

**MINUTES OF REGULAR MONTHLY MEETING OF
SAN MIGUEL COUNTY BOARD OF COMMISSIONERS
HELD WEDNESDAY, MAY 15, 2019 BEGINNING AT 2:00 P.M.**

CALL TO ORDER

The San Miguel County Board of Commissioners held its regular monthly meeting on Wednesday, May 15, 2019, beginning at 2:00 p.m. The meeting convened at the Pecos Village Chambers located at 92 South Main St. Pecos, New Mexico 87552.

ROLL CALL:

Upon a call of the roll, Madam Chair Maria Martinez present, Vice-Chairman Harold Garcia present, Commissioner Janice Varela present, Commissioner Chris Najjar 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 Commissioner Janice Varela requested item number 1 be moved before New Business and Public Input. Motion made by Commissioner Janice Varela to approve the changes to the agenda. Second by Vice-Chair Harold Garcia. Motion Carried.

RESOLUTIONS RECOGNIZING THE PECOS PANTHERS BOYS AND GIRLS BASKETBALL, AND GIRLS CROSS COUNTRY STATE CHAMPIONSHIPS FOR THE 2018-2019 SCHOOL YEAR

San Miguel County Commissioner Janice Varela presented to the Commission a Resolution recognizing the Pecos Panthers boys' and girls' basketball, and girls cross country team on their state championships for the 2018-2019 school year. Ms. Varela requested the Commission review and approve the Resolution.

Motion made by Commissioner Max Trujillo to approve the resolution recognizing the Pecos State Champions. Second by Vice-Chair Harold Garcia. Motion carried.

APPROVAL OF MINUTES

Commissioner Janice Varela Requested to table the April 9, 2019 minutes till next meeting. Motion made by Commissioner Janice Varela to table the Minutes. Second by Commissioner Max Trujillo. Motion carried.

INTRODUCTION OF NEW SAN MIGUEL COUNTY EMPLOYEES

No new County Employees.

PUBLIC INPUT FORUM

David old- Spoke on doing business with the County and about the Old Wood Lease.

Manuel Martinez- Spoke on receiving financial assistance from the county.

NEW BUSINESS

REGULAR ORDER

1. RATIFY OUT OF STATE TRAVEL FOR VIDAL MARTINEZ AND ARNOLD LOPEZ

San Miguel County Madam Chair Maria Martinez Requested the Commission ratify of out of state travel for County Manager Vidal Martinez and Interim Public Service Director Arnold Lopez to attend the 2019 Annual Waste Expo in Las Vegas, Nevada, on May 7 thru the 9, 2019.

Motion made by Vice-Chair Harold Garcia to approve out of state travel for County Manager Vidal Martinez and Interim Public Service Director Arnold Lopez. Second by Commissioner Chris Najar. Motion carried.

2. MEMORANDUM OF UNDERSTANDING BETWEEN SAN MIGUEL COUNTY AND LAS VEGAS/SAN MIGUEL CHAMBER OF COMMERCE

San Miguel County Manager Vidal Martinez informed the Commission that the Las Vegas/San Miguel Chamber of Commerce, a collaborative, and San Miguel County, a partner enters into this agreement to support collaborative efforts to further the collective interest of the San Miguel County community. Agreement will be effective on May 14, 2019 until June 30, 2020.

Las Vegas/San Miguel Chamber of Commerce Director Phillip Martinez and Paul Aragon gave a presentation to the Commission about the Las Vegas/San Miguel Chamber of Commerce and what services they are going to provide to the County. Mr. Martinez requested the Commission review and approve a Memorandum of understanding between San Miguel County and Las Vegas/San Miguel Chamber of Commerce.

Commissioner Max Trujillo abstained from Voting because of business with Mr. Martinez.

Motion made by Vice-Chair Harold Garcia to review and approve a Memorandum of understanding between San Miguel County and Las Vegas/San Miguel Chamber of Commerce. Second by Commissioner Chris Najar. Motion carried.

3. SAN MIGUEL COUNTY HUD INCOME LIMITS- FY 2019

San Miguel County Housing Authority Brandy Pacheco-Martinez informed the Commission of the HUD regulations which requires annual approval of the published income limits. Ms. Pacheco-Martinez requested the Commission approve of the HUD income limits for FY 2019.

