

**MINUTES OF REGULAR MONTHLY MEETING OF
SAN MIGUEL COUNTY BOARD OF COMMISSIONERS
HELD TUESDAY, OCTOBER 13, 2020 BEGINNING AT 2:00 P.M.**

CALL TO ORDER

The San Miguel County Board of Commissioners held its regular monthly meeting on Tuesday, October 13, 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.

Vice-Chair Chris Najar called the meeting to order at 2:00 p.m.

ROLL CALL:

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

Motion made by Commissioner Harold Garcia to modify item #16 and remove item #17 from the agenda also to move items #3 and #4 be moved and heard after Item #12. Second by Commissioner Varela.

Motion Carried

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 Harold Garcia to approve the agenda. Second by Commissioner Max Trujillo.

Motion carried

APPROVAL OF MINUTES

Correction by Commissioner Janice Varela to correct last name of Gabe Serna on the agenda

Motion made by Commissioner Harold Garcia to approve the minutes for the September 8, 2020 regular Meeting. Second by Commissioner Max Trujillo.

Motion carried

PUBLIC INPUT

Manuel Garcia spoke to the Commission about the recycling program in Pecos, Covid-19, and Website Security.

NEW BUSINESS

REGULAR ORDER

1. SOLID WASTE UPDATE

San Miguel County Public Works Supervisor Gerald Garcia and Joe Lewandowski Operational Consulting presented to the Commission on the Solid Waste System. Mr. Lewandowski spoke about the billing system and how it would work.

For informational purposes only.

2. RESOLUTION ADOPTING THE SAN MIGUEL COUNTY PROPOSED ORDINANCE FOR THE EFFICIENT SANITARY DISPOSAL AND COLLECTION OF SOLID WASTE, LITER, AND CONSTRUCTION AND DEMOLITION DEBRIS

San Miguel County Planning and Zoning Supervisor Robert Archuleta presented to the County desire to adopt for the efficient and sanitary disposal and collection of Solid Waste, Litter, and Demolition Debris and establish a Solid Waste Management fee and provide a penalty, severability, and effective date toward the safety and health of its citizen's in San Miguel County as a coordinated countywide program for the management of solid waste

Motion made by Harold Garcia to approve the ordinance after approval of this resolution in 30 days. Second by Commissioner Max Trujillo.

Motion Carried.

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

San Miguel County Human Resource Director presented to the Commission job descriptions for the public works/solid waste accounts receivable clerk 1 position.

For informational purposes only.

4. RECOMMENDATION TO APPROVE THE JOB DESCRIPTION FOR THE PUBLIC WORKS/SOLID WASTE ACCOUNTS RECEIVABLE CLERK 11 POSITION

San Miguel County Human Resource Director Eileen Sedillo presented to the county term 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. Will provide communication with general public, solid waste costumers and the County Administration. Responsible for maintaining computerized record system and preparing billing for solid waste collection service associate within the solid waste billing department.

Motion made by Commissioner Janice Varela to approve Public Works/Solid Waste Receivable Clerk 1 job Description. Second by Commissioner Max Trujillo.

Motion carried

5. 2020 LEGISLATIVE PRIORITIES DISCUSSION

San Miguel County Planning and Zoning Robert Archuleta presented to the Commission legislative priorities for the 2021 Legislative Session for each commission district and for elected officials and provide the top 5 legislative priorities to the Legislative Sponsors and the Office of the Governor.

Information Purposes Only

6. RESOLUTION NO. 2020-10-13 EXCESS PROPERTY

San Miguel County Attorney Fire Chief informed the Commission that the 1980 Ford fire engine that was donated by Wagon Mound for use by the Cabo Lucero VFD in 2015. This apparatus has been replaced with a new fire engine. The vendor has offered to take this outdated fire engine as trade for new equipment for the new fire engine

Motion made by Commissioner Harold Garcia to approve pending authorization from state auditors. Second by Commissioner Janice Varela.

Motion carried

7. PUBLIC WORKS DIVISION REPORT FOR THE MONTH OF SEPTEMBER

San Miguel County Public Works Road Foreman Division submits a report to Commission on a monthly basis on any maintenance including blading of county roads and/or special projects with County Roads that are addressed.

Informational Purposes Only

8. REQUESTING APPROVAL FOR CYFD-JUVENILE JUSTICE SUBCONTRACTS

San Miguel County DWI Coordinator Jesus Romero presented to the Commission the approval of Contract services, (2) from UWC, and (1) from Somos Familia providing subcontractor services for San Miguel County Juvenile Justice Program.

