



# Board of County Commissioners

*Maria L. Martinez*  
Chair-District 4

*Harold M. Garcia*  
Vice-Chair-District 1

*Janice C. Varela*  
Commissioner-District 2

*Max O. Trujillo*  
Commissioner-District 3

*Chris A. Najjar*  
Commissioner-District 5

*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, January 14, 2019 beginning at 2:00 p.m., at the San Miguel County Administration Complex located at 500 West National Avenue, Suite 200, Las Vegas, New Mexico 87701. 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 Commission Administrator at either of the above numbers if a summary or other type of accessible format is needed.

Notice Published Las Vegas Optic: January 6, 2020

Notice Posted on the SMC Website at [www.co.sanmiguel.nm.us](http://www.co.sanmiguel.nm.us): December 31, 2019

At least 72 hours in advance of the 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 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

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

**APPROVAL OF MINUTES**

Regular Commission Meeting 12-10-19

**PUBLIC INPUT FORUM**

**NEW BUSINESS**

**REGULAR ORDER**

**1. ADOPTION OF OPEN MEETINGS ACT RESOLUTION FOR 2020**

**Background Information:** Section 10-15-1 of the New Mexico Open Meetings Act, NMSA 1978, requires that each year the County Commission adopt a Resolution setting forth the date and time of the Commission Meetings and notice requirements for all meetings.

**Action Requested of Commission:** Adopt Open Meetings Resolution for 2020 as required by law.

**Staff Recommendation:** Same as above.

**Presenter:** Maria Martinez, Chair

**2. ELECTION OF CHAIRMAN AND VICE CHAIRMAN OF THE SAN MIGUEL COUNTY BOARD OF COMMISSIONERS**

**Background Information:** Section 4-38-10, NMSA 1978, requires that at its first meeting of each year, the County Commission select a Chairman and Vice Chairman.

**Action Requested of Commission:** Select a Chairman and Vice Chairman for 2019

**Staff Recommendation:** Same as above.

**Presenter:** Maria Martinez, Chair

**3. LETTER COMMENTING ON THE CO-MEXICO EXPLORATORY DRILLING PERMIT FROM THE UNITED STATES FOREST SERVICE (USFS)**

**Background Information:** San Miguel County commission directs the County Manager to write a letter to the USFS commenting on the Co-Mexico application for Exploratory Drilling on USFS administered land.

**Action Requested of Commission:** Discuss and approve

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**Staff Recommendation:** Same as above.

**Presenter:** Janice Varela, Commissioner

#### **4. APPROVAL OF EL VALLE COMMUNITY CENTER TO ICIP LIST**

**Background Information:** Approve adding El Valle Community Center project to San Miguel County ICIP list, and discuss/approve fiscal sponsorship.

**Action Requested of Commission:** Discuss and approve

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**Staff Recommendation:** Same as above

**Presenter:** Vidal Martinez, County Manager and Alex Tafoya, Planning and Zoning supervisor

#### **5. PROBATE COURT YEAR END COMMISSION REPORT**

**Background Information:**

**Action Requested of Commission:** None

**Staff Recommendation:** None

**Presenter:** Dwight Torres, Probate Judge

#### **6. SUPPORT OF THE LAS VEGAS FILM COUNCIL**

**Background Information:** The LV Film Council seeks to collaborate with municipal and state governments, educational institutions, community organizations and film industry professionals to advance its goals. The Council sees its role as an advocacy group to facilitate these initiatives and also to provide technical assistance, research and professional capacity to assist the City of Las Vegas and San Miguel County in projects and policies related to film tourism and film production.

**Action Requested of Commission:** Approve the Resolution of Support

**Staff Recommendation:** Approval

**Presenter:** Elmo Baca, LV Film Council

#### **7. UPDATE FROM THE LAS VEGAS/ SAN MIGUEL CHAMBER OF COMMERCE**

**Background Information:** Las Vegas/ San Miguel County Chamber of Commerce will be giving an update.

**Action Requested of Commission:** Information only

**Staff Recommendation:** Information only

**Presenter:** Philip Martinez, Chamber of Commerce

#### **8. INFORMATION REGARDING PROPOSED SOCIAL MEDIA POLICY**

**Background Information:** A Resolution will be presented in the regular February commission meeting for consideration by the Commission regarding the adoption of a San Miguel County Social Media Policy.

**Action Requested of Commission:** Informational Only

**Staff Recommendation:** Information Only

**Presenter:** Eileen Sedillo, Human Resource Director

#### **9. AGREEMENT BETWEEN SAN MIGUEL COUNTY AND THE NEW MEXICO FOUNDATION OF DENTAL HEALTH, RESEARCH AND EDUCATION**

**Background Information:** The New Mexico Foundation of Dental Health, Research and Education has reached out to the County to see if we would provide funding for the New Mexico Mission of Mercy event to take place on May 2<sup>nd</sup> and 3<sup>rd</sup> of 2020. They will be providing free dental, medical and vision care to San Miguel Residents in need. The County shall provide \$10,000 for planning and implementation of the two-day clinic.

