

**MINUTES OF REGULAR MONTHLY MEETING OF
SAN MIGUEL COUNTY BOARD OF COMMISSIONERS
HELD TUESDAY JUNE 13, 2017 BEGINNING AT 2:00 P.M.**

CALL TO ORDER

The San Miguel County Board of Commissioners held its regular monthly meeting on Tuesday June 13, 2017, beginning at 2:00 p.m. The meeting convened at the San Miguel Administration Complex located at 500 West National Avenue, Suite 200, Las Vegas, 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 Najar to approve the agenda. Second by Commissioner Martinez. Motion carried.

APPROVAL OF MINUTES

Motion made by Vice-Chairman Padilla to approve the minutes of the Regular Meeting on May 10, 2017. Second by Commissioner Varela. Motion carried.

Motion made by Vice-Chairman Padilla to approve the minutes of the Special Meeting on May 30, 2017. Second by Commissioner Varela. Motion carried.

INTRODUCTION OF NEW SAN MIGUEL COUNTY EMPLOYEE

**JOHNNY TRUJILLO- MOTOR GRADER OPERATOR- PROBATIONARY FULL TIME EMPLOYEE
SAN MIGUEL COUNTY PUBLIC OPERATIONS DIVISION**

PUBLIC INPUT FORUM

Manuel Garcia- recognized the liquor license approval and addressed County matters.

NEW BUSINESS

PRESENTATION: PRESENTING ROBERTS RULES OF ORDER BOOKS TO THE SAN MIGUEL COUNTY COMMISSIONERS AND DISCUSSION TO ADOPT THE 11TH EDITION

Presenter: Chairman Rock Ulibarri

Motion made by Vice-Chairman Padilla to address the New Business matters. Second by Commissioner Varela. Motion carried.

REGULAR ORDER

1. **PROCLAMATION 06-13-2017-CM IN DECLARING JUNE 13, 2017 LISA AND JIM SAIZ DAY**

San Miguel County Chairman Rock Ulibarri informed the Commission of a Proclamation 06-13-2017-CM in declaring June 13, 2017 Lisa and Jim Saiz Day for their lifelong commitment to Economic Development in San Miguel County. Chairman Rock Ulibarri requested the Commission review, discuss, and approve the proclamation.

Motion made by Vice-Chairman Padilla to approve the proclamation. Second by Commissioner Martinez. Motion carried.

2. **RESOLUTION 06-13-2017-CM**

San Miguel County Chairman Board of Commissioners Rock Ulibarri informed the Commission of a Resolution Making Policy Changes to Safeguard Resident's Sensitive Personal Information, the Commitment by San Miguel County to Human and Civil Rights, the Established Rule of Law, and its Status as a welcoming community for immigrants and refugees, and directing the County Manager and County Attorney to assess the County's legal rights and responsibilities under Applicable Law. Dr. Eric Romero, Director at Highlands University and students Alia Hernandez, and Felipe Rodriguez informed the Commissioners declaring the community of Las Vegas the sanctuary safe place for all our immigrants.

This is for informational purposes only.

3. **DISCUSSION OF THE HIRING COMMITTEE FOR COUNTY ATTORNEY**

San Miguel County Manager Dr. Vidal Martinez informed the Commission of the discussion of the hiring committee for County Attorney. A hiring committee consisting of Sheriff Gary Gold, Warden Patrick Snedeker, Human Resource Supervisor Eileen Sedillo, County Manager Dr. Vidal Martinez, Commissioner Maria Martinez, Commissioner Chris Najjar, And Chairman Rock Ulibarri.

This is for informational purposes only.

4. **APPROVAL OF THE 2017-2019 SAN MIGUEL COUNTY PROTEST AND ALTERNATIVE PROTEST BOARD MEMBERS**

San Miguel County Assessor Patricia D. Gallegos informed the Commission our protest and alternate protest board members serve a two year term which will expire on June 30, 2017. Ms. Gallegos is requesting the Commissioners retain the present board members.

Motion made by Vice Chairman Padilla to approve retaining present board members. Second by Commissioner Najar. Motion carried.

