

**MINUTES OF REGULAR MONTHLY MEETING OF
SAN MIGUEL COUNTY BOARD OF COMMISSIONERS
HELD TUESDAY MARCH 9, 2021 BEGINNING AT 2:00 P.M.**

CALL TO ORDER

The San Miguel County Board of Commissioners held its regular monthly meeting on Tuesday, March 09, 2021, 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.

Chairman Harold Garcia called the meeting to order at 2:00 p.m.

ROLL CALL:

Upon a call of the roll by County Clerk Deputy Arleen Ortiz, Chairman Harold Garcia, present, Madam Vice-Chair Janice Varela, present, Commissioner Max Trujillo, present, Commissioner Martin Sena, present, and Commissioner Kenneth Medina, present, and a quorum was duly noted.

PLEDGE OF ALLEGIANCE

SALUTATION TO THE NEW MEXICO STATE FLAG

San Miguel Interim County Manager Melinda Gonzales led the Pledge of Allegiance and the Salutation to the New Mexico State Flag.

APPROVAL OF AGENDA

San Miguel County Madam Interim County Manager Melinda Gonzales requested the Commission remove Item #9 from the agenda; the recommendation to approve the revised job description of Administrative Assistant to San Miguel County Fire and Emergency Management.

Motion made by Commissioner Max Trujillo to approve the Agenda with the change of the removal of Item #9 from the agenda. Second by Commissioner Kenneth Medina. Motion carried.

APPROVAL OF MINUTES

02-09-21-RM

02-22-21-CANVASS

San Miguel County Chairman Harold Garcia informed Madam Clerk Geraldine Gutierrez on the error to Item #16 of 02-09-21-RM; stating Chris Najjar making a motion when he is no longer a Commissioner.

Motion made by Commissioner Max Trujillo to approve the minutes of the regular meeting of 02-09-21 with changes made. Second by Madam Vice-Chair Janice Varela. Motion carried.

Motion made by Commissioner Martin Sena to approve the minutes of 02-22-21-Canvassing. Second by Commissioner Kenneth Medina. Motion carried.

San Miguel County Attorney Dave Romero informed the Commission the Las Vegas Optic is unable to hear the meeting. Mr. Dave Romero requested the Commission take a 5 minute Recess so that IT Director Diego Trujillo could address the problem.

San Miguel County Chairman Harold Garcia called for a 5 minute Recess at 2:09 pm, so IT Director Diego could address the problem.

PUBLIC INPUT

No public input

NEW BUSINESS

REGULAR ORDER

1. RESOLUTION IN SUPPORT OF “HECHO”

San Miguel County Madam Vice-Chair Janice Varela presented to the Commission the Resolution in Support of Hecho. “Hecho” is a resolution recognizing Hispanics enjoying camping, hunting, and the outdoors. Madam Vice-Chair Janice Varela turned the floor to guest speaker Camilla Simon. Ms. Camilla Simon informed the Commission “Hecho” is a group that elevates the vital importance of the Hispanic culture, traditions and perspectives in strengthening the advancement of the conservation of public lands and waters for future

generations. Madam Vice- Chair Janice Varela read the resolution in Support of Hecho.” Madam Vice-Chair Janice Varela requested the Commission review and approve the Resolution in Support of “Hecho.”

Motion made by Commissioner Max Trujillo to approve the Resolution in support of “Hecho.” Second by Commissioner Martin Sena. Motion carried.

2. **RESOLUTION 2021-03-09-CM-1**

San Miguel County Interim County Manager Melinda Gonzales informed the Commission the New Mexico Retiree Healthcare Association has adopted a new minimum retirement age of 55 to receive full subsidy health benefits. Ms. Melinda Gonzales informed the Commission that this is a resolution requesting the New Mexico State Legislature and Governor’s Office review the rule change enacted by the New Mexico Retiree Healthcare Association. Ms. Melinda Gonzales requested the Commission review and approve Resolution 2021-03-09-CM-1.

Motion made by Commissioner Kenneth Medina to approve Resolution 2021-03-09-CM-1. Second by Commissioner Max Trujillo. Motion carried.

3. **PROBATE COURT 2020 YEAR END COMMISSION REPORT**

San Miguel County Probate Judge Dwight Torres presented to the Commission a report providing information on the role and responsibilities of the Probate Court and Probate Court Judge.

This item is for informational purposes only.