**Action Requested of Commission:** Review and approval

**Staff Recommendation:** Review and approval.

**Presenter:** Melinda Gonzales, Finance Director

#### **10. FAIR MARKET RENTS 2020, UTILITY ALLOWANCES 2020, AND ADMINISTRATIVE PLAN REVISION TO A ONE-TIME 30 DAY SECTION 8 VOUCHER EXTENSION**

**Background Information:** HUD regulation requires annual approval of Fair Market Rents, Utility Allowances and a Administrative Plan Revision to a one-time 30 day Section 8 voucher extension to allow better control of Section 8 lease up and utilization of Section 8 vouchers.

**Fair Market Rents (FMR's)** determine the eligibility of rental housing subsidy for the Section 8 Housing Assistance Payment program. It is the amount of money that a given property would command if it were open for leasing. FMR's are gross rent estimates that include shelter rent and cost of utilities. HUD sets FMR's to assure that a sufficient supply of rental housing is available to program participants. HUD determines how much of the rent is covered by those tenants on the Section 8 program. HUD publishes their allowable Fair Market Rents annually and requires that San Miguel County Housing Authority (SMCHA) changes the rents accordingly.

**Utility Allowances:** SMCHA is obligated to review utility expense within San Miguel County and adjust the allowable utility allowance according to utility rates scheduled, published and the size and characteristics of the unit. The utility allowance is provided to Section 8 program participants to offset the cost of utilities. Each year the cost of utilities is averaged and changed if necessary. HUD requires SMCHA to adjust the utility allowances accordingly.

**Administrative Plan Revision:** The Administrative Plan (Admin Plan) is a comprehensive guide to policies and procedures as they relate to San Miguel Housing Authority and HUD regulation. SMCHA must operate within the Section 8 – Housing Choice Voucher (HCV) and other Special Programs in accordance with the Administrative Plan. The revision requested is to allow a one-time 30 day extension of a Section 8 voucher. This will allow better control of lease up and utilization of Section 8 funding.

**Action Requested of Commission:** Approval of Fair Market Rents and Utility Allowances for calendar year 2020. Approval of San Miguel County Housing Authority Revision to the Administrative Plan Revision to allow a one-time 30 day Section 8 voucher extension.

**Staff Recommendation:** Approval as requested.

**Presenter:** Betty Valdez, Acting Director-San Miguel County Housing Authority

## **11. ADDENDUM TO AGREEMENT – MILLER ENGINEERING CONSULTANTS**

**Background Information:** The first year of the Agreement for Engineering Services As-Needed, between San Miguel County and Miller Engineering Consultants is set to expire. Miller Engineering has indicated that they wish to extend the Agreement for a third year.

**Action Requested of Commission:** Approve the Addendum to Agreement between San Miguel County and Miller Engineering Consultants for a third year.

**Staff Recommendation:** Approve the Addendum to Agreement for third year.

**Presenter:** Alex Tafoya, Planning and Zoning Supervisor

## **12. APPLICATION NO. SC-0091 TERRELL TUCKER RE-SUBDIVISION**

**Background Information:** An application to re-subdivide Tract T-2 within the current Terrell Tucker Summary Subdivision into two (2) new tracts has been submitted by Terrell Tucker. County Subdivision Regulations provide that such re-subdivision is subject to approval by the Board of County Commission.

**Action Requested of Commission:** (1) Review Application No. SC-0091; (2) conduct a public hearing on the Application and accept public comment; and (3) approve Application No. SC-0091.

**Staff Recommendation:** As requested of the County Commission.

**Presenter:** Alex Tafoya, Planning and Zoning Supervisor

## **13. CDBG PRE-PROJECT SELECTION PUBLIC HEARING**

**Background Information:** The Community Development Block Grant (CDBG) program requires that a Pre-Project Selection Public Hearing be held and conducted in order to report on past CDBG program activities, receive public input to generate ideas about potential projects eligible for CDBG funding and select a project for a CDBG application. The Pre-Project Selection Public Hearing must be a hearing unto itself, separate from the regular County Commission meeting.

**Action Requested of Commission:** (1) Adjourn from the regular Commission meeting and call to order the CDBG Pre-Project Selection Public Hearing; (2) hear a presentation as per CDBG Exhibit 1-Q-1; (3) accept public input; and (4) select a project.

**Staff Recommendation:** As requested

**Presenter:** Alex Tafoya, Planning and Zoning Supervisor

#### **14. ADOPTION OF REQUIRED CDBG ANNUAL CERTIFICATIONS AND COMMITMENTS**

**Background Information:** The Community Development Block Grant Program (CDBG) requires entities that accept CDBG funds to adopt certain federal regulations by a resolution adopted by the governing body and suggests such adoption occur annually. The required federal regulations include Citizen Participation, Fair Housing, Residential Anti-Displacement & Relocation Assistance, Section 3 and Procurement.

**Action Requested of Commission:** Adopt Resolution No. 01-14-20-CDBG and authorize the Commission Chair to sign said Resolution.

