

**MINUTES OF REGULAR MONTHLY MEETING OF
SAN MIGUEL COUNTY BOARD OF COMMISSIONERS
HELD TUESDAY, JULY 14, 2020 BEGINNING AT 2:00 P.M.**

CALL TO ORDER

The San Miguel County Board of Commissioners held its regular monthly meeting on Tuesday, July 14, 2020, beginning at 2:00 p.m. The meeting convened at the San Miguel County Administration Complex located at 500 West National Ave., Suite 200, Las Vegas, New Mexico 87701. During the meeting, a County Board of Finance Meeting will take place.

Vice-Chair Chris Najar called the meeting to order at 2:00 p.m.

ROLL CALL:

Upon roll call, Madam Chair Maria Martinez absent, Vice-Chair Chris Najar present, Commissioner Janice Varela present, Commissioner Max Trujillo present, and Commissioner Harold Garcia present and a quorum was duly noted.

PLEDGE OF ALLEGIANCE

SALUTATION TO THE NEW MEXICO STATE FLAG

Commissioners, staff and citizens in attendance joined in the pledge and salute.

APPROVAL OF AGENDA

Motion made by Commissioner Max Trujillo to approve the agenda. Second by Commissioner Janice Varela. Motion carried.

APPROVAL OF MINUTES

Motion made by Commissioner Max Trujillo to approve the minutes for the March 31, 2020 Special Meeting. Second by Harold Garcia. Motion carried.

Motion made by Commissioner Max Trujillo to approve the April 20, 2020 Special meeting minutes. Second by Commissioner Harold Garcia. Motion carried.

Motion made by Commissioner Max Trujillo to approve the June 8, 2020 Special meeting minutes. Second by Commissioner Harold Garcia. Motion carried.

Motion made by Commissioner Harold Garcia to approve the June 9, 2020 Regular Commission meeting minutes. Second by Commissioner Janice Varela. Motion carried

PUBLIC INPUT

No public input

NEW BUSINESS

REGULAR ORDER

1. 2021 NMC CONFERENCE UPDATE

San Miguel County Manager Vidal Martinez updated the Commission on the 2021 NMC Conference. Talia Storch the meetings coordinator informed the Commission that the dates for the association of counties conference held here in San Miguel County will be June 14th through June 18th 2021.

For informational purposes only.

2. PRESENTATION ON INTERNET EXPANSION IN SAN MIGUEL COUNTY

San Miguel County Commissioner Max Trujillo presented to the Commission the project he is working on to expand internet throughout San Miguel County. Staff members from several local internet providers expanded more on this project such as Desert Gate, and Century Link.

For informational purposes only.

3. COVID-19 UPDATE

San Miguel County Emergency Manager Leo Maestas updated the Commission on the Process and procedures regarding the COVID-19.

For informational purposes only.

4. SAN MIGUEL COUNTY (ICIP) INFRASTRUCTURE CAPITAL IMPROVEMENT PLAN

San Miguel County Manager Vidal Martinez updated the Commission on the list for the 2022-2026 ICIP Infrastructure Capital Improvement Plan. Mr. Martinez requested the Commission discuss and approve the ICIP list.

No motion was made.

5. BOARD OF COUNTY COMMISSIONERS OF SAN MIGUEL COUNTY HARD ROCK MINING MORATORIUM ORDINANCE EXTENSION UNTIL JANUARY 16, 2021

San Miguel County Attorney Dave Romero Jr. informed the Commission being that Mr. Alex Tafoya will be retiring, the time it is going to take to finalize the hard rock mining ordinance will have to be extended. In the meantime, the Moratorium should continue until January of next year. This Moratorium will have slightly different language, which allows for sand and gravel, dirt removal from open pits. Mr. Romero requested the Commission approve the proposed continuation of the moratorium.

At 3:23 p.m. Mr. Romero requested the Commission make a motion to go into public hearing.

Motion made by Commissioner Harold Garcia to go into public hearing. Second by Commissioner Janice Varela. Motion carried.