4. **RESOLUTION #2021-03-09-CLERK-A RESOLUTION ESTABLISHING NEW PRECINCTS IN SAN MIGUEL COUNTY**

San Miguel County Clerk Geraldine E. Gutierrez informed the Commission on Resolution #2021-03-09-Clerk - A Resolution to adjust and establish new precincts in San Miguel County. Ms. Geraldine E. Gutierrez requested the Commission approve Resolution #2021-03-09-Clerk.

Motion made by Madam Vice-Chair Janice Varela to approve Resolution #2021-03-09-Clerk. Second by Commissioner Martin Sena. Motion carried.

ROLL CALL VOTE

Chairman Harold Garcia- Yes
Madam Vice-Chair Janice Varela-Yes
Commissioner Max Trujillo- Yes
Commissioner Martin Sena-Yes
Commissioner Kenneth Medina- Yes

5. INTERIM COUNTY MANAGER CONTRACT

San Miguel County Interim County Manager Melinda Gonzales presented to the Commission the Interim County Manager's Contract from the start to ending period. Chairman Harold Garcia questioned the expense account for the Interim County Manager. San Miguel County Attorney Dave Romero informed the Commission he had submitted the expense account for the Interim County Manager, because he feels it is necessary whenever an opportunity arises and with the understanding it must be a written approval by the manager and Chairman. Chairman Harold Garcia informed the Commission he disagrees with expense account, whereas Madam Vice-Chair Janice Varela and Commissioner Kenneth Medina are in support with this expense account for the Interim County Manager. Chairman Harold Garcia requested a motion for Interim County Manager Contract since there were no more comments.

Motion made by Madam Vice-Chair Janice Varela to approve the Interim County Manager's Contract. Second by Commissioner Max Trujillo. Motion carried.

6. 2020 RAP AWARD TO SAN MIGUEL COUNTY

San Miguel County Fleet, Building & Safety Compliance Director Dawn Kryder informed the Commission San Miguel County has been presented the 2020 Rap Award for successfully completing 9 years on the New Mexico Counties Risk Awareness Program. The results of these Rap Trainings is a reduction of multi-line claims by 71%, and auto claims by 71% and law enforcement claims by 32%

This item is for informational purposes only.

7. REDISTRICTING/COMBINING OF SHERIDAN VFD AND TECOLOTE FIRE AND RESCUE

San Miguel County Fire Chief Andrew J. Duran informed the Commission, San Miguel County finds it necessary to combine these two fire districts the Sheridan Fire District and the Tecolote Fire Station. The volunteer fire fighters from the Tecolote Fire Station will be combined with the Sheridan Fire District. Mr. Andrew Duran requested Commission approval of the Redistricting/Combining of Sheridan VFD and Tecolote Fire and Rescue.

Motion made by Commissioner Kenneth Medina to approve the Redistricting/Combining of Sheridan VFD and Tecolote Fire and Rescue. Second by Commissioner Max Trujillo. Motion carried.

8. **ACTION TO AMEND SAN MIGUEL COUNTY SOLID WASTE RESOLUTION NO. SMC 12-08-2020. BILLING SYSTEM UPDATE INCLUDING DISCOUNTS AND EXEMPTION OF FEES**

San Miguel County Public Works Supervisor Gerald Garcia informed the Commission the office of solid waste has implemented a new solid waste billing system. Mr. Gerald Garcia informed the Commission that they will need to periodically review the Solid Waste Management Services and Fees allowing for discounts and exemptions. Mr. Gerald Garcia requested the Commission approval of the Solid Waste Resolution No SMC 12-08-2020.

Motion made by Commissioner Martin Sena to approve the Solid Waste Resolution No. SMC 12-08-2020. Second by Commissioner Max Trujillo. Motion carried.

9. **RECOMMENDATION TO APPROVE THE REVISED JOB DESCRIPTION OF THE ADMINISTRATIVE ASSISTANT TO SAN MIGUEL COUNTY FIRE AND EMERGENCY MANAGEMENT**

This Item was removed from the agenda on the item of the approval of the agenda.