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

San Miguel County Planning and Zoning Supervisor Alex Tafoya informed the Commission that at the May 10, 2017 County Commission meeting. The Board of County Commissioners adopted Resolution No. 05-10-2017-Code of Conduct, which Resolution directed the County Manager to do all things necessary and proper for the adoption of a proposed Ordinance establishing a Code of Conduct and Ethics. The proposed Ordinance No. 06-13-2017 is being submitted for public hearing. Mr. Tafoya requested the Commission hold and conduct a public meeting.

Motion made by Commissioner Najar to table the Ordinance. Second by Vice Chairman Padilla. Motion carried.

6. **AUTHORIZATION TO ISSUE REQUEST FOR PROPOSALS FOR ENGINEERING SERVICES AS-NEEDED.**

San Miguel County Planning and Zoning Supervisor Alex Tafoya informed the Commission of the current agreements for engineering services on an as-needed basis are in their fourth and last year and will soon expire. To continue to have such services available, it is necessary to issue a request for proposals for professional engineering services as-needed.

Motion made by Vice Chairman Padilla to Approve a Request for proposal for Engineering Services as needed. Second by Commissioner Najar. Motion carried.

7. **OUT OF STATE TRAVEL FOR ELAUTERIO "MIKE" MONTANO TO BE A GUEST INSTRUCTOR AT TEXAS EXTENSION ENGINEERING SERVICES (TEEX)**

San Miguel County Fire Chief informed the Commission that in January 2017, San Miguel County Fire Chief Elauterio "Mike" Montano was invited to be a guest instructor for the July TEEX Industrial Annual Fire School located on the Texas A&M Campus in College Station, Texas. The Texas A&M Fire Training Facility is recognized worldwide as a premier training center. Being invited to be a guest instructor is an honor. The training is scheduled to begin on July 16, 2017 and run through July 21, 2017, however as a guest instructor, Chief Montano is required to be at the facility on Friday, July 14, 2017. This is so he may attend instructor oriented meetings prior to the training. Mr. Montano requested the Commission review, discuss and approve the out of state travel for himself on July 14, 2017 through the July 21, 2017.

Motion made by Vice Chairman Padilla to Approve Chief Montano's out of State Travel. Second by Commissioner Varela. Motion carried.

8. **NEW MEXICO DETENTION CENTER(S)- TRAINING ACADEMY PROGRAM**

San Miguel County Warden Patrick Snedeker informed the Commission the Contractual Agreement, by and between Luna Community College, and San Miguel County for the provision of educational services for a New Mexico Detention Center(s) Training Academy program; is presented for Commission review and approval.

Mr. Snedeker requested the Commission review and approve the New Mexico Detention Center(s) Training Academy Program.

Motion made by Commissioner Martinez to approve the New Mexico Detention Center(s) Training Academy Program. Second by Vice Chairman Padilla. Motion carried.

9. **DETENTION CENTER BILLING-OUTSTANDING BALANCES-NOT COLLECTABLE**

San Miguel County Warden Patrick Snedeker informed the Commission a listing has been compiled of Detention Center outstanding balances that are specific to the housing/care of other public agency detainees that are uncollectable. The enumerated public agency locations have cited NMSA 33-3-14 confinement in County other than in which crime committed; expense borne by County; as valid justification for non-payment. Approval is sought, to declare the balances as uncollectable, and to expunge/remove such from any future outstanding, balance report(s). Mr. Snedeker requested the Commission review and approval of the Detention Center Billing–Outstanding balances not collectable.

Motion made by Vice Chairman Padilla to approve the Detention Center Billing-Outstanding Balances-Not Collectable. Second by Commissioner Najar. Motion carried.

10. **SUMMER YOUTH PROGRAM**

San Miguel County Public Service Supervisor Morris Madrid informed the Commission of the selection process and procedures for the Summer Youth Program. Mr. Madrid subjected the summer youth program be fair and open to the ages of 14 to 18. Any youth under the age of 16 must provide a work permit from the Department of Workforce Solutions. A total of 5 employees will be employed for the amount of 8 weeks.

This is for informational purposes only.

11. **REPEAL AND RE-AWARD BID ON THE BERNAL TRACKS COUNTY ROAD B28A MISCELLANEOUS ROADWAY AND DRAINAGE IMPROVEMENTS PROJECT**

San Miguel County public Service Supervisor Morris Madrid informed the Commission that the San Miguel County Services Department went out for advertisement and opened bids on April 6, 2017. Mr. Madrid recommends awarding the bid to Sierra Valley Construction as they were the lowest most qualified bidder after the 10% veterans Preference was applied to the Roadway and Drainage Improvements project in Bernal Tracks County Road B28A. Mr. Madrid requested the Commission to review, approve and recommend awarding bid to the lowest most qualified bidder Sierra Valley Construction.

