

**MINUTES OF REGULAR MONTHLY MEETING OF  
SAN MIGUEL COUNTY BOARD OF COMMISSIONERS  
HELD TUESDAY MARCH 12, 2019 BEGINNING AT 2:00 P.M.**

**CALL TO ORDER**

The San Miguel County Board of Commissioners held its regular monthly meeting on Tuesday March 12, 2019, beginning at 2:00 p.m. The meeting convened at the San Miguel County Administration Complex located at 500 West National Avenue, Suite 200, Las Vegas, New Mexico 87701.

**ROLL CALL:**

Upon a call of the roll, Madam Chair Maria Martinez present, Vice-Chairman Harold Garcia present, Commissioner Janice Varela present, Commissioner Chris Najar present, and Commissioner Max Trujillo 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**

San Miguel County Madam Chair Maria Martinez requested the following changes be made on the agenda. Removing Item number 12, Statement of Vacation Application No. SV-0033at Miss Allen Rudes request. Additionally Item number 22, FY17/18 Audited Financial Statements be postponed until the April 2019 Regular Meeting. Additionally Item number 19 on the Agenda be moved to number 1 and number 1 moved to number 2.

Motion made by Vice-Chairman Harold Garcia to approve Amended Agenda. Second by Commissioner Max Trujillo. Motion carried.

**APPROVAL OF MINUTES**

Motion made by Commissioner Chris Najar to approve the minutes of the Regular Monthly meeting held on February 12, 2019. Second by Vice-Chairman Harold Garcia. Motion carried.

**INTRODUCTION OF NEW SAN MIGUEL COUNTY EMPLOYEES**

San Miguel County Human Resources Supervisor Eileen Sedillo Presented the Following new San Miguel County employees.

**Darin Romero-** Deputy Sheriff, Sheriff's Office

**Alfred Apodaca-** Transport Officer, Sheriff's Office

**Michael Lopez-** Equipment Operator II, Public Works Division

**Melissa Rascon-** Personal Property Mapping Clerk, Assessor's Office

**Daniel Hernandez-** GIS System Operator, Chief Mapper, Assessor's Office

## **PUBLIC INPUT FORUM**

**Terry Mazio-** Spoke on NM Senate Bill 8; Firearm Sale background check.

**Martha Hacket-** Filed a Grievance

**Rey Herrera-** Spoke in regards to the 2<sup>nd</sup> Amendment

**Clara Lucero-** Environmental Issues

**Lydia Bennett-** Spoke in regards to the 2<sup>nd</sup> Amendment

**Bernadette Fernandez-** Environmental issues

## **NEW BUSINESS**

### **REGULAR ORDER**

#### **1. MONTHLY UPDATE FOR DWI PROGRAM, JUVENILE JUSTICE PROGRAM AND MSG COMPREHENSIVE TREATMENT CENTER INITIATIVE**

San Miguel County DWI Coordinator Yolanda Cruz Informed the Commission on the monthly update for DWI program, Juvenile Justice Program and MSG Comprehensive treatment center initiative. Ms. Cruz spoke on three initiatives under the DWI Program which are the DWI Program; The Juvenile Justice Program; and the Opioid Initiative, which is a tri county effort with Mora, San Miguel, and Guadalupe County. Ms. Cruz informed the Commission that she will be updating the Commission on a monthly basis as to the major activities from the above mentioned programs.

For informational purposes only.

#### **2. COUNTY MANAGER'S REPORT**

San Miguel County Manager Vidal Martinez informed the Commission that San Miguel County staff is planning its 2019 San Miguel County retreat. The date is set to be March 28, 2019 and 29, 2019. The time would be from 9 to 5 and will take place at the Pendaries Village.

Mr. Martinez also met with the superintendent from West Las Vegas School District, the City Manager and the President of New Mexico Highlands University about creating a County of San Miguel CEO round table affiliate. 14 CEO's have been identified so far in San Miguel County. The first meeting is projected to be either at the end of March 2019 or April 2019 and would meet at least 3 times a year. The goal of this affiliate is to support one another and to promote a community.

#### **3. RESOLUTION NO 03-12-19-SPAY/NEUTER**

San Miguel County Commissioner Janice Varela presented to the commission a resolution supporting statewide spay/neuter funding from pet food manufacturing fees. Miss Varela requested the commission review and approve Resolution no 03-12-19-Spay/Neuter.



Motion made by Commissioner Chris Najar to approve Resolution No 03-12-19-Spay/Neuter. Second by Vice-Chair Harold Garcia. Motion carried.