10. **RECOMMENDATION TO AWARD FUNDING TO THE PECOS BUSINESS ASSOCIATION FUNDING FROM THE LODGERS TAX FUND FOR THE ADVERTISING, PROMOTING, PUBLICIZING AND MARKETING FOR SAN MIGUEL COUNTY**

San Miguel County Planning and Zoning Supervisor Robert Archuleta informed the Commission the Department of Planning and Zoning issued a request for proposals for advertising, Promoting and Marketing in

December of 2020. The only respondent to the RFP was the Pecos Business Association. The item was presented and approved by the Lodger's Tax Board on February 22, 2021 and approved for funding in the amount of \$16,917.80 per year one and \$16,669.80 for year two for a total of \$33,587.60 for the two year contract. Mr. Robert Archuleta requested Commission approval to enter into a contract with the Pecos Business Association.

Motion made by Commissioner Max Trujillo to enter into a contract with the Pecos Business Association. Second by Commissioner Martin Sena. Motion carried.

This item is for informational purposes only.

11. THE PURPOSE OF THE AGENDA ITEM IS TO PROVIDE INFORMATION REGARDING THE EXTRATERRITORIAL ZONING AUTHORITY, EXTRATERRITORIAL ZONING COMMISSION AND JOINT POWERS AGREEMENT INCLUDING THE DUTIES, RESPONSIBILITIES AND ETZ ORDINANCE

San Miguel County Planning Zoning Supervisor Robert Archuleta informed the Commission that San Miguel County along with the City of Las Vegas have entered into a joint Powers Agreement that outlines the governance of the Extraterritorial Zone in the City of Las Vegas.

This item is for informational purposes only.

12. THE PURPOSE OF THIS AGENDA ITEM IS TO PROVIDE RECOMMENED NAMES FOR THE SAN MIGUEL COUNTY PLANNING AND ZONING DEPARTMENT TO APPROVE AND SELECT FIVE(5) MEMBERS OF THE PLANNING AND ZONING COMMISSION AND BOARD OF ADJUSTMENT AS PROVIDED UNDER STATE LAW ORDINANCE.

San Miguel County Planning and Zoning Supervisor Robert Archuleta informed the Commission the San Miguel County Planning and Zoning Department is in the process of selecting 5 members for the Planning and Zoning Commission. The Planning and Zoning Commission shall provide duties under SMC Ordinance 86-2, Article VII Administration and Enforcement, Section 7020-Duties of the Planning and Zoning Commission and Board of Adjustment. The following individuals were selected for the Planning and Zoning Commission Board: Macario Gonzales, Kenny Lujan, Eva Artschwager, Diane Medrano and Phil Warfield. Chairman Harold Garcia requested the Commission make a motion if there were no more comments.

Motion made by Commissioner Kenneth Medina to approve the Planning and Zoning selection of the 5 members to the Advisory Board. Second by Commissioner Max Trujillo. Motion carried.

13. ROAD PROJECTS FOR THE LOCAL GOVERNMENT TRANSPORTATION PROJECT FUND

San Miguel County Public Works Supervisor Gerald Garcia informed the Commission the North Central New Mexico Economic Development Board is asking the Northeast Regional Transportation Planning Organization members to provide Project Prospectus Forms for any new Transportation Projects Fund submittals from the County. Mr. Gerald Garcia turned over the floor to Public Works Foreman Arnold Lopez who informed the Commission that the Legislature approved House Bill 207 which consists of a reoccurring Funding for road projects. Mr. Arnold Lopez requested the Commission select 3 road projects we can receive funding for. Chairman Harold Garcia requested from the Commission 3 road projects the Commission would like to receive funding for: (1) Pendaries, (2) Pecos Projects and the (3) Chapelle/Sheridan/ Bernal Project.

Motion made by Commissioner Kenneth Medina to approve the 3 road projects which were selected by the Commission. Second by Madam Vice-Chair Janice Varela. Motion carried.

14. REVISION TO TECOLOTITO SOLID WASTE MOU

San Miguel County Public Works Road Foreman Arnold Lopez informed the Commission a revision of the San Miguel County and Anton Chico MOU was approved on February 9, 2021 and the Public Works Division is seeking authorization to enter into a revised MOU removing Guadalupe County which has no connection with the MOU and has requested to be removed. Mr. Arnold Lopez requested Commission review and approve the revision to Tecolotito Solid Waste MOU.

Motion made by Madam Vice-Chair Janice Varela to approve the revision to Anton Chico Solid Waste MOU. Second by Commissioner Max Trujillo. Motion carried.

15. PUBLIC WORKS DIVISION REPORT FOR THE MONTH OF FEBRUARY 2021

San Miguel County Public Works Road Foreman Arnold Lopez presented to the Commission the monthly road maintenance report and blading of all County roads.

