessary to appoint or re-appoint individuals to serve on the Planning and Zoning Commission to represent County Commission Districts One, Three and Five. Mr. Tafoya requested the Commission appoint or re-appoint individuals to serve as the representatives for Districts One, Three and Five.

Commissioner Najar District Five (5) will appoint somebody in the February meeting to serve on the Planning and Zoning Commission.

Commissioner Max Trujillo District Three (3) appointed Robert Lujan to serve on the Planning and Zoning Commission.

Vice-Chairman Harold Garcia District One (1) re-appointed Macario Gonzales to serve on the Planning and Zoning Commission.

8. APPOINTMENT OF ROAD VIEWERS

San Miguel County Planning and Zoning Supervisor Alex Tafoya informed the Commission that San Miguel County currently has three individuals who serve as road viewers and one individual who serves as an alternate road viewer. Mr. Tafoya requested the Commission appoint new road viewers or re-appoint current road viewers.

Commissioner Max Trujillo District Three (3) appointed Anthony Martinez to serve as a Road Viewer.

Vice-Chairman Harold Garcia District One (1) appointed Daniel Encinias to serve as a Road Viewer.

Vice-Chairman Harold Garcia District One (1) appointed Adeliado Trujillo to serve as a Road Viewer.

9. RESOLUTION NO. 01-08-2019-LED

San Miguel County Planning and Zoning Supervisor Alex Tafoya informed that Commission that on June 14, 2016 the board of County Commissioners took action to approve and recognize Old Wood LLC as a small and emerging business eligible for financial assistance for an economic development project. In order to provide financial assistance to Old Wood LLC and in order to comply with San Miguel County Ordinance No. 07-09-13-LEDA and the Local Economic Development Act in regard to leasing two (2) county owned buildings to Old Wood LLC it would be necessary to adopt an Ordinance under the LEDA. Adopting Resolution No. 1-08-2019-LED would authorize the adoption of an ordinance which would approve Old Wood, LLC, as an eligible economic development project and approve the appropriate lease agreements for the two buildings the County wishes to lease to Old Wood, LLC. Mr. Tafoya requested the Commission adopt and approve Resolution No. 01-08-2019-LED.

Motion made by Vice-Chairman Harold Garcia to adopt and approve Resolution No. 01-08-2019-LED. Second by Commissioner Chris Najjar. Motion carried.

San Miguel County Attorney David Romero requested a roll call vote Chairman Maria Martinez yes, Vice-Chairman Harold Garcia yes, Commissioner Janice Varela yes, Commissioner Chris Najjar yes, Commissioner Max Trujillo yes.

10. ADDENDUM TO AGREEMENT – MILLER ENGINEERING CONSULTANTS

San Miguel County Planning and Zoning Supervisor Alex Tafoya informed the Commission that the first year of the Agreement for Engineering Services As-Needed, between San Miguel County and Miller Engineering Consultants is set to expire at the end of this month. Miller Engineering has indicated that they wish to extend the Agreement for a second year. Mr. Tafoya requested the Commission approve the Addendum to Agreement between San Miguel County and Miller Engineering Consultants for a second year.

Motion made by Vice-Chairman Harold Garcia to approve the Addendum to Agreement between San Miguel County and Miller Engineering Consultants for a second year. Second by Commissioner Chris Najjar. Motion carried.

11. UPDATE ON SAN MIGUEL COUNTY COMPREHENSIVE PLAN

San Miguel County Planning and Zoning Supervisor Alex Tafoya presented to the Commission a draft Comprehensive Plan that has been developed between the County staff and residents of the County working with Architectural Research Consultants.

For informational purposes only.

12. UPDATE AND DISCUSSION ON POSSIBLE CDBG PROJECTS

San Miguel County Planning and Zoning Supervisor Alex Tafoya informed the Commission on the three (3) projects that are being considered for CDBG application eligibility.

1. Road and drainage improvements to the country acres subdivision.
2. Tri county family Justice Center improvements.
3. Waste water system in East Pecos.

For informational purposes only.

13. RECENT GRANT AWARDS – 2019 FIRE PROTECTION GRANT

San Miguel County Fire Marshal Andrew J. Duran informed the Commission of applications which were submitted by several Volunteer Fire Departments for the 2019 Fire Protection Grant. Four of our Fire Departments have been awarded a grant. The awarded grants are as follows:

The departments are:

El Pueblo VFD \$100,000 for a Fire Apparatus (10% match required)
Pecos Canyon VFD \$40,850.00 for Communication (5% match required)
Rowe VFD \$98,141.40 for Facility Improvements, General Firefighting Equipment, PPE, SCBA (10% match required)
Sapello-Rociada VFD \$100,000.00 for Apparatus (10% match required)

For informational purposes only.