Motion made by Commissioner Martinez to approve the Repeal of bid to Franken Construction and Award bid to Sierra Valley Construction. Second by Commissioner Najar. Motion carried.

12. **PUBLIC WORKS DIVISION REPORT FOR THE MONTH OF MAY 2017**

San Miguel County Public Works Division Road Foreman Arnold Lopez informed the Commission of the monthly road maintenance, blading and crusher issues for the month of May 2017.

This is for informational purposes.

13. PRESENTATION OF SAN MIGUEL WEBSITE

San Miguel County Information Technology Supervisor Diego Trujillo informed the Commission that the San Miguel Information Technology Department has completed the migration to the new San Miguel County Website. The San Miguel County Information Technology Department would like to unveil the new site to the San Miguel County Commission and the San Miguel County Residents.

This is for informational purposes only.

14. RESOLUTION NO. 06-13-17 RA01; ADDITION OF PLEASANT DR., A NEWLY NAMED PRIVATE ROAD TO THE OFFICIAL E-911 ROAD LIST OF SAN MIGUEL COUNTY, NEW MEXICO

San Miguel County Information Technology Supervisor Diego Trujillo informed the Commission that during a routine audit of the San Miguel County addressing data, it was discovered that there are three or more structures on a single driveway located off County Road A11A. As per San Miguel County Ordinance No SMC-07-13-99-ORD-2 Section 4.1-C, it is purposed the San Miguel County Commission please review and take appropriate action on road naming for any private road that provides a name in order to promote health, safety and welfare of the public. Letters were sent out to the residents on August 12, 2016 informing the residents of San Miguel County's intent to change the name. The deadline to submit the petition for the name change was September 16, 2016. None of the three current residents returned a letter of response. Therefore, it was determined by the SMC Rural Addressing the name of Pleasant Dr. to be acceptable. Because the name was required and not requested the \$100 fee has been waived. Mr. Trujillo requested the Commission review and approve Resolution No 06-13-17-RA01.

Motion made by Vice Chairman Padilla to approve Resolution No. 06-13-17-RA01. Second by Commissioner Varela. Motion carried.

15. RESOLUTION NO. 06-13-17-RA02; ADDITION OF ORANGE DR; A NEWLY NAMED PRIVATE ROAD TO THE OFFICIAL E-911 ROAD LIST OF SAN MIGUEL COUNTY, NEW MEXICO

San Miguel County Information Technology Supervisor Diego Trujillo informed the Commission that during a routine audit of the San Miguel County Addressing data, it was discovered that there are three or more structures on a single driveway located off County Road B30A in the Gonzales Ranch area. As per San Miguel County Ordinance No SMC-07-13-99-ORD-2 Section 4.1-C, it is purposed the San Miguel County Commission please review and take appropriate action on road naming for any private road that provides a name in order to promote health, safety and welfare of the public. Letters were sent out to the residents on August 12, 2016 informing the residents of San Miguel County's intent to change the name. The deadline to submit the petition for the name change was September 6, 2016. None of the three residents returned a letter of response therefore it was determined by the SMC Rural Addressing the name of Orange Dr. to be acceptable. Because the name was required and not requested the \$100 fee has been waived. Mr. Trujillo requested the Commission review and approve Resolution No 06-13-17-RA02.

Motion made by Vice Chairman to approve Resolution No 06-13-17-RA02. Second by Commissioner Varela. Motion carried.

16. RESOLUTION NO. 06-13-17-RA03; ADDITION OF CALLE BRILLANTE, A NEWLY NAMED PRIVATE ROAD TO THE OFFICIAL E-911 ROAD LIST OF SAN MIGUEL COUNTY, NEW MEXICO

San Miguel County Information Technology Supervisor Diego Trujillo Informed the Commission that during a routine audit of the San Miguel County Rural Addressing data, it was discovered that there are three or more structures on a single driveway located off County Road A11A. As per San Miguel County Ordinance No SMC-07-13-99-ORD-2 Section 4.1-C, it is purposed the San Miguel County Commission please review and take appropriate action on road naming for any private road that provides a name in order to promote health, safety and welfare of the public. Letters were sent out to the residents on September 6, 2016 informing the residents of San Miguel County's intent to change the name. The deadline to submit the petition for the name change was October 14, 2016. None of the residents returned a letter of response. Therefore, it was determined by the SMC Rural Addressing the name of Calle Brillante to be acceptable. Because the name was required and not requested the \$100 fee has been waived. Mr. Trujillo requested the Commission review and approve Resolution No 06-13-17-RA03.