For informational purposes only

16. RESOLUTION NO. 03-09-21-RA01; ADDITION OF BIGHORN RD, A NEWLY NAMED PRIVATE ROAD NAME THAT WILL BE ADDED TO THE OFFICIAL E-9-1-1 ROAD LIST OF SAN MIGUEL COUNTY, NEW MEXICO

San Miguel County IT/ Rural Addressing Director Diego Trujillo informed the Commission it has been discovered that a private access road off NM Highway 63 in the Pecos NM area has 6 addressed structures, per the San Miguel County Ordinance No. SMC-07-13-99-ORD-2, Section 4.1-C: proposed to the County Commissioners please review and take appropriate action on road naming for the 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. The name of Bighorn Rd has been determined to be acceptable by SMC Rural Addressing staff per San Miguel County Ordinance No.SMC-07-13-99-ORD-2. Mr. Diego Trujillo requested Commission approval for Resolution No. 03-09-21-RA01; Addition of Bighorn RD.

Motion made by Commissioner Max Trujillo to approve the Resolution No. 03-09-21-RA01; Addition of Bighorn RD. Second by Commissioner Martin Sena. Motion carried.

17. RESOLUTION NO. 03-09-21 RA02; AUTHORIZING THE BOARD OF COUNTY COMMISSIONERS OF SAN MIGUEL COUNTY TO ADOPT THE 2021 COUNTY ROAD LOG

San Miguel County IT/Rural Addressing Director Diego Trujillo informed the Commission San Miguel County is responsible for submitting its road log annually to secure road funds through the Local Government Road Fund Program. This submission also qualifies SMC for other road funds that may become available through the New Mexico Department of Transportation. Mr. Diego Trujillo requested the Commission approval of Resolution No. 03-09-21 RA02; authorizing the County Commissioners to adopt the 2021 County Road Log.

Motion made by Commissioner Kenneth Medina to approve Resolution No. 03-09-21-RA02; authorizing the Commission to adopt the 2021 County Road Log. Second by Commissioner Max Trujillo. Motion carried.

18. AUTOMATED ADDRESS FILE FOR THE FIRST RESPONDERS & RESIDENT NOTIFICATION-PROPER POSTING OF E911 ADDRESS

San Miguel County IT/Rural Addressing Director Diego Trujillo informed the Commission the San Miguel County Rural Addressing Division has created automated files to provide to our County Fire Department, Sheriff's Offices, and local dispatch agencies. This will assist in reaching our residents in a timely and effective manner in the event of an emergency. The office of the Rural Addressing Division has created a mailer to be distributed to all rural residents informing them of the purpose, use and importance of their County E911 address.

This item is for informational purposes only.

BOARD OF FINANCE MEETING

19. BANK TRANSFERS FOR THE MONTH OF FEBRUARY 2021

San Miguel County Treasurer Jennifer LaFebre presented to the Commission the bank transfers that took place for the month of February 2021.

This item is for informational purposes only.

20. GRANT AGREEMENT 20-C-NR-I-01-G-07

San Miguel County Finance Supervisor Melinda Gonzales informed the Commission the Community Development Block Grant (CDBG) contract has been received from the Department of Finance and Administration (DFA). The grant amount is \$750,000 with 10% match, both of which have been budgeted. Ms. Melinda Gonzales requested Chairman Harold Garcia signature and Commission approval of the Grant Agreement 20-C-NR-I-01-G-07.

Motion made by Madam Vice-Chair Janice to approve the ratification of the signature of Chairman Harold Garcia and the approval of the Grant Agreement 20-C-NR-I-01-G-07. Second by Commissioner Max Trujillo. Motion carried.

21. ACCOUNTS PAYABLE REPORT FOR THE MONTH OF JANUARY 2021

San Miguel County Finance Supervisor Melinda Gonzales presented to the Commission the resent payments processed through the finance office and Bernalillo County on behalf of San Miguel County. Ms. Melinda Gonzales requested Commission review and approve the accounts payable report for the month of January 2021.

Motion made by Commissioner Max Trujillo to approve the accounts payable report for the month of January 2021. Second by Madam Vice-Chair Janice Varela. Motion carried.

22. INDIGENT CLAIMS

San Miguel County Finance Supervisor Melinda Gonzales presented to the Commission the information the indigent claims for the month of January 2021.

This item is for informational purposes only.