Leslie Hammel-Turk – wrote in support of the Moratorium on the Hard Rock Ordinance
Lela McFerrin- Upper Pecos Watershed Association is in support of the Moratorium on the Hard Rock Ordinance.

Bob Wesley- wrote in support of the Moratorium on the Hard Rock Ordinance

At 3:33 p.m. Attorney Dave Romero requested the Commission accept Exhibits 1,2, and 3.

Motion made by Commissioner Janice Varela to approve and accept the exhibits. Second by Commissioner Max Trujillo. Motion carried.

Motion made by Commissioner Harold Garcia to close the public hearing. Second by Commissioner Max Trujillo. Motion carried.

Motion made by Vice-Chair Chris Najar to approve the settlement agreement between the parties. Second by Commissioner Harold Garcia. Motion carried.

6. BOARD OF COUNTY COMMISSIONERS OF SAN MIGUEL COUNTY VS. MESA GRANDE INC. AND DAVE JONES AND MR. AND MRS. GALLEGOS. APPROVAL OF SETTLEMENT OF LAWSUIT BETWEEN THE PARTIES

San Miguel County Attorney Dave Romero informed the Commission that Mesa Grande, Dave Jones and Mr. and Mrs. Gallegos have agreed to settle the litigation between them. They are offering approximately \$ 22,000 plus property, which has a Real Estate Agent Statement of Value of approximately \$ 47,000 to \$52,000.00 for a ¼-acre parcel. Mr. Romero requested the Commission make a motion and vote to approve the proposed Settlement.

Motion made by Commissioner Harold Garcia to approve the proposed settlement. Second by Commissioner Max Trujillo. Motion carried.

At 3:54 p.m. Attorney Dave Romero requested a Roll Call Vote

Madam Chair Maria Martinez – Not Present
Vice-Chair Chris Najar- Yes
Commissioner Janice Varela- Yes
Commissioner Max Trujillo- Yes
Commissioner Harold Garcia- Yes

7. RATIFICATION OF THE FY21 CYFD-JUVENILE JUSTICE GRANT

San Miguel County DWI Coordinator Jesus M. Romero informed the Commission of the grant agreement between CYFD and San Miguel for FY21. The grant is a total of \$36,808. Mr. Romero requested the Commission approve of the grant agreement.

Motion made by Commissioner Harold Garcia to approve the grant agreement. Second by Commissioner Max Trujillo. Motion carried.

8. RESOLUTION 07-01-2020-FIRE RESTRICTIONS

San Miguel County Fire Chief Andrew J. Duran informed the Commission due to abnormally warm temperatures, low humidity and on-going drought conditions, a resolution is necessary to impose open burning restrictions in the unincorporated areas of San Miguel County, New Mexico. Mr. Duran requested the Commission adopt Resolution 07-01-2020-Fire Restrictions imposing open burning restrictions.

Motion made by Commissioner Max Trujillo to approve and adopt Resolution 07-01-2020-Fire Restrictions imposing open burning restrictions. Second by Commissioner Harold Garcia. Motion carried.

9. PUBLIC WORKS DIVISION AMNESTY DAY

San Miguel County Public Works Supervisor Gerald Garcia informed the Commission that Saturday August 8th will be Amnesty day for San Miguel County. A day where constituents in San Miguel County can throw away their trash for free. Mr. Garcia requested the Commission approve for Amnesty Day.

Motion made by Commissioner Max Trujillo to Approve Saturday August 8th as Amnesty Day. Second by Commissioner Harold Garcia. Motion carried.

10. PUBLIC WORKS DIVISION ADDENDUM TO AGREEMENT

San Miguel County Public Works Director Gerald Garcia informed the Commission that San Miguel County Public Works Division wishes to renew Addendum No. ONE (2) to agreement by and between San Miguel County and DAG Enterprises of NM, LLC to provide Diesel Powered Heavy Equipment and Light Duty Gasoline Maintenance and Repair Service. Mr. Garcia requested the Commission approve Addendum to Agreement by and Between San Miguel County and DAG Enterprises of NM, LLC.

