

**MINUTES OF REGULAR MONTHLY MEETING OF  
SAN MIGUEL COUNTY BOARD OF COMMISSIONERS  
HELD TUESDAY, SEPTEMBER 8, 2020 BEGINNING AT 2:00 P.M.**

**CALL TO ORDER**

The San Miguel County Board of Commissioners held its regular monthly meeting on Tuesday, September 8, 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.

Madam Chair Maria Martinez called the meeting to order at 2:00 p.m.

**ROLL CALL:**

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

Commissioner Janice Varela joined the meeting via Zoom at 2:20 p.m. due to technical difficulties.

**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 Janice Varela to approve the agenda. Second by Commissioner Harold Garcia. Motion carried.

**APPROVAL OF MINUTES**

Motion made by Commissioner Janice Varela to approve the minutes for the August 11, 2020 Regular Meeting minutes. Second by Harold Garcia. Motion carried.

August 27, 2020 Special Meeting Minutes tabled until next meeting.

**PUBLIC INPUT**

No public input

## **NEW BUSINESS**

Mayor Ted Benavidez, Gabe Estrada and Chris Archuleta of Superior Ambulance gave a presentation to the Commission about the services provided by Superior Ambulance in the Pecos area.

Arnold Lopez, Melinda Gonzales and Eileen Sedillo of San Miguel County presented Alex Tafoya an award for his service to San Miguel County.

## **REGULAR ORDER**

### **1. RESOLUTION NUMBER 2020-09-08, A RESOLUTION AMENDING THE 2019 POLLING PLACE RESOLUTION 2019-06-11**

San Miguel County Clerk Geraldine Gutierrez informed the Commission Pursuant to New Mexico Statutes Annotated 1978 Section 1-3-2 (2019), the Board of County Commissioners shall by Resolution amend the 2019 Polling Place Resolution 2019-06- 11, the Board of County Commissioners designated the location of election day polling places in the county for the conduct of any statewide election conducted in calendar years 2020 and 2021. Ms. Gutierrez requested the Commission approve Resolution Number 2020-09-08 Amending Resolution 2019-06-11 for the conduct of any statewide election conducted in calendar years 2020 and 2021.

Motion made by Commissioner Harold Garcia to approve Resolution 2020-09-08. Second by Commissioner Max Trujillo. Motion carried.

### **2. MANAGERS REPORT**

San Miguel County Manager Vidal Martinez updated the commission on the CARES ACT application. 80 county's apply for the CARE ACT.

For informational purposes only.

### **3. RECOMMENDATION TO APPROVE THE JOB DESCRIPTION FOR THE PUBLIC WORKS/ SOLID WASTE ACCOUNTS RECEIVABLE CLERK I POSITION**

San Miguel County Human Resource Director Eileen Sedillo informed the Commission of the term appointment position under the general direction of the Public Works Director; this individual is to provide communication to the public, solid waste customers and the County Administration. Assist and provide support to the Department as requested by the Supervisor. Responsible for maintaining computerized record system and preparing billing for solid waste collection service associated within the Accounts Receivable Department. Ms.

Sedillo requested the Commission approve of the Public Works/Solid Waste Accounts Receivable Clerk I Job Description.

Motion made by Commissioner Harold Garcia to table this item. Second by Commissioner Max Trujillo.  
Motion carried

A roll call vote was taken at 3:35 p.m.

Madam Chair Maria Martinez- No  
Vice-Chair Chris Najjar- No  
Commissioner Max Trujillo- Yes  
Commissioner Harold Garcia- Yes  
Commissioner Janice Varela- Yes

**4. RECOMMENDATION TO APPROVE THE JOB DESCRIPTION FOR THE PUBLIC WORKS/  
SOLID WASTE ACCOUNTS RECEIVABLE CLERK II POSITION**

San Miguel County Human Resource Director Eileen Sedillo informed the commission this term appointment position is under the general direction of the Public Works Director. This individual will provide oversight and supervision of the administrative activities including other employees and/or contractors within the Solid Waste Billing Department. This position will provide communication with general public, solid waste customers and the County Administration. Responsible for maintaining computerized record system and preparing billing for solid waste collection service associated within the Solid Waste Billing Department. Ms. Sedillo requested the Commission approve of the Public Works/Solid Waste Accounts Receivable Clerk II Job Description.

