

**MINUTES of the REGULAR MEETING**  
**of the BOARD of COUNTY COMMISSIONERS**  
**of SAN MIGUEL COUNTY, NEW MEXICO**

**HELD TUESDAY, NOVEMBER 14, 2023 AT 2:00 PM**

ZOOM LINK is active. At least 72 hours in advance of this meeting, the following agenda for today's meeting was posted and available for public inspection on the San Miguel County Website at [www.co.sanmiguel.nm.us](http://www.co.sanmiguel.nm.us) and available in hard copy at the office of the San Miguel County Manager. <https://us02web.zoom.us/j/85320525154>

**1. CALL TO ORDER**

Chairman Harold Garcia called the meeting to order at 2:00 PM at the SMC Commission Chambers at 500 W. National Avenue, Suite 201, Las Vegas, New Mexico 87701.

**2. ROLL CALL**

Chief Deputy Clerk Jacob Gonzales administered Roll Call: Chairman Harold Garcia - present; Vice-Chairman Martin Sena - present; Commissioner Janice Varela - present; Commissioner Max Trujillo - excused absence; Commissioner Kenneth Medina - present.

A quorum is present.

**3. PLEDGE OF ALLEGIANCE**

Commissioner Kenneth Medina led the Chambers in the Pledge, and:

**4. SALUTATION TO THE NEW MEXICO STATE FLAG:**

**"I salute the flag of the State of New Mexico and the Zia Symbol of perfect friendship among United Cultures".**

**5. APPROVAL OF AGENDA**

No changes/additions to the Agenda.

Motion to approve Agenda made by Vice Chairman Martin Sena. Second by Commissioner Janice Varela. Motion carried.

Commissioner Janice Varela asked for a Moment of Silence in Honor and Remembrance of Mr. Freddy R. Lujan, a member of the Pecos Sheriff's Posse; and for Ms. Josephine Lujan, a valued employee at the Pecos Senior Center. They are brother and sister and passed within days of each other.

## **6. APPROVAL OF MINUTES**

Minutes for approval are RM-10-10-2023.

Motion to approve minutes of RM-10-10-2023 made by Vice Chairman Martin Sena. Second by Commissioner Kenneth Medina. Motion carried.

## **7. PUBLIC INPUT FORUM**

Mr. Manuel Garcia spoke on the importance of studying policy books issued by NMC. These policy books are available for Clerk's, Treasurer's, Assessor's, Finance, County Managers, and all departments of the county. In Mr. Garcia's opinion, the Assessor's, Finance and Manager's office need to brush up on policy.

Mr. Ralph Marquez brought a complaint about a consistently barking animal that disturbs the community of Camp Luna at all hours of the night. Mr. Marquez spoke to Sheriff Sgt. D. Romero and a citation was issued to the pet owner. Mr. Marquez indicated this citation helped for a short amount of time. Mr. Marquez asked to be put on the agenda for this meeting and was not. Mr. Marquez and his neighbors would like help in restoring sleep for the citizens of Camp Luna. A letter was submitted to Manger Joy Ansley signed by various citizens.

Mr. William Obermeyer spoke on defining county roads specifically St. Joseph's Drive in Montezuma area as some citizens in the area are starting to land-lock properties. Mr. Obermeyer would like to determine which roads are county/state maintained, etc., to determine legal access/regress on these questionable roads.

## **NEW BUSINESS**

### **8. REGULAR ORDER**

#### **a. COUNTY & DEPUTY MANAGER REPORT(S)\***

County Manager Joy Ansley informed the Commission on the following matters:

Congressional Direct Funding for Rowe VFD will require another application to the USDA for a fire-engine. The amount is for \$328K and is not sufficient for a new fire truck. The County will need to agree to match-fund \$150K. \* DFA requested SMC complete a severance and tax bond questionnaire as El Pueblo Community Center received \$50K in funding and SMC is being asked to be the Fiscal Agent. Bonds need to be sold before money is disbursed. \* 4th Judicial District is requesting a Legislative Capital Outlay request in the amount of \$175K for repairs to the Courthouse. \* Special Meeting on 11/15/2023 for Regular Local Election 2023 Canvass. \* Vice Chairman Sena asked for an update on the Ribera Housing Project demolition: Last year's

funding request was set at \$750K for Congressional Direct Funding and was rejected. Hazardous materials may be present and would require an actual quote for removal. \* Commissioner Varela asked for an update on SMC Green-Waste Initiative – Manager Ansley stated an RFP is in the works and should be complete for the December meeting. \* There are forms available on the website and in the Manager’s office for citizens requesting to be put on the Agenda. If these forms are submitted in timely fashion, a decision will be made whether to place the item on the agenda. Any citizen or concerned taxpayer can speak for the Public Input Forum for a total of three minutes.

