

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

**HELD TUESDAY, DECEMBER 12, 2023 AT 12:00 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 12:07 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 - present; Commissioner Kenneth Medina - present.

A quorum is present.

**3. PLEDGE OF ALLEGIANCE**

County Attorney H. Chico Gallegos 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".**

**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) of the Open Meeting 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 made by Commissioner Janice Varela to enter Executive Session. Second by Commissioner Max Trujillo. Motion carried. Executive Session was entered into at 12:09 PM.

Motion to adjourn Executive Session where no action(s) was/were taken and resume regular meeting made by Commissioner Kenneth Medina. Second by Vice Chairman Martin Sena. Motion carried. Regular Session began at 2:07 PM.

Roll Call was re-administered and all Commissioners present.

Mr. Robert Nelson, CEO of Alta Vista Regional Hospital led the Chambers in the Pledge and Salutation to the State of New Mexico.

#### **5. APPROVAL OF AGENDA**

County Manager Joy Ansley asked for approval to remove items: "r" Presentation of County Assessor, and section 9 item "b" Budget Resolution.

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

#### **6. APPROVAL OF MINUTES**

Minutes for approval are RM-11-14-2023, and SM-11-15-2023 RLE Canvass.

Motion to approve minutes of RM-11-14-2023 and SM-11-15-2023-RLE Canvass made by Commissioner Kenneth Medina. Second by Commissioner Max Trujillo. Motion carried.

#### **7. PUBLIC INPUT FORUM**

Mr. Manuel Garcia spoke on the proposed road moratorium as an injustice to the electorate who sign the petition requesting road adoption(s). Statute indicates once 10 signatures the County shall assign a road viewing. IPRA's – is important to maintain open government to hold County officials and administration accountable to the citizenry. Intercounty funds transfer should have reason for the transfer and account numbers.

## NEW BUSINESS

### **8. REGULAR ORDER**

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

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

\$54,220 was received from the Wind Farm Taxable Industrial Revenue Bonds from resolution enacted in September 2022. Of this amount, \$11K will be distributed to the three school districts (Pecos, WLV, LVCS) \* Economic Development sent notification that the application for \$1M to assist in Old Wood projects. The County will match \$100K. \* Construction of the Treatment Center is slated for near-completion in February/March 2024. Fire line will need to be moved from one side of the freeway to the other, and electric issues are being dealt with. \* Sheriff's Office is nearly complete and move-in is anticipated to be soon. \* Voting Storage Facility shell has been erected and the inside is being constructed. Completion by February/March. \* Shooting Range construction has not begun. \* 2024 Legislative Session is upon us and a resolution of possible quorum will be signed at next Meeting.

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

Planning is ongoing for the NMC Summer Counties Conference being hosted by SMC. \* Assisting in the Assessor's office. \* Many citizens have been calling re: Livestock and grazing. \* Insurance claims for hail damage continue. \* Mr. Pete Mares, maintenance manager, has been repairing sidewalks and re-cementing breaks around SMC buildings. \* Operational standards re: personnel meetings were had with Planning/Zoning and HR. \* The flyover by Sanborn of the county has been completed. Data transmission to Assessor's/IT office will begin soon. Assessments and GIS lineation will follow.

\*For Informational Purposes Only

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

Mr. Benito Romero, PWD Director, informed the Commission that the eastern part of the county has been bladed and shaped; and southern and eastern part of the county is next. Culvert work being done in Rociada area. Approval for Late DI-cat-C projects on the following projects: San Rafael, Sabinoso, Magnolia. Site Inspections need to be done for Sebastian Canyon, B27 low water crossing, Campus Drive in Montezuma. SMC was reimbursed \$250K (labor and materials) covered costs from Sept through March. Country Acres CDBG project is now complete. Chairman Garcia asked to request additional CDBG projects re: water issues throughout the County.

SMC Fire Chief Andrew Duran informed the Commission on the progress in securing land for the Tecolotito VFD: Stony Jaramillo with the Anton Chico Land Grant communications are ongoing to legally transfer the land from the Grant to the County. The property will need to be surveyed as the current legal description does not contain a legally accepted definition of Sections/Townships/Ranges. An MOU with the ACLG is being drafted when the above concerns are addressed.