Motion made by Commissioner Harold Garcia to table this item. Second by Commissioner Max Trujillo.  
Motion carried.

A roll call vote was taken at 3:38 p.m.

Madam Chair Maria Martinez- No  
Vice-Chair Chris Najjar- No  
Commissioner Max Trujillo- Yes  
Commissioner Harold Garcia- Yes  
Commissioner Janice Varela- Yes

**5. RESOLUTION 09-08-20-SEPTEMBER PREPAREDNESS MONTH**

San Miguel County Emergency Manager Leo Maestas informed the Commission the Department of Homeland Security/Emergency Management, San Miguel County/City of Las Vegas Office of Emergency Management proclaimed September Preparedness Month in San Miguel County in promoting awareness for preparatory steps to protect lives and property. Mr. Maestas requested the Commission approve Resolution 09-08-2020- September Preparedness Month.

Motion made by Vice-Chair Chris Najar to approve Resolution 09-08-2020- September Preparedness Month. Second by Commissioner Harold Garcia. Motion carried.

**6. SAN MIGUEL COUNTY DETENTION CENTER MEDICAL AND BEHAVIORAL HEALTH SERVICES AGREEMENT**

San Miguel County Warden Matthew A. Elwell informed the Commission the San Miguel County Detention Center is requesting approval of amendment one to our medical and behavioral health services agreement with CorrHealth. Included in the amendment is a rate escalation of 3% pursuant to Section 3 paragraph A. of the original agreement. Mr. Elwell requested the Commission review and approve the agreement.

Motion made by Vice-Chair Chris Najar to approve the Medical and Behavioral Health service agreement. Second by Commissioner Janice Varela. Motion carried.

**7. OUT OF STATE TRAVEL – INSTRUCTOR/ARMORER PEPPERBALL CERTIFICATION**

San Miguel County Warden Matthew A. Elwell requested the Commission approve for out of state travel for Lieutenant Steven Garcia and Lieutenant Jose Ortiz, they will be attending an instructor and armorer Pepper Ball certification in Lakewood CO. This certification is required for use of non-lethal systems use in the detention center.

Motion made by Vice-Chair Chris Najar to approve out of state travel for lieutenant Steven Garcia and lieutenant Jose Ortiz. Second by Commissioner Janice Varela. Motion carried.

**8. CENSUS UPDATE**

San Miguel County IT Supervisor Diego Trujillo updated the Commission on the 2020 Census throughout the county and state of New Mexico.

For informational purposes only.

**9. RURAL ADDRESSING**

San Miguel County IT Supervisor Diego Trujillo informed the Commission on the County Rural Addressing.  
For informational purposes only.

**10. SAN MIGUEL COUNTY PUBLIC WORKS DEPARTMENT – RECOMMENDATION OF REJECTION 2020 SAN MIGUEL COUNTY ROAD IMPROVEMENTS – TECOLOTE BRIDGE FEMA PROJECT**

San Miguel County Public Works Director Gerald Garcia informed the Commission that San Miguel County solicited competitive sealed bids from a qualified vendor, for the Tecolote Bridge Fema Project. The received bid (1) was evaluated. Bidding Contractor was over budget of Engineer's cost estimate. Mr. Garcia requested the Commission review and approve of the recommendation.

Motion made by Commissioner Harold Garcia to approve the rejection bids for Tecolote bridge Fema project. Second by Commissioner Janice Varela. Motion carried.

Madam chair Maria Martinez for the record was against it.