Motion made by Commissioner Harold Garcia to table the item until next meeting. Second by Commissioner Max Trujillo. Motion carried.

11. APPLYING FOR THE LOCAL GOVERNMENT ROAD FUND MATCH WAIVER PROGRAM

San Miguel County Public Works Director Gerald Garcia informed the Commission that San Miguel County is interested in applying for the Local Government Road Fund Match Waiver Program per New Mexico Administrative Code 18.27.3.8 for the FY 2020-2021 Vendor Control No. 54400, Control No. L400497. Mr. Garcia requested the commission approve of the application for the Local Government Road Fund Match Waiver Program.

Motion made by Commissioner Harold Garcia to approve the application. Second by Commissioner Max Trujillo. Motion carried.

12. APPLYING FOR THE LOCAL GOVERNMENT ROAD FUND MATCH WAIVER PROGRAM

San Miguel County Public Works Director Gerald Garcia informed the Commission San Miguel County is interested in applying for the Local Government Road Fund Match Waiver Program per New Mexico Administrative Code 18.27.3.8 for the FY 2020-2021 Vendor Control No. 54400, Control No. L400483. Mr. Garcia requested the commission approve of the application for the Local Government Road Fund Match Waiver Program.

Motion made by Commissioner Harold Garcia to approve the application. Second by Commissioner Max Trujillo. Motion carried.

**13. SAN MIGUEL COUNTY PUBLIC WORKS DEPARTMENT- COUNTY ROAD IMPROVEMENTS
– EL CAMINO RECONSTRUCTION PROJECT**

San Miguel County Public Works Director Gerald Garcia informed the Commission that San Miguel County solicited competitive sealed bids from qualified vendors, for El Camino Reconstruction Project. The received bids were evaluated. GM Emulsion was the lowest and most qualified bidder. Mr. Garcia requested the Commission review and approve to enter into a contractual agreement with El Camino Reconstruction Project

Motion made by Commissioner Harold Garcia to approve to and enter into a contractual agreement with El Camino Reconstruction Project. Second by Commissioner Max Trujillo. Motion carried.

14. PUBLIC WORKS DIVISION REPORT FOR THE MONTH OF JUNE 2020

San Miguel County Public Works Road Foreman Arnold Lopez informed the Commission of all road Maintenance including blading throughout the County for the month of June 2020.

For informational purposes only.

BOARD OF FINANCE MEETING

15. BANK TRANSFERS FOR THE MONTH OF MAY

San Miguel County Finance Supervisor Melinda Gonzales presented to the commission the bank transfers for the month of May 2020 for the Treasurer's Office.

For informational purposes only

16. RESOLUTION 2020-07-14-F1

San Miguel County Finance Supervisor Melinda Gonzales informed the Commission the County will be receiving funding from the New Mexico Economic Development for the purpose of fostering, promoting and enhancing local economic efforts. The Finance Office would like to account for the funds in a separate fund and is asking the modification of Fund 905 from the CDBG 01-C-RS-I-1-G-77 to Economic Development Grant Fund. Ms. Gonzales requested the Commission review and approve Resolution 2020-07-14-F1

Motion made by Commissioner Harold Garcia to approve Resolution 2020-07-14-F1. Second by Commissioner Janice Varela. Motion carried.

17. RESOLUTION 2020-07-14-F2

San Miguel County Finance Supervisor Melinda Gonzales informed the Commission that this is a budget adjustment to budget the \$100,000 from the New Mexico Economic Development for the qualifying entity Highland Plains Processing LLC. Ms. Gonzales requested the Commission review and approve Resolution 2020-07-14-F2.

Motion made by Commissioner Janice Varela to approve Resolution 2020-07-14-F2. Second by Commissioner Harold Garcia. Motion carried.

18. INDIGENT CLAIMS

San Miguel County Finance Supervisor Melinda Gonzales provided the Commission with information regarding the indigent claims for the month of May 2020. Ms. Gonzales requested the Commission ratify and approve the indigent claims.