SMCDC Warden Antonio Padilla introduced and Oath of Office was administered for the following Detention Center Officers: Gustavo Garcia and Stephanie Rivera were appointed Detention Officers; and Larissa Romero and Felix Griego were promoted to Detention Center Sergeant(s). Food service is fully staffed, medical services are 24-hour availability. 21 reports in November mainly disturbances (flooding). Shakedowns continue weekly, and body scanning continues with a new directive from the Warden to randomly scan Officers and contractors to ensure no contraband is being brought in through staff channels. 90% reduction of contraband entering the DC. 137 inmates were booked in November. Average inmate = 72. 49 inmates were treated for opiate withdrawal; and seven for benzodiazepines. On surveys conducted by Medical Staff regarding fentanyl use the average pill use per day numbers between 30 and 70 pills/day. Ongoing services for religious purposes, library, NA and AA. A holiday food drive was conducted at the DC and food for the holidays was distributed to county citizens and three employees received turkey's, etc.

**c. RECOGNITION OF NMDOT EMPLOYEES FOR FUNDS PROVIDED TO SMC FOR ROAD IMPROVEMENTS WITHIN THE COUNTY**

NMDOT D-4 Engineer Adam Romero introduced his staff: LGRF coordinator – John Herrera; Assistant Engineer – Gabriel Lucero; Technical Engineer – Arthur Romero; Traffic Engineer – Veronica Lovato-Lerma; Administration – Rebecca Martinez. This team assists the Road Department and Economic Development secure funding for road and transport projects in San Miguel County. DOT Commission Chairman Walter Adams is a big advocate for SMC in CDBG/LGRF road and infrastructure projects.

**d. INTRODUCTION OF MR. ROBERT NELSON AND HIS TEAM AT ALTA VISTA REGIONAL HOSPITAL\***

Mr. Robert Nelson, CEO/CMO/CCO of Alta Vista Regional Hospital, is headlining the revitalization of services to the tri-county area being offered by our local hospital. Several promising changes are to attract local providers and nurses; lower the amount of travel nurses; the recent sale of AVRH to DAVA (not for profit unit) and JAVA (for profit unit). This quarter the hospital saw a profit this quarter. The hospital expected to lose \$5M this year. Mr. Nelson wants the community to have access to him regarding issues, concerns, appreciations, by

providing his phone number to be a matter of public record: (954) 649-2455. Mr. Nelson also sits on the San Miguel County HealthCare Study Group which is developing strategies to increase the level and number of services available to citizens/visitors of SMC/Guadalupe and Mora Counties.

\*For Informational Purposes Only

\* Pictures taken of the Commissioners and NMDOT District 4 Engineering Team.

**e. SOLID WASTE RATE INCREASE**

Mr. Benito Romero, PWD Director, asked for approval of Resolution SMC 12-12-2023-SW increasing the rate for SW by 3.7%. The 2024 Annual rate will be \$174.62 if paid before April 2024, if not, rate will be \$207.88. Tickets will no longer be issued at the Convenience Centers unless the items are large appliances, tires and out-of-county dumpers.

Motion to approve Resolution SMC 12-12-2023-SW made by Commissioner Max Trujillo. Second by Chairman Harold Garcia. Motion carried.

**f. RFP FOR GREEN WASTE HANDLING SERVICES**

Mr. Benito Romero, PWD Director, asked for approval to issue an RFP for Green Waste Handling Services.

Motion to approve RFP for Green Waste Handling made by Commissioner Janice Varela. Second by Commissioner Max Trujillo. Motion carried.

**g. RESOLUTION AUTHORIZING USDA APPLICATION FOR ROWE FIRE DEPARTMENT AND COMMITMENT TO MATCH FUNDS**

SMC Fire Chief Andrew Duran asked for approval of the USDA grant to purchase a new NFPA 1901 Compliant Mini Pumper on a 2024 F550 4x4. The amount of the truck is \$386K. The grant amount is for \$338K leaving a balance of \$48K. The Rowe VFD budget will cover the \$48K deficit.

Motion to approve USDA grant application to purchase new fire equipment for Rowe VFD made by Commissioner Janice Varela. Second by Vice Chairman Martin Sena. Motion carried.

**h. PROPOSED MORATORIUM ON ROAD ADOPTIONS**

Discussion between the Commissioners and Attorney the idea is to place a moratorium of six months on accepting new requests for Road Adoptions. Attorney Gallegos indicated that this is not in violation of county statute [refer to Public Input by Mr. Garcia] as the Road Adoptions are

not being discontinued merely placed on hold. The reason for the hold is that P&Z is behind schedule without a Land Use Compliance Officer.

Motion to approve a six month moratorium on county road adoption made by Commissioner Kenneth Medina. Second by Commissioner Janice Varela. Motion carried.

**i. PUBLIC HEARING: OVERVIEW OF ROAD VIEWING FOR BUFFALO LANE**

Motion to table Public Hearing – Buffalo Lane Road Viewing Overview made by Chairman Harold Garcia. Second by Commissioner Max Trujillo. Motion carried.