#### **4. PRE-SELECTION OF PROJECT FOR CDBG APPLICATION**

San Miguel County Planning and Zoning Supervisor Alex Tafoya presented to the Commission information the Community Development Block Grant program. This program allows for the pre-selection of possible projects for consideration of a CDBG application. The pre-selection process allows entities to work on more than one project at a time to determine feasibility and likelihood of an application for a project being properly developed for funding success. Mr. Tafoya requested the commission approve the pre-selection project for CDBG application. Before a motion was made Vice-Chair Harold Garcia stated that he is not an owner of any property in country acres.

Motion made by Vice-Chair Harold Garcia to approve the pre-selection project for CDBG application. Second by Commission Chris Najar.

Before a motion was carried, Commissioner Janice Varela asked Planning and Zoning Supervisor Alex Tafoya when the final project selection will be made for this CDBG application. Mr. Tafoya informed Commissioner Janice Varela that there is a process that has to be followed for the Final Selection. Discussion ensued.

Vice-Chair Harold Garcia stated that he would like to add to his previous motion. Mr. Garcia recommended making Country Acres the number one priority. The second priority being the Family Justice Center only if country acres does not meet the low moderate income criteria that's required. Discussion ensued.

Motion made by Vice-Chair Harold Garcia to approve Country Acres for the pre-selection project for CDBG application. Second by Commissioner Chris Najar. Motion Carried.

A roll call vote was taken at 3:03 P.M.

Commissioner Chris Najar- Yes  
Commissioner Max Trujillo- Yes  
Commissioner Janice Varela- Yes  
Vice-Chair Harold Garcia- Yes  
Madam-Chair Maria Martinez- Yes

#### **5. PROBATE OFFICE UPDATE**

San Miguel County Probate Judge Dwight Torres informed the Commission on the Probate Office and future plans for the probate awareness and probate court quarterly commission report.

For informational purposes only.

**6. FOR INFORMATIONAL PURPOSE ONLY, SALARY STUDY AND STAFFING ANALYSIS FOR SAN MIGUEL COUNTY DETENTION CENTER**

San Miguel County Human Resource Supervisor Eileen Sedillo presented to the commission to conduct a competitive salary study and budget projections for the San Miguel County Detention Center. Ms. Sedillo gave information on bringing current staff up to competitive salaries as well as adding more staff to the SMC Detention Center.

For informational Purposes only.

**7. RECOMMENDATION TO APPROVE THE JOB DESCRIPTION FOR THE DWI AND JUVENILE JUSTICE OFFICE MANAGER/ YOUTH CASE MANAGER**

San Miguel County Human Resource Supervisor Eileen Sedillo presented to the commission the Job description for the DWI and Juvenile Justice Manager/Youth Case Manager. The Juvenile Justice Manager/Youth Case Manager performs the full range of duties in case management and general administrative operations. This individual is responsible for assessing and assisting youth referred to assessment center and referring to appropriate community programs also will have administrative duties related to the DWI Program. Miss Sedillo requested the commission approve the Job description for the DWI and Juvenile Justice Manager/Youth Case Manager

Motion made by Commissioner Chris Najar to approve the Job description for the DWI and Juvenile Justice Manager/Youth Case Manager. Second by Vice-Chairman Harold Garcia. Motion carried.

**8. PERSONNEL ACTIONS OR CHANGES FOR THE MONTH OF FEBRUARY 2019**

San Miguel County Human Resource Supervisor Eileen Sedillo presented to the commission the personnel actions or changes which have taken place in San Miguel County for the month of February 2019. Miss Sedillo requested the Commission approve and ratify the personnel actions or changes that have taken place during the month of February 2019

Motion made by Commissioner Janice Varela to approve personnel actions or changes for the month of February 2019. Second by Vice-Chair Harold Garcia. Motion carried.

**9. PNM SOLAR FACILITY PROJECT**

San Miguel County Planning and Zoning Supervisor Alex Tafoya gave an update to the Commission on the construction of a solar facility being built by the public service Company of New Mexico (PNM). This construction is taking place on 200 acres located on New Mexico State Road 250. This is a 25 Megawatt solar facility which will take approximately 9 months to complete

For Informational Purposes only.