Motion made by Commissioner Janice Varela to approve the HUD income limits for FY 2019. Second by Vice-Chair Harold Garcia. Motion carried

4. SAN MIGUEL COUNTY ADMINISTRATIVE PLAN UPDATES

San Miguel County Housing Authority Brandy Pacheco-Martinez informed the Commission of the HUD regulations which requires the Board of County Commission approval of any updates to the Administrative plan. Ms. Pacheco-Martinez requested the Commission approve of the San Miguel County Administrative Plan.

Motion made by Vice-Chair Harold Garcia to approve the San Miguel County Administrative Plan. Second by Commissioner Chris Najar. Motion carried

5. NEW MEXICO ASSOCIATION OF COUNTIES

New Mexico Counties Risk Management Director Taylor Horst gave a presentation to the Commission about the New Mexico Association of Counties and what they do. Discussion ensued.

San Miguel County Manager Vidal Martinez requested the Commission convene into executive session to discuss specific pending litigation.

Motion made by Vice-Chair Harold Garcia to Convene into executive session to discuss specific pending litigation. Second by Commissioner Max Trujillo. Motion carried.

County Commission retired into Executive Session at 3:18p.m.

Motion made by Commissioner Janice Varela to return from Executive Session at 4:07p.m. Second by Commissioner Chris Najar. Motion carried.

Roll call was taken after County Commission returned from executive session.

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

The record will show no action was taken in Executive Session, and matters discussed in the closed meeting were limited to those specified in the motion for closure.
For informational purposes only.

6. PECOS AMBULANCE UPDATE

San Miguel County Fire Chief Andrew Duran updated the Commission on the purchase of an ambulance for Pecos. The ambulance will cost around 150,000.

For informational purposes only.

7. AWARD OF LODGERS' TAX FUNDS

San Miguel County Planning and Zoning Supervisor Alex Tafoya informed the Commission that the San Miguel County Lodgers' Tax Advisory Board received and reviewed proposals in response to Lodgers' Tax RFP N. 2019. The Advisory Board is recommending award of Lodgers' Tax as follows: Animal Welfare Coalition \$1,000; Las Vegas First \$5,000; Las Vegas Arts Council \$3,000; Las Vegas First Independent \$2,000; Pecos Business Association \$13,839 for a total award of \$24,839.00. Mr. Tafoya requested the Commission ratify the award of said Lodgers' Tax funds and authorize the County Manager to execute the appropriate contractual agreements.

Motion made by Commissioner Janice Varela to ratify the award of said Lodgers' Tax funds and authorize the County Manager to execute the appropriate contractual agreements. Second by Commissioner Chris Najar.
Motion carried.

8. UPDATE 2019 CDBG APPLICATION PROCESS

San Miguel County Planning and Zoning Supervisor Alex Tafoya updated the Commission on the 2019 Community Development Block Grant application process to date. Staff is concentrating on the Country Acres road and drainage project and the Tri County Family Justice Center.

This is for informational purposes only.

9. APPLICATION TO VACATE PLAT NO. RV-0047

San Miguel County Planning and Zoning Supervisor Alex Tafoya informed the Commission that San Miguel County has received an application from Bonnie J. McGowan who proposes to adjust the lot lines of Lots 19, 21 and 22 within the Hawk's Landing Subdivision located within the Birds of a Feather Community in the vicinity

of Pecos, New Mexico. Mr. Tafoya requested the Commission approve of the vacation of the subdivision plat in regard to the subject lots.

Commissioner Janice Varela questioned Bonnie J. McGowan if she is just redrawing the lines in the same subdivision.

San Miguel County Attorney David Romero Swore in Bonnie J. McGowan at 4:20 p.m.

Bonnie J. McGowan answered Commissioner Janice Varela and informed her that all the Lots are the same size. One of the lots was mistakenly put on a slope and another had a drainage issue.

Motion made by Vice-Chair Harold Garcia to approve the application to vacate Plat No. RV-0047 . Second by Commissioner Janice Varela. Motion carried.