**j. APPOINTMENT OF VACANT LODGER’S TAX POSITION**

Planning & Zoning Director Amanda Salas asked for approval on appointing John Villanueva to the Lodger’s Tax Board of SMC. Mr. Villanueva currently serves as Park Ranger for the State of New Mexico at Storrie Lake and Villanueva State Parks.

Motion to approve appointment of John Villanueva to the Lodger’s Tax Board made by Vice Chairman Martin Sena. Second by Commissioner Kenneth Medina.

**k. RESOLUTION NO. 12-12-2023-HR INSURANCE PREMIUMS AFFORDABLE CARE ACT**

Ms. Eileen Sedillo, SMC HR Director asked for approval of the insurance premium increase to comply with Employer Shared Responsibility Mandate of the ACA. Employees whose salary is <28,288 will be at the 20/80 tier; >28,288 and <34,320 will be at tier 25/75/ Salary in excess of \$34,420 will be at tier 30/70. Cost to the County per month for SMCs portion will be ~\$5-6K.

Motion to approve SMC Resolution No. 12-12-2023-HR INSURANCE PREMIUMS-AFFORDABLE CARE ACT made by Commissioner Janice Varela. Second by Commissioner Kenneth Medina. Motion carried.

**l. RESOLUTION NO. SMC-RES-12-12-2023 RECOMMENDATIONS FOR APPROVAL OF THE GOVERNING HOLIDAYS FOR CALENDAR YEAR 2024**

Ms. Eileen Sedillo, SMC HR Director, asked for approval of Holiday Calendar for 2024. 11.5 days will be granted. Commissioner Janice Varela voiced concern that Columbus Day has not been stricken as a holiday and be replaced with Indigenous People’s Day.

Motion to approve SMC Resolution 12-12-2023 Governing Holidays 2024 made by Vice Chairman Martin Sena. Second by Commissioner Janice Varela. Motion carried.

**m. JOB DESCRIPTION: MAINTENANCE WORKER II (PART-TIME)**

Ms. Sedillo, SMC HR Director, informed the Commission this position is for a part-time Maintenance Worker. This position is currently filled but the hours for the position are overtime – upon hiring of an employee that will no longer be the case.

Motion to approve job description – Maintenance Worker II (PT) made by Commissioner Janice Varela. Second by Commissioner Max Trujillo. Motion carried.

**n. FEMA APPLICATION RESOLUTION**

Ms. Clarity Collins, Disaster Recovery Coordinator/NCNMEDD, informed the Commission FEMA is allowing reimbursement for cascading damages not listed in the original claim. Mitigation response research will be allowed by FEMA. SMC also received approval for reimbursement for the work that was done at Storrie Lake Canal during the fires/floods. Swift Water Training reimbursement is also approved. Ms. Collins also informed the Commission and Community that many RFPs will be issued for projects beginning March 2024 for Hazard Tree Removal and wood processing, road construction/repairs, electric grid repair, conservation and hazard mitigation.

Mr. Jorge Martinez of NCNMEDD asked for Approval of Resolution 12-12-23 FEMA to Fund Emergency Backup Generators at critical Community Facilities. The funding allocation will be \$1M dollars and does not require the County to match funding.

Motion to approve FEMA Resolution 12-12-23 made by Chairman Harold Garcia. Second by Commissioner Max Trujillo. Motion carried.

**o. LEGISLATIVE REQUESTS AND PRIORITIES**

**• MANAGER’S OFFICE REQUESTS:**

Drug Addiction Treatment Center \$500K

Assessor’s Vehicles \$100K

Fairgrounds Refurbish \$200K

4th Judicial Courthouse \$200K

Dep’t Vehicles \$150K

**• PUBLIC WORKS REQUESTS:**

Two new blade trucks

Cattle-guards

12 yard dump truck

1 belly-dump trailer

920/926 Loader

Large Transport Trailer

- MAINTENANCE REQUESTS:

Boiler System \$300K                      Upgrade Elevator \$200K                      DAs Office Repairs \$95K  
Canopies                                      DAs Driveway \$16K                                      Truck with tool-box

- FIRE REQUESTS:

Self-Contained Breathing Apparatus' \$644K                      EPVF Bay \$200K, plus two tender \$400K ea.

- IT REQUESTS:

Microsoft Licenses                      Network Hosting at alt site                      Wi-Fi Access Ports

- DETENTION CENTER REQUESTS:

Convict toilets                      HVAC and HVAC study                      Outdoor Recreation Area                      Stucco

- SHERIFF REQUESTS:

Vehicles plus carport                      Communications System Upgrade

- COMMISSION REQUESTS:

Community Cultural Centers and non-profit fiscal agents – further discussion on legal and operations re: these centers.

Discussion on the Legislative Requests; no action(s) taken or necessary as the Commission asked for Departmental Requests.