**10. ADOPTION OF ORDINANCE NO. 03-12-2019-LED**

San Miguel County Planning and Zoning Supervisor Alex Tafoya stated to the commission that on January 8, 2019, the Board of County Commissioners adopted Resolution No. 01-08-2019-LED, which Resolution



authorized the adoption of an ordinance which would approve Old Wood LLC, as an eligible economic development project with the appropriate lease agreements for two (2) County owned buildings the County wishes to lease to Old Wood LLC. Mr. Tafoya requested the commission hold and conduct a public hearing on the adoption of Ordinance No. 03-12-2019-LED and approve and adopt the ordinance.

A public hearing was open at 3:45 p.m.

County Attorney Dave Romero Swore in the Following people on behalf of Ordinance No. 03-12-2019-LED .

Planning and Zoning Supervisor Alex Tafoya  
Tim Hagerman  
Shiloh Old  
Finance Supervisor Melinda Gonzales.  
Discussion ensued.

Motion made by Commissioner Chris Najjar to adopt and approve Ordinance No. 03-12-2019-LED. Second by Commissioner Max Trujillo. Motion carried.

### **11. ACCEPTANCE OF LEGISLATIVE GRANT NO.18-C2553**

San Miguel County Planning and Zoning Supervisor Alex Tafoya informed the commission that San Miguel County has received Legislative Grant Agreement No. 18-C2553 which appropriates to San Miguel County the amount of Thirty Thousand Dollars to purchase mechanical biological treatment equipment. Mr. Tafoya requested the commission accept the agreement.

Motion made by Vice-Chair Harold Garcia to accept the Legislative Grant Agreement. Second by Commissioner Chris Najjar. Motion carried.

### **12. VACATION OF PLAT – APPLICATION NO. SV-0032**

San Miguel County Planning and Zoning Supervisor Alex Tafoya informed the commission that Application No. SV-0032 is for vacation of plat submitted by Dale and Donna Kuenzli for the purpose of vacating Lots 178, 179, and 180 to consolidate into one (1) lot, said lots located within Pendaries Village Subdivision No. Six in San Miguel County. This item was tabled by the Board of County Commissioners at the February 12, 2019 Commission Meeting, upon conclusion of a public hearing on said Application.

San Miguel County Attorney David Romero requested the Commission make a motion to bring Application No. SV-0032 back on the table. Motion made by Commissioner Chris Najjar to bring Application No. SV-0032 off back on the table. Second by Vice-Chair Harold Garcia. Motion Carried

San Miguel County Attorney David Romero requested to go into a public hearing. The record will show the time is 4:23 p.m. Mr. Romero swore in the citizens that were for and against the application.

San Miguel County Planning and Zoning Supervisor Alex Tafoya gave the Commission a brief history on the applications of vacated lots that were submitted throughout the years. Discussion ensued.

County attorney David Romero requested the letter that was submitted by Danelle Smith to be marked as Exhibit A for the record. Planning and Zoning Supervisor Alex Tafoya informed the Commission that only the cover memo was from Danelle Smith and the rest was from Paul Aragon.

Attorney Danelle Smith gave the Commission a brief summary on Vacations that were done by Pendaries Village.

Motion made by Commissioner Chris Najjar to accept San Miguel Planning and Zoning Supervisor Alex Tafoya Documents as an exhibit. Second by Commissioner Max Trujillo. Motion carried.

San Miguel County Attorney David Romero requested a motion be made to close the public hearing at 5:33 p.m. Motion made by Commissioner Chris Najjar to close the public hearing. Second by Vice-Chair Harold Garcia. Motion carried.

Motion made by Commissioner Max Trujillo to approve Application No. SV-0032. Second by Vice-Chair Harold Garcia. Motion carried.

A roll call vote was taken at 5:35 p.m.

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

County Attorney David Romero Requested the Commission make a motion to clarify that the decision made by the Board of County Commissioners cannot be used by the applicant as grounds not to pay the taxes assessed by Pendaries Village. Motion made by Vice-Chair Harold Garcia. Second by Commissioner Max Trujillo. Motion carried.

A roll call vote was taken at 5:38 p.m.

Madam-Chair Maria Martinez- Yes  
Vice-Chair Harold Garcia- Yes  
Commissioner Janice Varela- Yes  
Commissioner Max Trujillo- Yes  
Commissioner Chris Najjar- Not Present

**13. APPROVAL TO SUBMIT LETTER OF INTENT FOR PARTICIPATION IN THE FY-2019/2020 LOCAL GOVERNMENT ROAD FUND PROGRAM (LGRF) SPECIFIC TO THE SCHOOL BUS ROUTE COOPERATIVE AGREEMENT PROGRAM (SB)**

San Miguel County Interim Public Works Supervisor Arnold Lopez informed the Commission that the San Miguel County Public Works Department is requesting permission to submit a Letter of Intent to participate in the FY-2019/2020 NMDOT Local Government Road Fund Program (SB) upon San Miguel County Commission approval.