Motion made by Vice Chairman Padilla to approve Resolution 06-13-17-RA03. Second by Commissioner Varela. Motion carried.

17. RESOLUTION NO. 06-13-17-RA04; ADDITION OF CAMINO ARDILLA, A NEWLY NAMED PRIVATE ROAD TO THE OFFICIAL E-911 ROAD LIST OF SAN MIGUEL COUNTY, NEW MEXICO

San Miguel County Information Technology Supervisor Diego Trujillo informed the Commission that during a routine audit of San Miguel County addressing data, it was discovered that there are ten addressed cabin on a single driveway located off NM Highway 65 (Roybal Cabins-El Porvenir). As per San Miguel County Ordinance No SMC-07-13-99-ORD-2 Section 4.1-C, it is purposed the San Miguel County Commission please review and take appropriate action on road naming for "any private road that provides access to three or more buildings and requires a name in order to promote the health, safety and welfare of the public." One letter was sent out to the owner on July 28, 2016 informing them of the County's intent to name the road. The deadline to submit a petition to select a different road name was September 2, 2016. The owner did not respond within the allocated 30 day period, therefore the selected road name "Camino Ardilla" has been determined to be acceptable by the SMC Rural Addressing staff per San Miguel County Ordinance No SMC-07-13-99-ORD-2. Because this road naming was required and not requested the \$100 fee has been waived. Mr. Trujillo requested the Commission review and approve Resolution No 06-13-17-RA04.

Motion made by Vice Chairman Padilla to approve Resolution 06-13-17-RA04. Second by Commissioner Varela. Motion carried.

18. RECOMMENDATION TO APPROVE THE REVISED JOB DESCRIPTION OF EMERGENCY MANAGEMENT SPECIALIST

San Miguel County OEM Manager Leo Maestas informed the Commission that the Job Description of Office of Emergency Administrative Assistant needs to be revised to reflect the requirement set by the Department of Homeland Security as an Emergency Management Specialist. Mr. Maestas requested the Commission approve the revised job Description of Administrative Assistant to Emergency Management Specialist.

Motion made by Vice Chairman Padilla to approve Emergency Management Specialist. Second by Commissioner Najar. Motion carried.

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

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

Motion made by Commissioner Najar to approve and ratify the Personnel Actions or changes. Second by Commissioner Varela. Motion carried.

BOARD OF FINANCE MEETING

20. **BANK TRANSFERS FOR THE MONTH OF MAY**

San Miguel County Treasurer Bertha Bustamante presented to the Commission the bank transfers that took place for the month of May 2017.

This is for informational purposes only.

21. **RESOLUTION 2017-06-13-F1, INSURANCE PREMIUMS-AFFORDABLE CARE ACT**

San Miguel County Finance Supervisor Melinda Gonzales informed the Commission the insurance premiums for health care have increased by 1%. As a result this resolution supersedes resolution 2016-07-19-F1, which established the insurance tiers for the FY16/17. The revision was necessary to ensure we are providing affordable health care. Ms. Gonzales requested the Commission review and approve Resolution 2017-06-13-F1.

Motion made by Vice-Chairman Padilla to approve Resolution 2017-06-13-F1. Second by Commissioner Varela. Motion carried.

22. **RESOLUTION 2017-06-13-F2**

San Miguel County Finance Supervisor Melinda Gonzales informed the Commission the County had previously received a grant from Homeland Security in the amount of \$165,000; of which \$127,500 would be funded Homeland and the remaining \$41,250 would be matched by the County. The County budgeted an additional \$5,000 in matching funds since the estimate cost of the project was \$170,000. Since then, Homeland Security has modified the grant amount to \$169,980.62, of which \$123,485.46 will be funded by Homeland Security and the remaining \$42,495.16 is the new matching requirement for the County. Ms. Gonzales requested the Commission review and approve resolution 2017-06-13-F2.