23. JOURNAL ENTRY REPORT FOR THE MONTH OF JANUARY 2021

San Miguel County Finance Supervisor Melinda Gonzales presented to the Commission the Journal Entry Reports for the month of January 2021.

This item is for informational purposes only.

24. RECEIPT REPORT FOR THE MONTH OF JANUARY 2021

San Miguel County Finance Supervisor Melinda Gonzales presented to the Commission with the Receipt Detail Report for the month of January 2021.

This item is for informational purposes only.

25. CASH BALANCE REPORT FOR THE MONTH OF JANUARY 2021

San Miguel County Finance Supervisor Melinda Gonzales presented to the Commission the Cash Balance Report for the month of January 2021.

This item is for informational purposes only.

26. BUDGET REPORT FOR THE PERIOD OF JULY 1, 2020 THROUGH JANUARY 31, 2021

San Miguel County Finance Supervisor Melinda Gonzales presented to the Commission with the FY20/21 Year to Date Budget Report.

This item is for informational purposes only.

EXECUTIVE/ CLOSED SESSION

Limited Personal Matters, as permitted by NMSA 1978, Section 10-15-1(H) (2) (as amended) of the Open Meeting Act, more specifically personnel matters, regarding specific County Departments: Resignation of IT Supervisor; Detention Center search for retiring warden; Progress on search for County Manager

Certain Purchases, as permitted by NMSA 1978, Section 10-15-1(H) (6) (as amended) of the Open Meetings Act, and Section 13-1-116 of the Procurement Code: Ambulance Services.

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: San Miguel County vs. Alta Vista Regional Hospital; Protest values vs. San Miguel County Assessor; Friendly Declaration Judgement proposal with the City of Las Vegas and resulting responsibility of work to be accomplished between the City and the County; Prescriptive Easement Litigation Status

Motion made by Madam Vice-Chair Janice Varela to enter into executive/closed session at 5:36 pm. Second by Commissioner Max Trujillo. Motion carried.

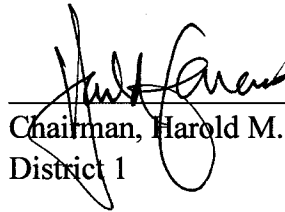
Motion made by Commissioner Kenneth Medina to come out of executive/closed session at 6:50pm. Second by Commissioner Martin Sena. Motion carried.

Chairman Harold Garcia at this time turned the meeting over to County Attorney Dave Romero. Mr. Dave Romero stated for the record that only those items mention under the Executive/Closed Session were discussed and no actions were taken.

ADJOURNMENT

Motion made by Commissioner Max Trujillo to adjourn the meeting at 6:55pm. Second by Commissioner Martin Sena. Motion carried.

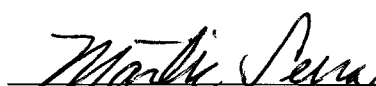
Approved this 13th day of April, 2020 as the Official Minutes of the Board of County Commissioners of San Miguel County, New Mexico, of its Regular Meeting held March 9, 2021.



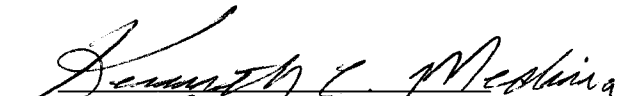
Chairman, Harold M. Garcia
District 1

Madam Vice-Chair, Janice C. Varela
District 2

Commissioner, Max O. Trujillo
District 3



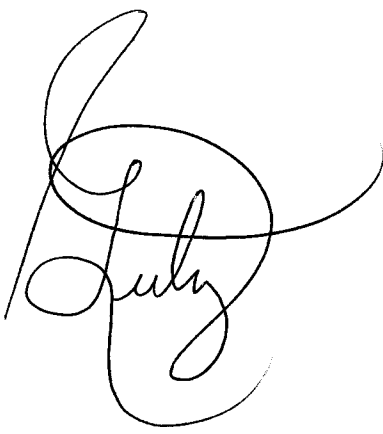
Commissioner, Martin Sena
District 4

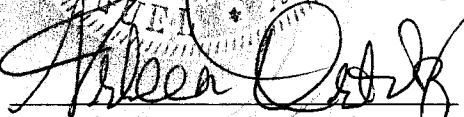


Commissioner, Kenneth C. Medina
District 5


ATTEST


Gerahime E. Gutierrez, County Clerk





Submitted By: Arleen Ortiz