Motion made by Commissioner Chris Najjar to approve to submit a Letter of Intent to participate in the FY-2019/2020 NMDOT Local Government Road Fund Program (SB) . Second by Vice-Chair Harold Garcia. Motion carried.

**14. APPROVAL TO SUBMIT LETTER OF INTENT FOR PARTICIPATION IN THE FY-2019/2020 LOCAL GOVERNMENT ROAD FUND PROGRAM (LGRF) SPECIFIC TO THE COUNTY ARTERIAL COOPERATIVE AGREEMENT PROGRAM (CAP)**

San Miguel County Interim Public Works Supervisor Arnold Lopez informed the Commission that the San Miguel County Public Works Department is requesting permission to submit a Letter of Intent to participate in the FY-2019/2020 NMDOT Local Government Road Fund Program (CAP) upon San Miguel County Commission approval. San Miguel County has identified the reconstruction of EL Camino Road from Hot Springs Blvd. to Cinder Road. Mr. Lopez requested the Commission approve of the Letter of Intent to Participate in the FY-2019/2020 NMDOT Local Government Road Fund Program (CAP).

Motion made by Vice-Chair Harold Garcia to approve of the Letter of Intent to Participate in the FY-2019/2020 NMDOT Local Government Road Fund Program (CAP). Second by Commissioner Chris Najjar. Motion carried.

**15. APPROVAL TO SUBMIT LETTER OF INTENT FOR PARTICIPATION IN THE FY-2019/2020 LOCAL GOVERNMENT ROAD FUND PROGRAM (LGRF) SPECIFIC TO THE COOPERATIVE AGREEMENT PROGRAM (SP)**

San Miguel County Interim Public Works Supervisor Arnold Lopez informed the Commission that the San Miguel County Public Works Department is requesting permission to submit a Letter of Intent to participate in the FY-2019/2020 NMDOT Local Government Road Fund Program (SP) upon San Miguel County Commission approval. San Miguel County has identified the need for reconstruction of HMA resurfacing of various county roads. Mr. Lopez is requesting the Commission approve of the Letter of Intent to Participate in the FY-2019/2020 local government road fund program.

Motion made by Vice-Chair Harold Garcia to approve of the Letter of Intent to Participate in the FY-2019/2020 local government road fund program. Second by Commissioner Chris Najjar. Motion carried.

**16. RECOMMENDATION OF AWARD OF BID TO ROCKY ROAD FOR THE CONSTRUCTION OF THE COUNTRY ACRES ROADWAY AND DRAINAGE IMPROVEMENTS**

San Miguel County Interim Public Works Supervisor Arnold Lopez informed the Commission that an advertisement for bids was advertised for the construction of the Country Acres Roadway and Drainage Improvements. Bids were opened on March 7, 2019. The award of bid to Rocky Road for the Contractual Agreement for the construction of the Country Acres Roadway and Drainage Improvements is presented for San Miguel County Commission approval.

Motion made by Commissioner Chris Najjar to approve the bid to Rocky Road for the construction of Country Acres. Second by Vice-Chair Harold Garcia. Motion carried.

**17. 1<sup>ST</sup> RENEWAL AGREEMENT FOR DIESEL POWERED HEAVY EQUIPMENT AND LIGHT DUTY GASOLINE MAINTENANCE AND REPAIR SERVICES**

San Miguel County Interim Public Works Division Supervisor Arnold Lopez presented to the Commission the first renewal Agreement for goods and services, specific to San Miguel County Public Works Division Diesel Powered Heavy Equipment and Light Duty Services. San Miguel County Commission approval is sought so that D.A.G. enterprises of NM, LLC may continue to provide the Public Works Department with services as part of the renewal agreement.

Motion made by Vice-Chair Harold Garcia to review and approve the agreement for diesel powered heavy equipment and light duty gasoline maintenance and repair services. Second by Commissioner Max Trujillo. Motion carried.

**18. PUBLIC WORKS DIVISION REPORT FOR THE MONTH OF FEBRUARY 2019**

San Miguel County Public Works Interim Director Arnold Lopez informed the Commission of the monthly maintenance including blading of county roads and/or special projects with County Roads that are addressed for the month of February 2019.