10. RESOLUTION NO. 05-15-19-PECOS SUB AREA

San Miguel County Planning and Zoning Supervisor Alex Tafoya presented to the Commission the proposed Pecos Sub-Area plan which was reviewed by the Board of County Commission at its April 9, 2019 regular Commission meeting. The Plan is now being presented for adoption by Resolution.

Vice-Chair Harold Garcia stated on the record that San Miguel County will not be fiscally responsible for any issues that pertain to the operation of the Village of Pecos itself. Discussion ensued.

Planning and Zoning Supervisor Alex Tafoya read Resolution No. 05-15-19-Pecos Sub Area.

Commissioner Janice Varela requested to add outdoor tourism to the second paragraph of Resolution No. 05-15-19-Pecos Sub Area.

Mr. Tafoya Requested the Commission approve and adopt Resolution No. 05-15-19-Pecos Sub Area, which Resolution adopts the Pecos Sub-Area Plan.

Motion made by Vice-Chair Harold Garcia Approve and adopt Resolution No. 05-15-19-Pecos Sub Area, which Resolution adopts the Pecos Sub-Area Plan. Second by Commissioner Max Trujillo. Motion carried.

11. CONTRACTS FOR ENGINEERING SERVICES AS-NEEDED

San Miguel County Planning and Zoning Supervisor Alex Tafoya informed the Commission that San Miguel County received proposals from three (3) companies in response to RFP No. 2019-PZ Engineering Services As-Needed. County staff has determined that it would be an advantage to the County to have more than one engineering company available to use. The companies are Souder Miller & Associates; Miller Engineering Consultants and Stantec Consulting Services. Mr. Tafoya requested the Commission approve and authorize County staff to enter into contract negotiations with all three engineering companies.

Motion made by Commissioner Janice Varela to approve and authorize County staff to enter into contract negotiations with all three engineering companies. Second by Vice-Chair Harold Garcia. Motion carried.

12. 2019 LEGISLATIVE AGREEMENTS

San Miguel County Planning and Zoning Supervisor Alex Tafoya presented to the Commission the following 2019 Legislative agreements; Agreement No. 19-D3151 for \$40,000; Agreement No. 19-D3149 for \$46,000; Agreement No. 19-3148 for \$180,000; Agreement No. 19-D3145 for \$300,000 and Agreement No. 19-D3146 for \$110,000; Agreement No. 19-D3150 for \$75,000; Agreement No. 19-D3160 for \$50,000; Agreement No. 19-D3162 for \$60,000; and Agreement No. 19-D3159 for \$25,000 . Mr. Tafoya requested the commission accept the Legislative Agreements and authorize Commission Chair Maria Martinez to sign the Agreements

Motion made by Vice-Chair Harold Garcia to accept the Legislative Agreements and authorize Commission Chair Maria Martinez to sign the Agreements . Second by Commissioner Janice Varela. Motion carried.

13. 2019/2020 STRATEGIC PLAN FOR ROAD PROJECTS

San Miguel County Public Works Interim Director Arnold Lopez presented to the Commission the 2019/2020 strategic plan for road projects.

Motion made by Vice-Chair Harold Garcia to approve the 2019/2020 strategic plan for road projects. Second by Commissioner Chris Najar. Motion carried.

14. PUBLIC WORKS DIVISION REPORT FOR THE MONTH OF APRIL 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 April 2019

For informational purposes only.

15. APPOINT COMMISSIONER(S) TO DWI PLANNING COUNCIL AND JUVENILE JUSTICE CONTINUUM BOARD

San Miguel County DWI Tracker/Screening Prevention Specialist Elizabeth Pino informed the Commission of the importance to keep Commissioners actively engaged in community initiatives. Commissioner Arthur Padilla was the appointee, since his term has ended; the DWI program is requesting a new appointment.

San Miguel County Vice-Chair Harold Garcia nominated Commissioner Chris Najar for the DWI Planning Council and Justice Continuum Board. Commissioner Chris Najar accepts.

DWI Tracker/Screening Prevention Specialist Elizabeth Pino informed Commissioner Chris Najar of the times and dates of the meetings.

Motion made by Vice-Chair Harold Garcia to nominate Commissioner Chris Najar for the DWI Planning Council and Justice Continuum Board. Second by Commissioner Max Trujillo. Motion carried.