Motion made by Commissioner Harold Garcia to approve CYFD-Juvenile Justice Subcontractors. Second by Commissioner Max Trujillo

Motion carried

9. DETENTION CENTER BILLING- OUTSTANDING BALANCES-NOT COLLECTABLE

San Miguel County Detention Center Warden Matthew Elwell presented to the Commission the outstanding balances that are specific to the housing and care of other public agency detainees; that are uncollectable. The enumerated public agency locations have cited NMSA 33-3-14 confinement in county other than in which crime committed; expense borne by county; as valid justification for non-payment. Approval is sought, to declare the balances as uncollectable, and to expunge and remove such balances from any future outstanding, balance reports.

Motion made by Commissioner Harold Garcia to review and approve balances as uncollectable. Second by Commissioner Harold Garcia.

Motion carried

10. SAN MIGUEL COUNTY DETENTION CENTER DETAINEE MEAL AND COMMISSARY SERVICES

San Miguel County Detention Center Warden Matthew Elwell presented to the Commission a request for proposals for detention center detainee meal and commissary services was released on August 5, 2020. Two companies submitted proposals and were evaluated by a 5-person committee. The committee has recommended Summit as its selection and award the contract. This contract will be approved as an annual contract that may be renewed annually for four years.

Motion made by Commissioner Janice Varela to approve the contract. Second by Commissioner Harold Garcia.

Motion carried

11. STATUS OF OPIOD LAWSUIT CASE

San Miguel County Attorney Dave Romero presented to the Commission filed suit against distributors of Opioid for their role in contributing to the epidemic in San Miguel County. The attorneys representing the County's wish to advice as to the status of the litigation.

Motion made by Commissioner Janice Varela to table Until November. Second by Commissioner Max Trujillo.

Motion carried.

12. REQUEST FOR BIDS REGARDING COLLECTION OF EVIDENCE IN OPIOD LAWSUIT AS TO THE DIRECT AND INDERICT DAMAGES THE COUNTY HAS SUFFERED BECAUSE OF THE OPIOD EPIDEMIC, INCLUDING BUT NO LIMITED TO TESTIMONY AND RESEARCH

San Miguel County Public Attorney Dave Romero presented to the Commission on the opioid epidemic.

Motion made by Commissioner Harold Garcia to table until November. Second by Commissioner Max Trujillo.

Motion carried

13. BANK TRANSFERS FOR THE MONTH OF AUGUST

San Miguel County Finance Supervisor Melinda Gonzales presented to the Commission Governing Wire Transfers.

Informational Purposes Only

14. FARM AND RANGE IMPROVEMENT FUND ACCOUNTING FORM

San Miguel County Finance Supervisor Melinda Gonzales informed the Commission on the Farm and Range Improvement Funds.

For informational purposes only

BOARD OF FINANCE MEETING

15. INDIGENT CLAIMS

San Miguel County Finance Supervisor Melinda Gonzales presented to the indigent claims for the month of August 2020.

Motion made by Commissioner Harold Garcia to approve Indigent claims for the month of August 2020. Second by Commissioner Janice Varela.

Motion carried

16. RESOLUTION INFORMATION

San Miguel County Finance Supervisor Melinda Gonzales informed the Commission the General Fund budget with the Department of Health portion they will be providing for the San Miguel Health Council. To adjust the JLEO budget by \$2,000 to account for the Region IV funds administered by the City of Las Vegas.

Motion made by Commissioner Harold Garcia to approve Resolution 2020-10-13-F1. Second by Commissioner Janice Varela.

Motion carried.

17. CERTIFICATION OF CAPITAL ASSET INVENTORY FOR FY19/20; RESOLUTION 2020-10-13-F2

Item Removed

18. RECEIPT REPORT FOR THE MONTH OF AUGUST 2020

San Miguel County Finance Supervisor Melinda Gonzales provided the Commission a receipt detail for the month of August 2020.

For informational purposes only

19. JOURNAL ENTRY REPORT FOR THE MONTH OF AUGUST 2020

San Miguel County Finance Supervisor Melinda Gonzales provided the Commission a Journal Report for the month of August 2020.

For informational purposes only

20. CASH BALANCE REPORT FOR THE MONTH OF AUGUST 2020

San Miguel County Finance Supervisor Melinda Gonzales provided the Commission the report for August 2020 cash balance.