14. PERSONNEL ACTIONS OR CHANGES FOR THE MONTH OF NOVEMBER 2018 AND DECEMBER 2018.

San Miguel County Human Resource Supervisor Eileen Sedillo informed the Commission of the personnel actions or changes, which have taken place in San Miguel County for the months of November 2018 and December 2018. Ms. Sedillo requested the Commission to approve and ratify the personnel actions or changes that have taken place during the months of November 2018 and December 2018.

Motion made by Commissioner Vice-Chairman Harold Garcia to approve and ratify the personnel actions or changes that have taken place during the months of November 2018 and December 2018. Second by Commissioner Chris Najjar. Motion carried.

15. PUBLIC WORKS DIVISION REPORT FOR THE MONTHS OF NOVEMBER AND DECEMBER 2018

San Miguel County Public Works Division Foreman Arnold Lopez informed the Commission of all Maintenance and Blading of County roads that took place in the months of November and December 2018.

For informational purposes only.

16. SUBCONTRACT AGREEMENTS FOR JUVENILE JUSTICE SERVICES; VIOLENCE AND SUBSTANCE ABUSE PREVENTION SERVICES WITH SOMOS FAMILIA; RESTORATIVE JUSTICE SERVICES WITH ARMAND HAMMER UNITED WORLD COLLEGE; GIRLS CIRCLE AND BOYS COUNCIL WITH PECOS VALLEY MEDICAL CENTER

San Miguel County DWI Coordinator Yolanda Cruz informed the Commission of the Juvenile Justice Contract which was awarded to the County. The County is required under the contract to provide certain services. The people we would like to Contract with and Subcontract with are Somos Familia for the Substance Abuse and Violence Prevention, Restorative Justice with Armand Hammer United World College, and Pecos Valley Medical Center for Girls circle and Boys council. Ms. Cruz requested the Commission approve subcontract agreements for Juvenile Justice Services.

Motion made by Commissioner Max Trujillo to approve subcontract agreements for Juvenile Justice Services. Second by Commissioner Janice Varela. Motion carried.

17. APPROVE AND ADOPT RESOLUTION NO. DWI-01-08-19 AUTHORIZING THE COUNTY OF SAN MIGUEL TO SUBMIT AN APPLICATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION, LOCAL GOVERNMENT DIVISION TO PARTICIPATE IN THE LOCAL DWI GRANT AND DISTRIBUTION PROGRAM

San Miguel County DWI Coordinator Yolanda Cruz informed the Commission of Resolution No. DWI-01-08-19 which authorizes San Miguel County to submit an application to the Department of Finance and Administration, Local Government Division to participate in the Local DWI Grant and Distribution Program. Ms. Cruz requested the Commission review and adopt Resolution No. DWI-01-08-19.

Motion made by Commissioner Chris Najjar to adopt Resolution No. DWI-01-08-19. Second by Vice-Chairman Harold Garcia. Motion carried.

18. STATEMENT OF ASSURANCES FOR THE LOCAL DWI GRANT AND DISTRIBUTION PROGRAM FY20

San Miguel County DWI Coordinator Yolanda Cruz informed the Commission that the NM Department of Finance and Administration requires a Statement of Assurances for the local DWI Grant and Distribution Program be submitted with the funding application for FY20. Ms. Cruz requested the Commission review, approve and ratify the statement of assurances for the local DWI Grant and Distribution Program.

Motion made by Vice-Chairman Harold Garcia to review, approve and ratify the statement of assurances for the local DWI Grant and Distribution Program. Second by Commissioner Chris Najjar. Motion carried.

19. FY20 MEMORANDUM OF UNDERSTANDING BETWEEN SAN MIGUEL COUNTY DWI PROGRAM AND THE NEW MEXICO DEPARTMENT OF FINANCE AND ADMINISTRATION

San Miguel County DWI Coordinator Yolanda Cruz informed the Commission that the NM Department of Finance and Administration requires an MOU with local DWI programs be submitted with the funding application for FY20. Ms. Cruz requested the Commission review and approve the FY20 Memorandum of Understanding between San Miguel DWI Program and the New Mexico Department of Finance and Administration.

Motion made by Vice-Chairman Harold Garcia to review and approve the FY20 Memorandum of Understanding between San Miguel DWI Program and the New Mexico Department of Finance and Administration. Second by Commissioner Max Trujillo. Motion carried.