**11. PUBLIC WORKS DIVISION REPORT FOR THE MONTH OF AUGUST 2020**

San Miguel County Public Works Road Foreman Arnold Lopez updated the Commission all maintenance including blading of county roads for the month of August 2020.

For informational purposes only.

**12. SECOND READING OF SAN MIGUEL COUNTY HARD ROCK MINING MORATORIUM ORDINANCE EXTENSION, THE FULL TITLE, WHICH SHALL BE IN ORDINANCE NO. SMC-09-10-2019 HARD ROCK MINING MORATORIUM**

San Miguel County Attorney Dave Romero Jr. informed the Commission the County has approved a Hard Rock Mining Moratorium Ordinance. This proposed Ordinance will extend in time the authority of the ordinance until January 2021. Mr. Romero requested the commission have a public hearing on the proposed Ordinance and then through motion, second and majority vote; to approve the proposed Extension.

Motion made by Vice-Chair Chris Najar to go into public hearing at 4:28 p.m.

San Miguel County attorney Dave Romero Swore everyone in wanting to speak on this item.

San Miguel County Dave Romero Read the Ordinance on the Hard Rock Mining Moratorium.

Motion made by Commissioner Max Trujillo to come out of public hearing at 4:38 p.m.

Motion made by Vice-Chair Chris Najar to approve the Hard Rock Mining Moratorium Ordinance Extension..  
Second by Commissioner Max Trujillo. Motion carried.

### **13. MILL TAX LEVY**

San Miguel County Assessor Connie M. Gallegos informed the Commission of the tax rates for the 2020 tax year. Ms. Gallegos requested the Commission approve of the tax rates for the year 2020.

Motion made by Commissioner Harold Garcia to approve the tax rates for the year 2020. Second by Commissioner Max Trujillo. Motion carried.

## **BOARD OF FINANCE MEETING**

### **14. BANK TRANSFERS FOR THE MONTH OF JULY**

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

For informational purposes only.

### **15. TO ENTER INTO AGREEMENT WITH EL CENTRO**

San Miguel County Finance Supervisor Melinda Gonzales informed the Commission of the agreement with El Centro for the FY20/21 which needs to be finalized. Ms. Gonzales requested the commission review and approve the agreement with El Centro.

Motion made by Commissioner Harold Garcia to approve the agreement with El Centro. Second by Vice-Chair Chris Najar. Motion carried.

**16. RESOLUTION 2020-09-08-F1**

San Miguel County Finance Supervisor Melinda Gonzales informed the Commission to make a correction to the Final Budget by reducing a miscellaneous expense of \$140,000 to \$0, this money was set aside in the event we had out of ordinary expenses tied to COVID. However, the 3/12th reserve requirement would fall lower than it should. This was not noticed as the Finance Supervisor was taking into account prepaid balances that are not taken out taken into consideration on the DFA budget side.

To transfer funds from Fund 206 to General Fund for cost of the professional services related to the Opioid lawsuit.

To adjust the LEPPF budget based on the DFA Budget Review.

To budget the CARES Act award. To budget the EMW Award for the Cabo Lucero Volunteer Fire Department.

To adjust budget to Fund 753 based on FY19/20 reallocation of costs.

To budget transfer to Solid Waste of \$30,000

The money received from the Covid fund will be presented to the Commission

Ms. Gonzales requested the Commission review and approve Resolution 2020-09-08-F1

Motion made by Commissioner Harold Garcia to approve Resolution 2020-09-08-F1. Second by Vice-Chair Najar. Motion carried.

**17. RESOLUTION 2020-09-08-F2**

San Miguel County Finance Supervisor Melinda Gonzales informed the Commission the County has received a legislative appropriation to plan, design, construct, renovate and make improvements to eliminate architectural barriers for county buildings and grounds. The Finance Office has budgeted for these Funds in a defunct Fund 205. Fund 205 was previously entitled District Attorney Remodeling. The fund has not had activity for several years and the Finance Office is asking for the name of the fund to be changed to Building Improvement Fund. Ms. Gonzales requested the Commission review and approve Resolution 2020-09-08-F2.