Deputy County Manager Jesus Romero informed the Commission on the following matters:

A site visit for the 2024 NMC Summer Conference was held at NMHU. Event rooms are being secured at NMHU and other places around the City. Meeting with the City and hospitality providers in Las Vegas is ongoing to arrange an informative and fun Conference. \* Discussions about security concerns with servers hosting documents of the Assessor’s, Clerk’s, Treasurer’s and Finance Departments and Tyler Technologies is ongoing to minimize hacking and other tech related crime. \* KNMX and KFUN informational sessions continue. \* Protest session is in progress at the Assessor’s office, and the Manager’s office is present to assist in whatever way possible. \* The DWI Report has been signed and approved. \* SMCs Halloween Trunk or Treat was a success – many community members attended. Public Works Department won the display award. \* The fly over of mapping of the County has begun by Sanborn in the eastern part of the County.

\*For Informational Purposes Only

#### **b. DEPARTMENT HEAD UPDATES**

Safety and Fleet Manager Richard Rivera presented the following to the Commission:

Trementina VFD had the bathrooms replaced and one of the bathrooms became an office. \* Pecos Ambulance Center will have the garage door replaced by Overhead Garage Doors. \* SMCDC leaks were replaced by Commercial Roofing. \* Aggressive dog training by Julia Hart was conducted for the Assessor’s office. \* The 4<sup>th</sup> Judicial Courthouse experienced a power outage and it was remedied. \* The San Miguel Convenience Center trash compactor was moved and electric needs were fixed for the needs of the compactor. \* 22 vehicle claims for hail damage, and 10 claims for hail building damage were submitted. \* Gallinas, San Ignacio and Villanueva VFDs building concerns are being addressed. \* Commissioner Varela asked for clarification on preparedness for the county roads for winter inclement weather. Manager Ansley indicated emergency road services contracts and sand, etc. are purchased and are ready for the winter.

**c. PUBLIC HEARING – OVERVIEW OF ROAD VIEWING FOR BUFFALO LANE**

Chairman Harold Garcia ordered Public Hearing be entered into for discussion/action on the Road Viewing for Buffalo Lane. Attorney H. Chico Gallegos administered the Oath of Truth.

P&Z Director Ms. Amanda Salas informed the Commission the road is off frontage road 2116 about 1 mile before the Pecos River Campground. Mr. Gerald Ortiz submitted the petition to adopt the road. The initial road viewing was on October 18, 2023 at 10 AM with 10 citizens in attendance and the three County Road Viewers. This road became a concern after the flood problems experienced due to the HPCC burn scar. Road viewers Anthony Martinez and Adelaido Trujillo both stated NO on adoption, and Ernesto Lujan stated YES on adoption. Public Hearing was exited at 2:38 PM.

Motion to table acceptance of Road – Buffalo Lane – made by Commissioner Janice Varela. Second by Commissioner Kenneth Medina. Motion carried.

**d. AWARD BID FOR CDBG GRANT NO. 21-C-NR-04-G-91 FOR ECONOMIC DEVELOPMENT GRANT FOR BARELA TIMBER**

Consultant Alex Tafoya submitted bids on behalf of Barela Timber for a CDBG grant for a Skid Steer Front Loader with bucket and tree shear – bid on by 4Rivers; and one for a Model 6000 Twin Vertical Miter Saw – bid on by Wood Mizer Colorado. The submitted bids were not for the requested equipment and recommends that SMC reject these bids.

Motion to reject bids by 4Rivers and Wood Mizer Colorado for CDBG grant no. 21-C-NR-04-G-91 made by Commissioner Janice Varela. Second by Vice Chairman Martin Sena. Motion carried.