BOARD OF FINANCE MEETING

20. BANK TRANSFERS FOR THE MONTH OF NOVEMBER AND DECEMBER

San Miguel County Treasurer Bertha Bustamante informed the Commission of the bank transfers for the months of November and December 2018.

For informational purposes only.

21. QUARTERLY TAX DOLLAR REPORT

San Miguel County Treasurer Bertha Bustamante informed the Commission of the Quarterly tax dollar report for the Months of October, November, and December 2018.

For informational purposes only.

22. ADDENDUM TO CONTRACT WITH JCG PLUMBING

San Miguel County Finance Supervisor Melinda Gonzales informed the Commission that JCG Plumbing was awarded a contract last year and the Maintenance Department is satisfied with their performance and would like to enter into a second year contract. The addendum is for the sole purpose of extending the contract for the period of January 9, 2019 through January 8, 2020. Ms. Gonzales requested the Commission review and approve Addendum to Contract with JCG Plumbing.

Motion made by Vice-Chairman Harold Garcia to approve Addendum to Contract with JCG Plumbing. Second by Commissioner Max Trujillo. Motion carried.

23. ADDENDUM TO CONTRACT WITH EGB ELECTRIC

San Miguel County Finance Supervisor Melinda Gonzales informed the Commission that EGB Electric was awarded a contract last year and The Maintenance Department is satisfied with their performance and would like to enter into a second year contract. The addendum is for the sole purpose of extending the contract for the period of January 9, 2019 through January 8, 2020. Ms. Gonzales requested the Commission review and approve Addendum to Contract with EGB Electric.

Motion made by Vice-Chairman Harold Garcia to approve Addendum to Contract with EGB Electric. Second by Commissioner Janice Varela. Motion carried.

24. RESOLUTION 2019-01-08-F1

San Miguel County Finance Supervisor Melinda Gonzales informed the Commission that a budget adjustment is being requested to increase the general fund revenue and expenditures by \$3,500 to cover costs associated with special elections.

A budget adjustment is being proposed to increase the following Volunteer Fire Department Budgets as a result of receiving FY19 NM Fire Protection Grant Council Awards.

- Sapello VFD (Fund/Dept) 407-115 in the amount of \$100,000.00 for Apparatus;
- El Pueblo VFD (Fund/Dept) 410-115 in the amount of \$100,000.00 for Apparatus;
- Pecos Canyon (Fund/Dept) 417-115 in the amount of \$40,850.00 for Communications; and,
- Rowe VFD (Fund/Dept) 420-115 in the amount of \$98,141.40 for Facility Improvements. Ms. Gonzales requested the Commission review and approve Resolution 2019-01-08-F1.

Motion made by Commissioner Chris Najjar to approve Resolution 2019-01-08-F1. Second by Commissioner Janice Varela. Motion carried.

25. ACCOUNTS PAYABLE REPORT FOR THE PERIOD OF OCTOBER 2018

San Miguel County Finance Supervisor Melinda Gonzales informed the Commission of the accounts payable report for the period of October 2018. Ms. Gonzales requested the Commission review and approve the accounts payable report for the period of October 2018.

Motion made by Vice-Chairman Harold Garcia to approve the accounts payable report for the period of October 2018. Second by Commissioner Chris Najjar. Motion carried.

26. ACCOUNTS PAYABLE REPORT FOR THE PERIOD OF NOVEMBER 2018

San Miguel County Finance Supervisor Melinda Gonzales informed the Commission of the accounts payable report for the period of November 2018. Ms. Gonzales requested the Commission review and approve the accounts payable report for the period of November 2018.

Motion made by Vice-Chairman Harold Garcia to approve the accounts payable report for the period of November 2018. Second by Commissioner Janice Varela. Motion carried.

27. RECEIPT REPORT FOR THE MONTH OF OCTOBER 2018

San Miguel Finance Supervisor Melinda Gonzales presented to the Commission a receipt detail report for the month of October 2018.

For informational purposes only.

28. RECEIPT REPORT FOR THE MONTH OF NOVEMBER 2018

San Miguel Finance Supervisor Melinda Gonzales presented to the Commission a receipt detail report for the Month of November 2018.

For informational purposes only.

29. JOURNAL ENTRY REPORT FOR THE MONTH OF OCTOBER 2018

San Miguel Finance Supervisor Melinda Gonzales informed the Commission of the journal entry report for the month of October 2018.

For informational purposes only.

30. JOURNAL ENTRY REPORT FOR THE MONTH OF NOVEMBER 2018

San Miguel Finance Supervisor Melinda Gonzales informed the Commission of the journal entry report for the month of November 2018.

For informational purposes only.