For informational purposes only

21. BUDGET REPORT FOR THE PERIOD OF JULY 1, 2020 THROUGH AUGUST 31, 2020

San Miguel County Finance Supervisor Melinda Gonzales provided the Commission with a FY20/21 Year to Date Budget Report.

For informational purposes only

22. ACCOUNTS PAYABLE REPORT FOR THE MONTH OF AUGUST 2020

San Miguel County Finance Supervisor Melinda Gonzales provided the Commissioners with present payments processed through the finance office and Bernalillo County on behalf of San Miguel County.

Motion made by Commissioner Harold Garcia to approve the accounts payable report. Second by Commissioner Max Trujillo.

Motion carried.

ADJOURNMENT


Motion made by Commissioner Harold Garcia to adjourn the meeting at 4:32 p.m. and go into executive session. Second by Commissioner Max Trujillo.

Motion carried.

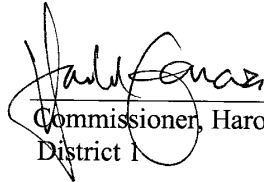
Approved this 10th day of November, 2020 as the Official Minutes of the Board of County Commissioners of San Miguel County, New Mexico, of its Regular Meeting held June 9, 2020.

Madam Chair, Maria L. Martinez
District 4

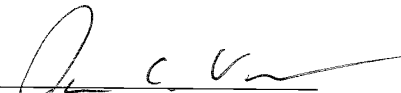
Vice-Chairman, Chris A. Najar
District 5



Commissioner, Max O. Trujillo
District 3

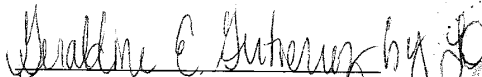


Commissioner, Harold M. Garcia
District 1




Commissioner, Janice C. Varela
District 2

ATTEST



Geraldine E. Gutierrez, County Clerk





Submitted By: Erica Sena



Board of County Commissioners

Maria L. Martinez
Chair-District 4

Chris A. Najjar
Vice-Chair-District 5

Harold M. Garcia
Commissioner-District 1&2

Janice C. Varela
Commissioner-District 2

Max O. Trujillo
Commissioner-District 3

Vidal Martinez, Ed.D.
County Manager

PUBLIC NOTICE DISSEMINATED FOR TODAY'S MEETING

The San Miguel County Board of Commissioners will hold a regular monthly meeting on Tuesday October 13, 2020 beginning at 2:00 p.m., at 500 W. National Ave, Las Vegas, NM 87701 and can be viewed online at www.co.sanmiguel.nm.us. During the meeting; a County Board of Finance Meeting will take place.

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.

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, and also available in hard copy at the office of the San Miguel County Manager.

AGENDA

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

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."

APPROVAL OF AGENDA

APPROVAL OF MINUTES

September 8, 2020 Regular Meeting

Administration Complex
500 West National Avenue, Suite 201 Las Vegas, New Mexico 87701 (505) 425-9333 phone (505) 425-7019 fax

PUBLIC INPUT FORUM

NEW BUSINESS

REGULAR ORDER

1. SOLID WASTE UPDATE

Background Information: Presentation on San Miguel County Solid Waste

Action Requested of Commission: Information only

Staff Recommendation: Information Only

Presenter: Gerald Garcia, Public Works Supervisor and Joe Lewandowski, Operational Consulting

2. RESOLUTION ADOPTING THE SAN MIGUEL COUNTY PROPOSED ORDINANCE FOR THE EFFICIENT AND SANITARY DISPOSAL AND COLLECTION OF SOLID WASTE, LITTER, AND CONSTRUCTION AND DEMOLITION DEBRIS

Background Information: San Miguel County desires adopt a resolution for the efficient and sanitary disposal and collection of Solid Waste, Litter, and Construction and Demolition Debris and establish a Solid Waste Management fee and provide a penalty, severability, and effective date toward the safety and health of its citizen's in San Miguel County as a coordinated countywide program for the management of solid waste.

Action Requested of Commission: Review and approve the Resolution and provide for a review timeframe and public hearing of the ordinance after approval of this resolution in 30 days.

Staff Recommendation: Review and approved the resolution.

Presenter: Robert Archuleta, Planning & Zoning Supervisor

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

Background Information: This term appointment position is 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.

Action Requested of Commission: Approval of the Public Works/Solid Waste Accounts Receivable Clerk I Job Description.

Staff Recommendation: Approval of the Public Works/Solid Waste Accounts Receivable Clerk I Job Description.