For informational purposes only.

**19. OUT OF STATE TRAVEL FOR VIDAL MARTINEZ**

San Miguel County Manager Vidal Martinez requested the commission approve out of state travel for himself to attend the 2019 Annual National Association of Counties Annual Conference and Exposition in Las Vegas, Nevada, July 12, 2019 through July 15, 2019.

Motion made by Vice-Chair Harold Garcia to approve out of state travel for Vidal Martinez. Second by Commissioner Max Trujillo. Motion carried.

**BOARD OF FINANCE MEETING**

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

San Miguel County Finance Supervisor Melinda Gonzales in substitution for San Miguel County Treasure Bertha Bustamante informed the Commission of the bank transfers for the month of February 2019.

For informational purposes only.



**21. RECEIPT REPORT FOR THE MONTH OF JANUARY 2019**

San Miguel County Finance Supervisor Melinda Gonzales informed the Commission with a receipt detail Report for the month of January 2019

For Informational purposes only.

**22. JOURNAL ENTRY REPORT FOR THE MONTH OF JANUARY 2019**

San Miguel County Finance Supervisor Melinda Gonzales informed the Commission of the Journal entries for the month of January 2019.

For informational purposes only.

**23. INDIGENT BURIAL CLAIMS**

San Miguel County Finance Supervisor Melinda Gonzales informed the Commission that the Finance Office has received, reviewed and processed two claims. Ms. Gonzales requested the Commission ratify and approve on the indigent burial payments.

Motion made by Commissioner Chris Najar to ratify and approve on the indigent burial payments. Second by Vice-Chair Harold Garcia. Motion carried.

**24. CASH BALANCE REPORT FOR THE MONTHS OF JANUARY 2019**

San Miguel County Finance Supervisor Melinda Gonzales informed the Commission of the January 2019 reconciled cash balances.

For informational purposes only.

**25. RESOLUTION 2019-03-12-F1**

San Miguel County Finance Supervisor Melinda Gonzales presented to the Commission a budget request being made to budget insurance proceeds we will receive from a lightning strike as well as to increase the budget to replace the items that were budgeted. The insurance proceeds will be going to the General Fund and the Detention Center Fund.

A budget request is being made to budget the \$30,000 legislative appropriation (18-C2533) for the micro Biological Treatment Equipment. Ms. Gonzales requested the Commission review and approve Resolution 2019-03-12-F1

Motion made by Vice-Chair Harold Garcia to approve resolution 2019-03-12-F1. Second by Commissioner Janice Varela. Motion carried.

**26. BUDGET REPORT FOR THE PERIOD OF JULY 1, 2018 THROUGH JANUARY 31, 2019**

San Miguel County Finance Supervisor Melinda Gonzales presented to the Commission with a FY18/19 Year to date Budget report.

For informational purposes only

**27. ACCOUNTS PAYABLE REPORT FOR THE PERIOD OF JANUARY 2019**

San Miguel County Finance Supervisor Melinda Gonzales informed the Commission of the accounts payable report for the period of January 2019. Ms. Gonzales requested the Commission review and approve the accounts payable report for the period of January 2019.

Motion made by Commissioner Janice Varela to approve the accounts payable report for the period of January 2019. Second by Vice-Chairman Harold Garcia. Motion carried.

**Executive/Closed Session**

**ADJOURNMENT**

Motion made by Vice-Chair Harold Garcia to adjourn the meeting at 5:58 p.m. Second by Commissioner Chris Najar. Motion carried.



Approved this 9<sup>th</sup> day of April, 2019 as the Official Minutes of the Board of County Commissioners of San Miguel County, New Mexico, of its Regular Meeting held March 12, 2019.

Maria L. Martinez  
Madam Chair, Maria L. Martinez  
District 4

Harold M. Garcia  
Vice-Chairman, Harold M. Garcia  
District 1

Max O. Trujillo  
Commissioner, Max O. Trujillo  
District 3

Chris A. Najar  
Commissioner, Chris A. Najar  
District 5

Janice C. Varela  
Commissioner, Janice C. Varela  
District 2

ATTEST

Geraldine E. Gutierrez  
Geraldine E. Gutierrez, County Clerk



The seal of San Miguel County, New Mexico, is circular with a central emblem. The text around the seal reads "SAN MIGUEL COUNTY, NEW MEXICO". A signature is written over the seal.

Justin Dimas  
Minutes Submitted by Justin Dimas