16. CDWI FUNDING APPLICATION

San Miguel County DWI Tracker/Screening Prevention Specialist Elizabeth Pino informed the Commission of the CDWI funding application. NMDOT informed the DWI Program that they are eligible for \$ 5,532 for the fiscal year of 2020. Traditionally this has been used to fund safe ride services. The application has been signed by the County Manager. Ms. Pino requested the Commission ratify and approve the CDWI funding application.

Motion made by Vice-Chair Harold Garcia to ratify and approve the CDWI funding application. Second by Commissioner Max Trujillo. Motion carried.

17. APPROVE AGREEMENT WITH CYFD FOR JUVENILE JUSTICE FUNDS FOR FY20

San Miguel County DWI Tracker/Screening Prevention Specialist Elizabeth Pino informed the Commission that the DWI program received the FY20 grant agreement for the Juvenile Justice Continuum Board and projects in the amount of \$ 69,755. Ms. Pino requested the Commission approve the Agreement.

Motion made by Commissioner Chris Najar to approve the Agreement. Second by Vice-Chair Harold Garcia. Motion carried.

18. RESOLUTION NO. 05-15-19-RA02: ADDITION OF PINE BLUFF RD, A NEWLY NAMED PRIVATE ROAD NAME THAT WILL BE ADDED TO THE OFFICIAL E9-1-1 ROAD LIST OF SAN MIGUEL COUNTY, NEW MEXICO

San Miguel County Information Technology Supervisor Diego Trujillo informed the Commission that a resident of a private access road off County Road A19A in the Las Vegas NM area petitioned the county to name the driveway leading to their residence. Per San Miguel County Ordinance No.SMC-07-13-99-ORD-2, Section 4.1-C; proposed to San Miguel Board of County Commissioners please review and take appropriate action on road naming for, "any 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 Pine Bluff Road has been determined to be acceptable by SMC Rural Addressing staff per San Miguel County Ordinance No.SMC-07-13-99-ORD-2. Mr. Trujillo Requested the Commission review and approve newly named private road name Pine Bluff Rd.

Motion made by Commissioner Chris Najar to approve newly named private road name Pine Bluff Rd. Second by Commissioner Janice Varela. Motion carried.

19. RESOLUTION NO. 05-15-19-RA01: ADDITION OF HORSESHOE LN, A NEWLY NAMED PRIVATE ROAD NAME THAT WILL BE ADDED TO THE OFFICIAL E9-1-1 ROAD LIST OF SAN MIGUEL COUNTY, NEW MEXICO

San Miguel County Information Technology Supervisor Diego Trujillo informed the Commission that a resident of a private access road off NM Highway 105 in the Rociada NM area petitioned the county to name the driveway leading to their residence. Per San Miguel County Ordinance No.SMC-07-13-99-ORD-2, Section 4.1-C; proposed to San Miguel Board of County Commissioners please review and take appropriate action on

road naming for, "any 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 Horseshoe Lane has been determined to be acceptable by SMC Rural Addressing staff per San Miguel County Ordinance No.SMC-07-13-99-ORD-2 and because this is an existing situation, the \$100 fee has been waved. Mr. Trujillo Requested the Commission review and approve newly named private road name Horseshoe Ln.

Motion made by Commissioner Janice Varela to approve newly named private road name Horseshoe Ln. Second by Vice-Chair Harold Garcia. Motion carried.

20. LEGISLATIVE IMPACT ON DETENTION CENTER

San Miguel County Warden Matthew A. Elwell presented to the Commission several bills that are going to impact jail operations as we move into the budget season for the County department. Some will have a negative impact in the jail operations and some will have a positive impact. Mr. Elwell read each bill and explained on how they will impact operations at the Detention center.

For informational purposes only.

BOARD OF FINANCE MEETING

21. BANK TRANSFERS FOR THE MONTH OF APRIL

San Miguel County Finance Supervisor Melinda Gonzales presented to the Commission for County Treasurer Bertha Bustamante the bank transfers for the month of April 2019.

For informational purposes only.

22. INDIGENT CLAIMS

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

Motion made by Vice-Chair Harold Garcia to approve and ratify the indigent claims. Second by Commissioner Max Trujillo. Motion carried.