Presenter: Eileen Sedillo, Human Resource Director

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

Background Information: 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. 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.

Action Requested of Commission: Approval of the Public Works/Solid Waste Accounts Receivable Clerk II Job Description.

Staff Recommendation: Approval of the Public Works/Solid Waste Accounts Receivable Clerk II Job Description.

Presenter: Eileen Sedillo, Human Resource Director

5. 2020 LEGISLATIVE PRIORITIES DISCUSSION

Background Information: San Miguel County desires to develop legislative priorities for the 2021 Legislative Session for each commission district and for elected officials and provide the top 5 legislative priorities to the Legislative Sponsors and the Office of the Governor.

Action Requested of Commission: Review and provide recommendations for the 2021 Legislative Session.

Staff Recommendation: Discuss and provide recommendation for the top legislative priorities.

Presenter: Robert Archuleta, Planning and Zoning Supervisor

6. RESOLUTION NO. 2020-10-13 EXCESS PROPERTY

Background Information: San Miguel County is the owner of a 1980 Ford fire engine that was donated by Wagon Mound for use by the Cabo Lucero VFD in 2015. This apparatus has been replaced with a new fire engine. The vendor has offered to take this outdated fire engine as trade for new equipment for the new fire engine.

Action Requested of Commission: Consider Approval of Resolution No. 2020-10-13 Excess Property

Staff Recommendation: Approve Resolution No. 2020-10-13-Excess Property

Presenter: Andrew J. Duran, Fire Chief

7. PUBLIC WORKS DIVISION REPORT FOR THE MONTH OF SEPTEMBER 2020

Background Information: The San Miguel County Public Works Division submits a report to County Commission on a monthly basis on any maintenance including blading of county roads and/or special projects with County Roads that are addressed.

Action Requested of Commission: For Information Purposes Only

Staff Recommendation: For Informational Purposes Only

Presenter: Arnold Lopez, SMC Public Works Road Foreman

8. REQUESTING APPROVAL FOR CYFD-JUVENILE JUSTICE SUBCONTRACTS

Background Information: Requesting the approval of contract services, (2) from UWC, and (1) from Somos Familia providing subcontractor services for San Miguel County Juvenile Justice Program

Action Requested of Commission: Approval

Staff Recommendation: Requesting Commission Approval

Presenter: Jesus M. Romero, DWI Coordinator

9. DETENTION CENTER BILLING – OUTSTANDING BALANCES – NOT COLLECTABLE

Background Information: A list has been compiled of detention center outstanding balances that are specific to the housing and care of other public agency detainees; that are uncollectable. The enumerated public agency locations have cited NMSA 33-3-14 “confinement in county other than in which crime committed; expense borne by county”; as valid justification for non-payment. Approval is sought, to declare the balances as uncollectable, and to expunge and remove such balances from any future outstanding, balance reports.

Action Requested of Commission: Review for Approve

Staff Recommendation: Approval

Presenter: Matthew A. Elwell, Warden

10. SAN MIGUEL COUNTY DETENTION CENTER DETAINEE MEAL AND COMMISSARY SERVICES

Background Information: A request for proposals for detention center detainee meal and commissary services was released on August 5, 2020. Two companies submitted proposals and were evaluated by a 5-person committee. The committee has recommended Summit as its selection to provide these services and is recommending that the Commission approve the selection and award the contract. This contract will be approved as an annual contract that may be renewed annually for four years.

Action Requested of Commission: Review for Approval

Staff Recommendation: Approval

Presenter: Matthew A. Elwell, Warden

11. STATUS OF OPIOID LAWSUIT CASE

Background Information: The County has filed suit against the distributors of Opioid for their role in contributing to the epidemic in San Miguel County. The attorneys representing the County’s wish to advise as to the status of the litigation.

Action Requested of Commission: The action requested of the Commission is to have an Executive Session to discuss ongoing opioid litigation.

Staff Recommendation: The Office of the County Attorney recommends this process.

Presenter: Dave Romero, Jr.

12. REQUEST FOR BIDS REGARDING COLLECTION OF EVIDENCE IN OPIOID LAWSUIT AS TO THE DIRECT AND INDIRECT DAMAGES THE COUNTY HAS SUFFERED BECAUSE OF THE OPIOID EPIDEMIC, INCLUDING BUT NOT LIMITED TO TESTIMONY AND RESEARCH

Background Information: The County has filed suit against the distributors of Opioid for their role in contributing to the epidemic in San Miguel County. This expenditure is NOT governed by the procurement code, because it is litigation related and expenditure for professional services.