**e. REVISED ADMINISTRATIVE REGULATION - EMPLOYEE FUND GUIDELINES**

Human Resource Director Eileen Sedillo asked for approval for the increase of benefits in Section 6 (Benefits) from \$50 to \$75 gift card given in the event of: death of an employee, hospitalization and retirement.

Motion to approve Administrative Regulation increase of benefit from \$50 to \$75 made by Commissioner Janice Varela. Second by Chairman Harold Garcia. Motion carried.

**f. REQUEST FROM NM COUNTIES TO PAY THE WESTERN INTERSTATE REGION FOR THE NATIONAL CENTER FOR PUBLIC LANDS**

Manger Joy Ansley informed the Commission that NMC is requesting approval from County Commissions to pay one percent of funds received from LATCF (Local Assistance & Tribal

Consistency Funds) for Public Lands Resource Center Assessment Study which brings SMC contribution to \$32,349.

Motion to approve request to pay Western Interstate Region for the National Center for Public Lands for the Resource Center Assessment made by Vice Chairman Martin Sena. Second by Commissioner Kenneth Medina. Motion carried.

**g. LEGISLATIVE REQUESTS FOR 2023 LEGISLATIVE SESSION**

Deputy Manager Jesus Romero informed the Commission on the following funding requests: a new water conditioning system is needed, projected cost \$300K. \* The Elevator in the Administration Building will be considered obsolete and a replacement will need to be found. \* The Detention Center is keeping their funding requests for expansion/refurbishment of the Detention Center presented in 2022. \* Vehicles for various departments. \* Private Land Acquisition which will need to be discussed in Executive Session. \* Tecolotito VFD will need to secure additional funding for the planned Station house in Tecolotito.

This item called for Discussion/Action and only discussion was had on this item – a deeper discussion and a ranked list of Legislative Requests will be determined in future meetings.

**h. MOU WITH CITY OF LAS VEGAS FOR SENIOR SERVICES**

Manager Ansley asked for approval of allocated funds of \$75K to LV Senior Center. The contract period is from July 2023 to June 2024.

Motion to approve MOU with Las Vegas Senior Services made by Vice Chairman Martin Sena. Second by Commissioner Janice Varela. Motion carried.

**i. MOU WITH CITY OF LAS VEGAS FOR EQUIPMENT AT SAN MIGUEL SENIOR CENTER**

The funding allocation for \$25K is to be used for equipment at San Miguel Senior Center. These funds derive from ARPA funds.

Motion to approve MOU for equipment purchase at San Miguel Senior Center made by Commissioner Kenneth Medina. Second by Vice Chairman Martin Sena. Motion carried.

**j. AMENDMENT #1 TO MOU WITH LAS VEGAS – SAN MIGUEL CHAMBER OF COMMERCE**

Mr. Phillip Martinez, Chamber President, thanked the county for the continued funding from SMC. The County will disburse \$43K to the Chamber. One of the Chambers' focus this year is to increase focus and training on developing trades educations at the local high schools and Luna. The Chamber will officially submit a request for funding at the December meeting.

Motion to approve Amendment #1 to MOU with LV-SM Chamber of Commerce made by Commissioner Janice Varela. Second by Vice Chairman Martin Sena. Motion carried.

**k. AMENDMENT #1 TO LEASE AGREEMENT WITH LAS VEGAS LAND GRANT**

Manager Ansley informed the Commission the renewal is due for the lease contract for the Camp Luna Convenience Center with the Las Vegas Land Grant. The rental is for \$1 per year and the County shall provide routine maintenance to King Stadium Road.

Motion to approve Amendment #1 to Lease Agreement with LVLG made by Commissioner Kenneth Medina. Second by Commissioner Janice Varela. Motion carried.

**l. REQUEST FOR PROPOSALS FOR DISASTER RECOVERY SERVICES**

Manager Ansley asked Ms. Clarity Collins to explain the needs for various professionals when it comes to navigating the hoops needed to streamline disaster procurement(s) and reimbursements for FEMA associated loans/payments. The County will also be given 5% for administrative costs.

Motion to authorize RFP for Disaster Recovery Services made by Chairman Harold Garcia. Second by Vice Chairman Martin Sena. Motion carried.