23. RESOLUTION 2019-05-15-F1

San Miguel County Finance Supervisor Melinda Gonzales presented to the Commission a budget adjustment request for the following: LEPF funds from the Village of Pecos; Various Legislative Appropriations; Fire Chief Loan to the Sapello Volunteer Fire Fund; Traffic Safety Funding; and, Lodgers Tax Awards. Ms. Gonzales requested the Commission review and approve Resolution 2019-05-15-F1.

Motion made by Commissioner Janice Varela to approve Resolution 2019-05-15-F1. Second by Commissioner Chris Najar. Motion carried.

24. RESOLUTION 2019-05-15-F2, INSURANCE PREMIUMS – AFFORDABLE CARE ACT

San Miguel County Finance Supervisor Melinda Gonzales informed the Commission of an increase in insurance premiums for San Miguel County employees. The health care premiums have increased by 5%. As a result this resolution will supersede Resolution 2018-06-12-f1, which established the insurance tiers for the FY18/19. The revision is necessary to ensure the County is providing affordable health care to employees. Ms. Gonzales requested the Commission review and approve Resolution 2019-05-15-F2.

Motion made by Vice-Chair Harold Garcia to review and approve Resolution 2019-05-15-F2. Second by Commissioner Max Trujillo. Motion Carried.

25. ACCOUNTS PAYABLE REPORT FOR THE PERIOD OF MARCH 2019

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

Motion made by Commissioner Janice Varela to approve accounts payable report for the period of March 2019. Second by Commissioner Max Trujillo. Motion carried.

26. RECEIPT REPORT FOR THE MONTH OF MARCH 2019

San Miguel County Finance Supervisor Melinda Gonzales presented to the Commission the Receipt Detail Report for the month of March 2019.

For informational purposes only.

27. CASH BALANCE REPORT FOR THE MONTH OF MARCH 2019

San Miguel County Finance Supervisor Melinda Gonzales informed the Commission of the cash balance report for the month of March 2019.

For informational purposes only.

28. JOURNAL ENTRY REPORT FOR THE MONTH OF MARCH 2019

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

For informational purposes only.

29. BUDGET REPORT FOR THE PERIOD OF JULY 1, 2018 THROUGH MARCH 31, 2019

San Miguel County Finance Supervisor Melinda Gonzales informed the Commission of the accounts payable report for the period of July 1, 2018 through March 31, 2019

For informational purposes only.

Executive/Closed Session


Motion made by Vice-Chair Harold Garcia to retire into Executive Session at 5:32 p.m. to discuss A. 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: Old Wood LCC. vs. San Miguel County. Second by Commissioner Max Trujillo. Motion carried

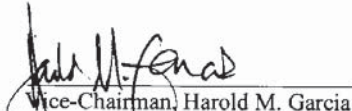
Motion made by Commissioner Chris Najar to return from Executive Session at 5:55p.m. Second by Janice Varela. Motion carried


ADJOURNMENT


Motion made by Vice-Chair Harold Garcia to adjourn the meeting at 5:56p.m. Second by Commissioner Max Trujillo. Motion carried.

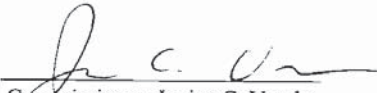
Approved this 11th day of June, 2019 as the Official Minutes of the Board of County Commissioners of San Miguel County, New Mexico, of its Regular Meeting held May 15, 2019.


Madam Chair, Maria L. Martinez
District 4

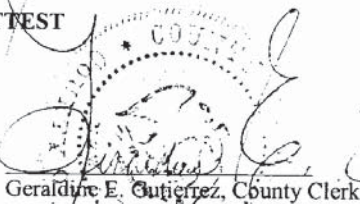

Vice-Chairman, Harold M. Garcia
District 1

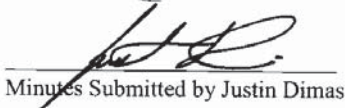

Commissioner, Max O. Trujillo
District 3


Commissioner, Chris A. Ojajar
District 5


Commissioner, Janice C. Varela
District 2

ATTEST


Geraldine E. Gutierrez, County Clerk


Minutes Submitted by Justin Dimas