Motion made by Commissioner Janice Varela to approve Resolution 2020-09-08-F2. Second by Commissioner Harold Garcia. Motion carried.

**18. RESOLUTION 2020-09-09-F3**

San Miguel County Finance Supervisor Melinda Gonzales Informed the Commission the County has received a CARES Act Award for costs incurred due to the Coronavirus-19. The Finance Office has budgeted for these Funds in a Fund 317. Fund 317 was previously used for an OEM-EMW-2011-EP-00051 that has not had activity for several years and the Finance Office is asking for the name of the fund to be changed to CARES Act Fund. Ms. Gonzales requested the Commission review and approve the fund authority.

Motion made by Commissioner Harold Garcia to approve Resolution 2020-09-08-F3. Second by Commissioner Max Trujillo. Motion carried.

**19. INDIGENT CLAIMS**

San Miguel County Finance Supervisor Melinda Gonzales provided the Commission information regarding the indigent claims for the month of July 2020.

For informational purposes only

**20. RECEIPT REPORT FOR THE MONTH OF JUNE 2020 AND JULY 2020**

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

For informational purposes only..

**21. JOURNAL ENTRY REPORT FOR THE MONTH OF JULY 2020**

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

For informational purposes only.

**22. CASH BALANCE REPORT FOR THE MONTH OF JULY 2020**

San Miguel County Finance Supervisor Melinda Gonzales provided the Commissioners with the cash balance report for the month of July 2020.

For informational purposes only.

**23. BUDGET REPORT FOR THE PERIOD OF JULY 1,2020 THROUGH JULY 31, 2020**

San Miguel County Finance Supervisor Melinda Gonzales provided the Commission with a FY20/21 year to date budget report for the period of July 1, 2020 through July 31, 2020.

For informational purposes only.



**24. ACCOUNTS PAYABLE REPORT FOR THE MONTH OF JULY 2020**

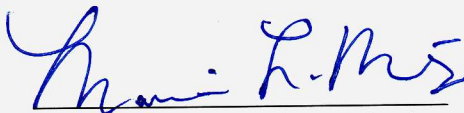
San Miguel County Finance Supervisor Melinda Gonzales presented to the Commission payments processed through the Finance Office and Bernalillo County on behalf of San Miguel County.

Motion made by Vice-Chair Chris Najar to approve the accounts payable report for the month of July 2020. Second by Commissioner Max Trujillo. Motion carried.

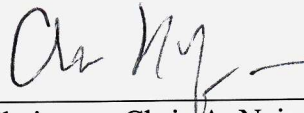
**ADJOURNMENT**

Motion made by Commissioner Harold Garcia to adjourn the meeting at 4:54 p.m. and go into executive session. Second by Commissioner Max Trujillo. Motion carried.

Approved this 13<sup>TH</sup> day of October, 2020 as the Official Minutes of the Board of County Commissioners of San Miguel County, New Mexico, of its Regular Meeting held September 8, 2020.



Madam Chair, Maria L. Martinez  
District 4



Vice-Chairman, Chris A. Najar  
District 5

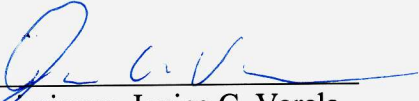
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Commissioner, Max O. Trujillo



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Commissioner, Harold M. Garcia

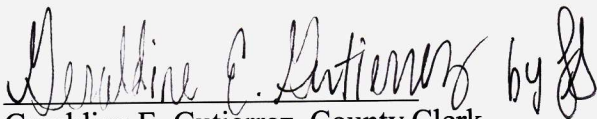

District 3

District 1



Commissioner, Janice C. Varela  
District 2

**ATTEST**

  
by 

Geraldine E. Gutierrez, County Clerk



Submitted By: Justin Dimas