**m. APPOINTMENT OF MR. RALPH VIGIL FOR VACANT LODGER'S TAX ADVISORY BOARD MEMBER POSITION AT DECEMBER REGULAR COUNTY COMMISSION MEETING**

Ms. Amanda Salas, P&Z Director, asked for the appointment of Mr. Ralph Vigil to the Lodger's Tax Advisory Board. Mr. Vigil is the Chairman of the NM Acequia Association and operates Molina de la Isla Organics. Mr. Vigil is from Pecos area. Ms. Ava Altschwager resigned the position due to potential conflict of interest in her new employment.

Motion to approve appointment of Mr. Ralph Vigil to the Lodger's Tax Advisory Board made by Vice Chairman Martin Sena. Second by Commissioner Kenneth Medina. Motion carried.

**ROLL CALL: AYES H. Garcia M. Sena. J. Varela K. Medina unanimous passage**

**Not Present – M. Trujillo**

**n. REQUESTING APPOINTMENT FOR VACANT LODGER'S TAX ADVISORY BOARD MEMBER POSITION AT DECEMBER REGULAR COUNTY COMMISSION MEETING**

Ms. Amanda Salas, P&Z Director, informed the Commission that a new appointment will need to be made for the vacant Lodger's Tax Advisory Board. Ms. Salas asked the board to consider

names for appointment at the December Commission meeting from the Sapello/Rociada area. The individual must provide tourist related services but not lodging.

**o. LODGER'S TAX ADVISORY BOARD RECOMMENDATION – PART 1: RFP FOR ADVERTISING, PROMOTION AND MARKETING OF SAN MIGUEL COUNTY**

P&Z Director Salas informed the Commission that the account balance for SMC Lodger's Tax Advisory Board is \$282,521.47; the allowed amount to spend by DFA is \$197,646.81. \$84,874.66 remains. The amount allowed to spend on tourism marketing in SMC is \$158,117.55 and for infrastructure \$39,529.39. The purpose of this RFP is to develop a solid marketing proposal to expand tourism dollars in SMC. \$58,117.53 will be allotted for events and projects; and \$39,529.39 for infrastructure. \$100K will be allotted to the RFP for a marketing/advertising firm to expand SMC tourism. SMC is classified as a Class-B county. [refer to item 'p'].

Motion to approve RFP Lodger's Tax Advisory Board for Marketing and Promotion of SMC made by Commissioner Kenneth Medina. Second by Vice Chairman Martin Sena. Motion carried.

**p. LODGER'S TAX ADVISORY BOARD RECOMMENDATION – PART 2: REQUEST APPROVAL TO OPEN LODGER'S TAX APPLICATION PROPOSALS FROM JANUARY 01, 2024 TO JANUARY 31, 2024**

^Discussion and Action is merged with item 'o'.

**q. REQUEST FOR QUALIFICATIONS FOR LEGAL SERVICES RELATED TO THE DAMAGES SUSTAINED FROM THE HERMIT'S PEAK/CALF CANYON WILDFIRES**

Motion to approve RFQ for Legal Services re: HPCC Fires and Floods made by Commissioner Janice Varela. Second by Vice Chairman Martin Sena. Motion carried.

**r. AMENDMENT TO AGREEMENT FOR INMATE CONFINEMENT: CONTRACT WITH COLFAX COUNTY**

Deputy Manager Romero informed the Commission that the amended agreement raises the cost of inmate confinement to \$99.75/day.

{no action was taken, no discussion was had.}

**s. CONTRACT WITH MORA COUNTY: HOUSING OF MORA INMATES**

The contract for housing Mora inmates at SMCDC will be \$125/inmate plus a \$12 booking fee.

Motion to approve contract to house Mora County inmates at SMCDC made by Commissioner Kenneth Medina. Second by Vice Chairman Martin Sena. Motion carried.

## **BOARD OF FINANCE MEETING**

### **a. BUDGET ADJUSTMENT RESOLUTION – HERMIT’S PEAK/CALF CANYON FUND**

Ms. Katherine Sanchez, SMC Finance Manager, asked for approval of the Budget Resolution for \$25,050,034.31 from HPCC SB6 loans. \$24M was deposited into the state investment pool and interest gained on that amount from Oct. 26-31 was \$21,298.00.

Motion to approve Budget Adjustment to properly set up the account received from SB6 made by Vice Chairman Martin Sena. Second by Commissioner Janice Varela. Motion carried.