Action Requested of Commission: The action requested of the Commission is to approve an RFP or RFB (Not to exceed \$25,000) for a contract with the selected proposal/bidder to investigate the financial losses of the County because of the Opioid epidemic.

Staff Recommendation: The Office of the County Attorney recommends this process.

Presenter: Dave Romero, Jr.

BOARD OF FINANCE MEETING

13. BANK TRANSFERS FOR THE MONTH OF AUGUST

Background Information: Regulation No. ADM-R-08-09-2016-CM Governing Wire Transfer

Action Requested of Commission: Informational purposes only

Staff Recommendation: None

Presenter: Bertha Bustamante, County Treasurer

14. FARM AND RANGE IMPROVEMENT FUND ACCOUNTING FORM

Background Information: Each year the County receives Farm and Range Improvement Funds (FRIF). The funds can be spent on one or more of the following purposes.

1. Conservation of soil and water.
 2. Control of rodents and predatory animals.
 3. Extermination of poisonous and noxious weeds.
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4. Construction of dipping vats, spraying machines, and other structures to control parasites on livestock.
5. Repair and maintenance of said vats, machines and structures.
6. Construction and maintenance of secondary roads.

At the close of each fiscal year, the County is required to complete the FRIF Accounting Form. This report is submitted to the New Mexico Department of Agriculture (NMDA), Agricultural Programs and Resources Division of New Mexico State University. NMDA staff will sign all vouchers issued against and FRIF account to verify the expenditure is a legal disbursement.

Action Requested of Commission: Informational Purposes Only

Staff Recommendation: Informational Purposes Only

Presenter: Melinda Gonzales, Finance Supervisor

15. INDIGENT CLAIMS

Background Information: To provide the Commission with information regarding the indigent claims for the month of August 2020.

Action Requested of Commission: Ratification of the indigent claims.

Staff Recommendation: Ratification of the indigent burial payment.

Presenter: Melinda Gonzales, Finance Supervisor

16. RESOLUTION 2020-10-13-F1

Background Information: To adjust the General Fund budget with the Department of Health portion they will be providing for the San Miguel Health Council.
To adjust the JLEO budget by \$2,000 to account for the Region IV funds administered by the City of Las Vegas.

Action Requested of Commission: Review and approval.

Staff Recommendation: Review and approval.

Presenter: Melinda Gonzales, Finance Supervisor

17. CERTIFICATION OF CAPITAL ASSET INVENTORY FOR FY19/20; RESOLUTION 2020-10-13-F2

Background Information: Certify the capital asset inventory.

Action Requested of Commission: Review and approval

Staff Recommendation: Review and approval

Presenter: Melinda Gonzales, Finance Supervisor

18. RECEIPT REPORT FOR THE MONTH OF AUGUST 2020

Background Information: To provide the Commissioners with a Receipt Detail Report for the month of August 2020

Action Requested of Commission: Informational purposes

Staff Recommendation: Informational purposes.

Presenter: Melinda Gonzales, Finance Supervisor

19. JOURNAL ENTRY REPORT FOR THE MONTH OF AUGUST 2020

Background Information: To provide the Commissioners with a Journal Entry Reports for the month of August 2020

Action Requested of Commission: Informational purposes

Staff Recommendation: Informational purposes.

Presenter: Melinda Gonzales, Finance Supervisor

20. CASH BALANCE REPORT FOR THE MONTH OF AUGUST 2020

Background Information: To report the August 2020 cash balances to the Commission

Action Requested of Commission: Informational Purposes Only

Staff Recommendation: Informational Purposes Only

Presenter: Melinda Gonzales, Finance Supervisor

21. BUDGET REPORT FOR THE PERIOD OF JULY 1, 2020 THROUGH AUGUST 31, 2020

Background Information: To provide the Commissioners with a FY20/21 Year to Date Budget Report.

Action Requested of Commission: Informational purposes only.

Staff Recommendation: Informational purposes only.

Presenter: Melinda Gonzales, Finance Supervisor

22. ACCOUNTS PAYABLE REPORT FOR THE MONTH OF AUGUST 2020

Background Information: Present payments processed through the finance office and Bernalillo County on behalf of San Miguel County.

Action Requested of Commission: Review and approve.

Staff Recommendation: Review and approve.

Presenter: Melinda Gonzales, Finance Supervisor

Adjournment