Motion made by Commissioner Harold Garcia to ratify and approve the indigent claims. Second by Commissioner Janice Varela Motion carried.

19. BUDGET REPORT FOR THE PERIOD OF JULY 1,2019 THROUGH MAY 31, 2020

San Miguel County Finance Supervisor Melinda Gonzales provided the Commission with a FY19/20 year to date budget report for the period of July 1, 2019 through May 31, 2020.

For informational purposes only

20. RECEIPT REPORT FOR THE MONTH OF MAY 2020

San Miguel County Finance Supervisor Melinda Gonzales provided the Commission with a receipt report for the month of May 2020.

For informational purposes only..

21. JOURNAL ENTRY REPORT FOR THE MONTH OF MAY 2020

San Miguel County Finance Supervisor Melinda Gonzales provided the Commission with the journal entry report for the month of May 2020

For informational purposes only.

22. ACCOUNTS PAYABLE REPORT FOR THE MONTH OF MAY 2020

San Miguel County Finance Supervisor Melinda Gonzales provided the Commissioners with the accounts payable report for the month of May 2020. Ms. Gonzales requested the Commission review and approve the accounts payable report for the month of May 2020.

Motion made by Commissioner Harold Garcia to approve the accounts payable report. Second by Commissioner Max Trujillo. Motion carried.

23. CASH BALANCE REPORT FOR THE MONTH OF MAY 2020

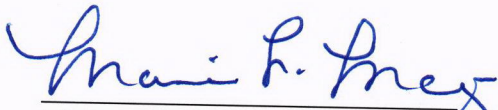
San Miguel County Finance Supervisor Melinda Gonzales informed the Commission of the cash balance report for the month of May 2020.

For informational purposes only.

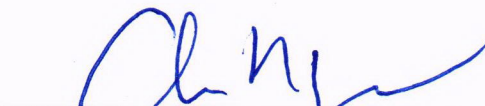
ADJOURNMENT

Motion made by Commissioner Harold Garcia to adjourn the meeting at 4:48 p.m. and go into executive session. Second by Commissioner Max Trujillo. Motion carried.


Approved this 11th day of August, 2020 as the Official Minutes of the Board of County Commissioners of San Miguel County, New Mexico, of its Regular Meeting held June 9, 2020.




Madam Chair, Maria L. Martinez
District 4



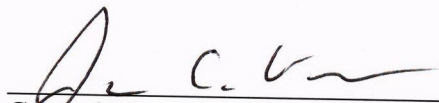
Vice-Chairman, Chris A. Najar
District 5



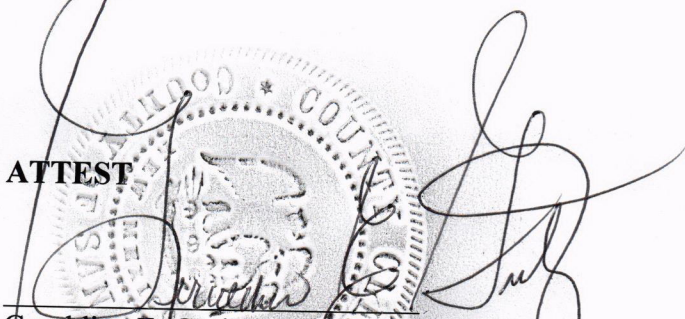
Commissioner, Max O. Trujillo
District 3



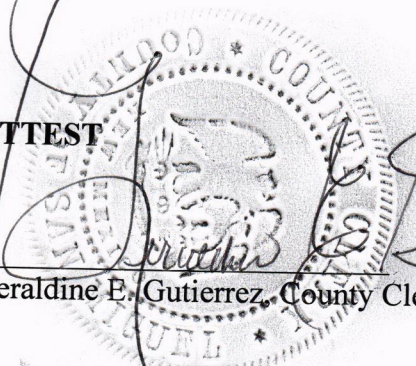
Commissioner, Harold M. Garcia
District 1



Commissioner, Janice C. Varela
District 2

ATTEST


Geraldine E. Gutierrez, County Clerk



Submitted By: Justin Dimas