### **b. BUDGET ADJUSTMENT RESOLUTION – COUNTY ATTORNEY FUNDS**

Finance Director Sanchez asked for this item to be removed as this BAR has already been approved.

### **c. ACCOUNTS PAYABLE**

Finance Director Katherine Sanchez asked for approval of payables and check report from October 1 – October 31, 2023.

Motion to approve accounts payable October 2023 made by Commissioner Janice Varela. Second by Vice Chairman Martin Sena. Motion carried.

### **d. CASH POOL\***

Finance Director Sanchez asked for approval of the Cash Pool report from July 1, 2023 through October 31, 2023. The report will be recorded with the County Clerk.

\*For Informational Purposes Only

### **e. UPDATE ON INVESTMENT POOL\***

\$24M was deposited into the State Investment Pool and interest earned was \$21,298 thus far.

\*For Informational Purposes Only

### **f. UPDATE ON 2022-2023 AUDITS\***



Finance Director Sanchez informed the deadlines for the 2022 and 2023 audits are still on track to be completed by end of December 2023 for the 2022 audit. February 2024 is the target date for completion of the 2023 audit.

Motion to adjourn the regular session and enter Executive session made by Commissioner Kenneth Medina. Second by Vice Chair Martin Sena. Motion carried at 4:02 PM.

### **EXECUTIVE / CLOSED SESSION**

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:

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

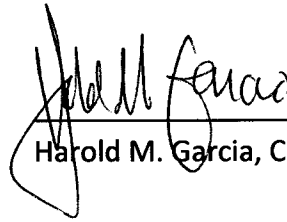
Attorney-Client Privilege pertaining to Threatened or Pending Litigation, as permitted by NMSA 1978, Section 10-15-1(H)(7) (as amended) of the Open Meetings Act.

Motion to exit Executive Session and re-adjourn the regular session made by Commissioner Kenneth Medina. Second by Commissioner Janice Varela. Motion carried at 5:52 PM.

### **9. ADJOURNMENT**

Motion to adjourn the Regular Session of RM-11-14-2023 made by Vice Chairman Martin Sena. Second by Commissioner Kenneth Medina. Motion carried. Adjournment at 5:53 PM.

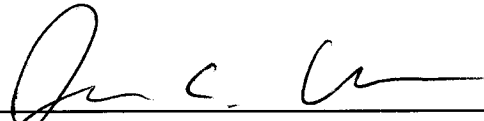
Approved this 12<sup>th</sup> of December 2023 as the Official Minutes of the Board of County Commissioners of San Miguel County New Mexico, of its Regular Meeting held the 14<sup>th</sup> of November 2023 at 2:00 PM.



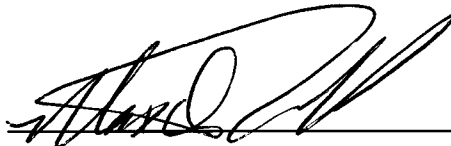
Harold M. Garcia, Chairman - District 1



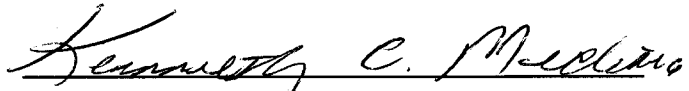
Martin Sena, Vice-Chairman - District 4



Janice C. Varela, Commissioner - District 2

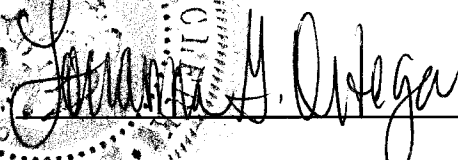


Max Trujillo, Commissioner - District 3

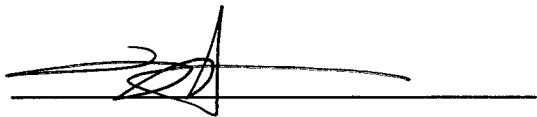


Kenneth C. Medina, Commissioner District 5

AFFEST



Louanna G. Ortega, San Miguel County Clerk



Minutes submitted by Jacob P. Gonzales

### **NOTICE TO PEOPLE WITH DISABILITIES**

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter or any form of auxiliary aid or service to attend or participate in the hearing(s) or meeting(s), please contact the San Miguel County Managers Office at (505) 425-9333 at least one week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact the county at the above number if a summary or other type of accessible format is needed