31. CASH BALANCE REPORT FOR THE MONTH OF NOVEMBER 2018

San Miguel County Finance Supervisor Melinda Gonzales informed the Commission of the November 2018 reconciled cash balances.

For informational purposes only.

32. CASH BALANCE REPORT FOR THE MONTH OF OCTOBER 2018

San Miguel County Finance Supervisor Melinda Gonzales informed the Commission of the October 2018 reconciled cash balances.

For informational purposes only.

33. INDIGENT BURIAL CLAIMS

San Miguel County Finance Supervisor Melinda Gonzales informed the Commission that the Finance Office has received, reviewed and processed an indigent burial claim from Rogers Mortuary and Gonzales Funerals and Cremations for \$1,200.00. Ms. Gonzales is seeking Ratification of the indigent burial payments.

Motion made by Commissioner Janice Varela to approve Ratification of the indigent burial payments. Second by Commissioner Chris Najjar. Motion carried.

34. BUDGET REPORT FOR THE PERIOD OF JULY 1, 2018 THROUGH OCTOBER 2018

San Miguel County Finance Supervisor Melinda Gonzales informed the Commission of the Budget report for the period of July 1, 2018 through October 2018.

For informational purposes only.

35. BUDGET REPORT FOR THE PERIOD OF JULY 1, 2018 THROUGH NOVEMBER 2018

San Miguel County Finance Supervisor Melinda Gonzales informed the Commission of the Budget report for the period of July 1, 2018 through November 2018.

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: Potential Litigation Re: Breach of Contract , Pending Litigation Detention Center, SMC vs. Economic Development Corporation, Rock Ulibarri vs. SMC

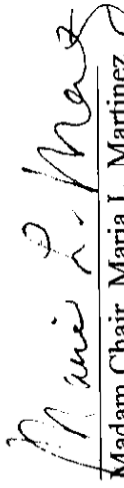
Motion made by Vice-Chairman Harold Garcia to go into Executive Session at 4:45p.m. Second by Commissioner Chris Najjar. Motion carried.

Motion made by Vice-Chairman Harold Garcia to come out of Executive Session at 5:30p.m. Second by Commissioner Max Trujillo. Motion carried.

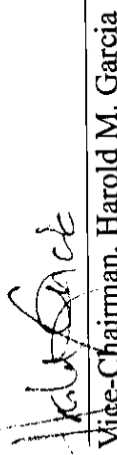
ADJOURNMENT

Motion made by Vice-Chairman Harold Garcia to adjourn the meeting at 5:30p.m. Second by Commissioner Max Trujillo. Motion carried.


Approved this 12th day of February, 2019 as the Official Minutes of the Board of County Commissioners of San Miguel County, New Mexico, of its Regular Meeting held January 8, 2019.




Madam Chair, Maria L. Martinez
District 4




Vice-Chairman, Harold M. Garcia
District 1



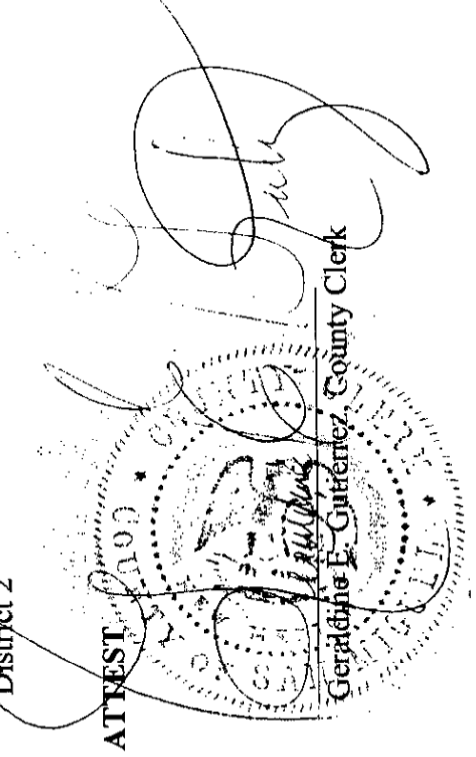
Commissioner, Max O. Trujillo
District 3



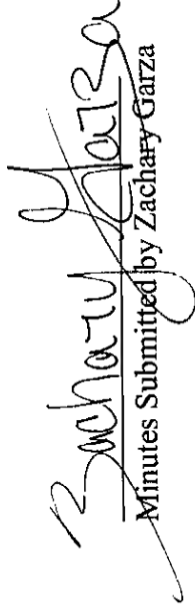
Commissioner, Chris A. Najjar
District 5



Commissioner, Janice C. Varela
District 2

ATTEST


Geraldine E. Gutierrez, County Clerk



Minutes Submitted by Zachary Garza