Motion made by Commissioner Varela to approve Resolution 2017-06-13-F2. Second by Vice Chairman Padilla. Motion carried.

23. INDIGENT BURIAL-NEW MEXICO MORTUARY SERVICES

San Miguel County Finance Supervisor Melinda Gonzales informed the Commission that the Finance Office has received, reviewed and processed an indigent burial claims from New Mexico Mortuary Services. Ms. Gonzales requested the Commission Ratification of the indigent burial payment.

Motion made by Commissioner Najar to ratify the indigent burial payment. Second by Commissioner Martinez. Motion carried.

24. ACCOUNTS PAYABLE REPORT FOR THE PERIOD OF APRIL 25, 2017 THROUGH MAY 25, 2017 AND THE APRIL 2017 HOUSING PAYMENT REGISTER

San Miguel County Finance Supervisor Melinda Gonzales informed the Commission of present payments made during the period of April 25, 2017 through May 25, 2017. Also to present the Housing Payment Register for the month of April 2017 as processed by Bernalillo County on behalf of San Miguel County. Ms. Gonzales requested the Commission to review and approve Accounts payable report and Housing payment register.

Motion made by Vice Chairman Padilla to approve Accounts payable report and Housing payment register. Second by Commissioner Najar. Motion carried.

25. CASH BALANCE REPORT

San Miguel County Finance Supervisor Melinda Gonzales presented to the Commission the report of March 31, 2017 cash balances.

This is for informational purposes.

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 employees.

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, Flores- Fenzi v. County of San Miguel et al., D-412-CV-2017-309

Motion made by Vice Chairman Padilla to go into Executive/Closed Session at 4:50 p.m. Second by Commissioner Martinez. Motion carried.

Roll Call:

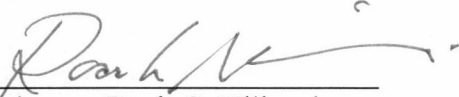
Chairman Rock G. Ulibarri Yes
Vice-Chairman Arthur J Padilla Yes
Commissioner Janice C Varela Yes
Commissioner Maria L Martinez Yes
Commissioner Chris A Najar Yes

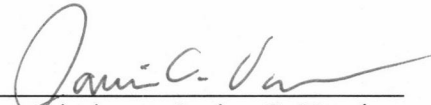
Motion made by Commissioner Najar to come out of Executive/Closed Session at 6:10 P.M. Second by Commissioner Martinez. Motion carried.

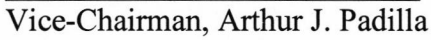
ADJOURNMENT


Motion made by Commissioner Najar to adjourn the meeting. Second by Commissioner Martinez. Motion carried.

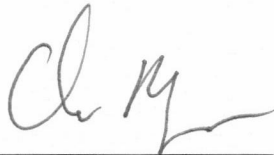
Approved this 11th day of July, 2017 as the Official Minutes of the Board of County Commissioners of San Miguel County, New Mexico, of its Regular Meeting held June 13, 2017.


Chairman, Rock G. Ulibarri
District 1

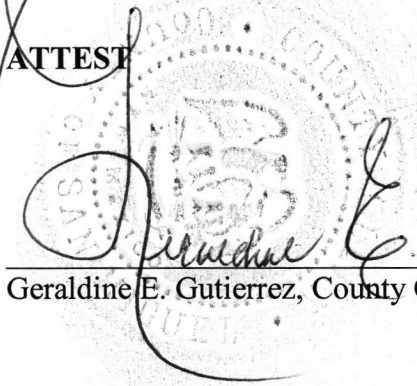

Commissioner, Janice C. Varela,
District 2

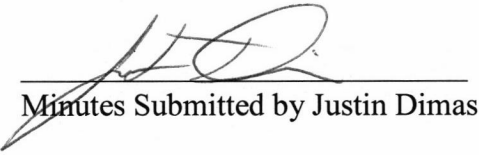

Vice-Chairman, Arthur J. Padilla
District 3


Commissioner, Maria L. Martinez
District 4


Commissioner, Chris A. Najar
District 5

ATTEST


Geraldine E. Gutierrez, County Clerk


Minutes Submitted by Justin Dimas