**p. NETWORK AND INTERNET POLICY**

IT Director Mr. Kenneth Abeyta presented the Commission with a network and internet policy for staff of SMC. Chairman Garcia asked Attorney Gallegos if the policy was to legal sufficiency and he stated he had not reviewed the Policy.

Motion to table Network and Internet Policy until further legal and human resource review is conducted made by Commissioner Kenneth Medina. Second by Vice Chairman Martin Sena. Motion carried.

**q. INTERGOVERNMENTAL AGREEMENT WITH EL CAMINO REAL HOUSING AUTHORITY FOR ADMINISTRATION OF SAN MIGUEL COUNTY SECTION 8 HOUSING VOUCHERS**

County Manager Joy Ansley asked for approval to transfer administration of SMC Section 8 Housing Vouchers to El Camino Real. Northern Regional Housing Authority (NRHA) is assuming



control of Section 8 from Bernalillo County which managed SMCs Section 8; however, NRHA is not ready to administer the voucher program.

Motion to approve Intergovernmental Agreement for SMC Section 8 Housing Vouchers with El Camino Real Housing Authority made by Commissioner Kenneth Medina. Second by Commissioner Janice Varela. Second by Commissioner Max Trujillo. Motion carried.

~~**f. PRESENTATION OF 2023 PROPERTY TAX DIVISION EVALUATION OF SAN MIGUEL COUNTY ASSESSOR**~~

**BOARD OF FINANCE MEETING**

**a. ACCOUNTS PAYABLE FOR NOVEMBER 2023**

Ms. Katherine Sanchez, SMC Finance Manager, presented the Commission with the Accounts Payable Report for November 2023 and asked for approval.

Motion to approve Accounts Payable November 2023 Report made by Commissioner Janice Varela. Second by Commissioner Max Trujillo.

~~**b. BUDGET ADJUSTMENT RESOLUTION**~~

**c. NOVEMBER 2023 CASH POOL\***

Finance Director Katherine Sanchez presented the Commission with the November 2023 Cash Pool Report.

\*For Informational Purposes Only

**d. UPDATE ON AUDITS (2022-23)\***

Finance Director Sanchez informed the Commission the FY-2022 audit will be completed end of December 2023. The FY-2023 audit will be completed by March 2024.

\*For Informational Purposes Only

**e. UPDATE ON CASH: SMC TREASURER'S\***

Finance Director Sanchez is working closely with Treasurer Jennifer LaFebre and Manager Ansley and will provide cash on hand report at the January meeting.

\*For Informational Purposes Only

Motion to return to Executive Session and adjourn Regular Meeting made by Commissioner Kenneth Medina. Second by Vice Chairman Martin Sena. Motion carried at 4:53 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.

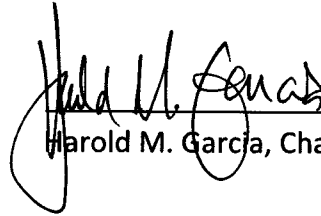
Attorney-Client Privilege pertaining to Threatened or Pending Litigation, as permitted by NMSA 1978, Section 10-15-1(H)(7) (as amended) of the Open Meetings Act.

Motion to exit Executive Session and re-adjourn the regular session made by Commissioner Max Trujillo. Second by Commissioner Kenneth Medina. Motion carried at 5:37 PM.

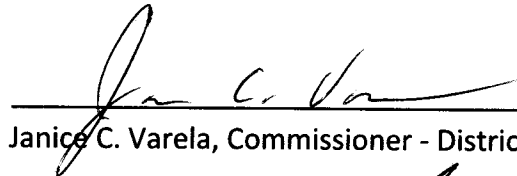
### **9. ADJOURNMENT**

Motion to adjourn the Regular Session of RM-12-12-2023 made by Commissioner Kenneth Medina. Second by Commissioner Max Trujillo. Motion carried. Adjournment at 5:37 PM.

Approved the 9<sup>th</sup> of January 2024 as the Official Minutes of the Board of County Commissioners of San Miguel County - New Mexico of its Regular Meeting held the 12<sup>th</sup> of December 2023 at 12:00 PM.

  
Harold M. Garcia, Chairman - District 1

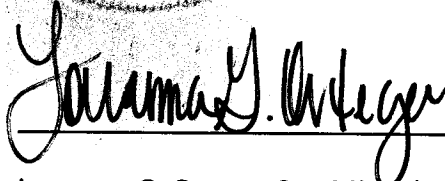
  
Martin Sena, Vice-Chairman - District 4


  
Janice C. Varela, Commissioner - District 2

  
Max Trujillo, Commissioner - District 3

  
Kenneth C. Medina, Commissioner District 5



  
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