**Staff Recommendation:** As requested of the County Commission.

**Presenter:** Alex Tafoya, Planning and Zoning Supervisor

#### **15. CDBG PRE-PROJECT SELECTION PUBLIC HEARING**

**Background Information:** The Community Development Block Grant (CDBG) program requires that a Pre-Project Selection Public Hearing be held and conducted in order to report on past CDBG program activities, receive public input to generate ideas about potential projects eligible for CDBG funding and select a project for a CDBG application. The Pre-Project Selection Public Hearing must be a hearing unto itself, separate from the regular County Commission meeting.

**Action Requested of Commission:** (1) Adjourn from the regular Commission meeting and call to order the CDBG Pre-Project Selection Public Hearing; (2) hear a presentation as per CDBG Exhibit 1-Q-1; (3) accept public input; and (4) select a project.

**Staff Recommendation:** As requested

**Presenter:** Alex Tafoya, Planning and Zoning Supervisor

#### **16. STATEMENT OF VACATION APPLICATION NO. SV-0034**

**Background Information:** San Miguel County received Statement of Vacation Application No. SV-0034 submitted by Valerie Carter and Douglas B. Pandorf, who propose to vacate Lots 7, 8 and 9 and create two (2) new lots. The lots are situated within the Hermit's Peak Ranches Subdivision.

**Action Requested of Commission:** (1) Review Application No. SV-0034; (2) hold and conduct a public hearing on the Application and accept public comment; and (3) approve Application No. SV-0034.

**Staff Recommendation:** As requested of the County Commission.

**Presenter:** Alex Tafoya, Planning and Zoning Supervisor

#### **17. STATEMENT OF VACATION APPLICATION NO. SV-0035**

**Background Information:** Statement of Vacation Application No. SV-0035, submitted by Michael Gregory, Jr., and Warren and Jackie Hill, for the purpose of a lot line adjustment between Lot 15, within Phase Three of Plenaries Park Subdivision and Rociada Properties, Inc., is being presented for approval as provided under the County Subdivision Regulations, Section 7.3, Vacation of Plats.

**Action Requested of Commission:** (1) Review Application No. SV-0035; (2) conduct a public hearing on the Application and accept public comment; and (3) approve Application No. SV-0035.

**Staff Recommendation:** As requested of the Commission.

**Presenter:** Alex Tafoya, Planning and Zoning Supervisor

#### **18. APPLICATION NO. SC-0091 TERRELL TUCKER RE-SUBDIVISION**

**Background Information:** An application to re-subdivide Tract T-2 within the current Terrell Tucker Summary Subdivision into two (2) new tracts has been submitted by Terrell Tucker. County Subdivision Regulations provide that such re-subdivision is subject to approval by the Board of County Commission.

**Action Requested of Commission:** (1) Review Application No. SC-0091; (2) conduct a public hearing on the Application and accept public comment; and (3) approve Application No. SC-0091.

**Staff Recommendation:** As requested of the County Commission.

**Presenter:** Alex Tafoya, Planning and Zoning Supervisor

#### **19. PUBLIC WORKS DIVISION REPORT FOR THE MONTH OF DECEMBER 2019**



**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:** Gerald Garcia, Director and Arnold Lopez, SMC Public Works Road Foreman

**20. APPROVE AND ADOPT RESOLUTION NO. DWI-01-14-20 AUTHORIZING THE COUNTY OF SAN MIGUEL TO SUBMIT AN APPLICATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION, LOCAL GOVERNMENT DIVISION TO PARTICIPATE IN THE LOCAL DWI GRANT AND DISTRIBUTION PROGRAM**

**Background Information:** The San Miguel County DWI Program will submit an application for LDWI Grant and Distribution funds for FY21. A resolution is required authorizing the County to serve as Fiscal Agent.

**Action Requested of Commission:** Review and adopt Resolution No. DWI-01-14-20 Authorizing the County of San Miguel to Submit an Application to the Department of Finance and Administration, Local Government Division to Participate in the Local DWI Grant and Distribution Program

**Staff Recommendation:** Review and adopt Resolution No. DWI-01-14-20 Authorizing the County of San Miguel to Submit an Application to the Department of Finance and Administration, Local Government Division to Participate in the Local DWI Grant and Distribution Program

**Presenter:** Yolanda B. Cruz, CDWI Coordinator

**21. FY21 MEMORANDUM OF UNDERSTANDING BETWEEN SAN MIGUEL COUNTY DWI PROGRAM AND THE NEW MEXICO DEPARTMENT OF FINANCE AND ADMINISTRATION**

**Background Information:** NM Department of Finance and Administration requires an MOU with local DWI programs be submitted with the funding application for FY21. The MOU document is the same throughout the state.

**Action Requested of Commission:** Review and approve of the FY21 Memorandum of Understanding between San Miguel DWI Program and the New Mexico Department of Finance and Administration

**Staff Recommendation:** Review and approve of the FY21 Memorandum of Understanding between San Miguel DWI Program and the New Mexico Department of Finance and Administration

**Presenter:** Yolanda B. Cruz, CDWI Coordinator

## **22. STATEMENT OF ASSURANCES FOR THE LOCAL DWI GRANT AND DISTRIBUTION PROGRAM FY21**

**Background Information:** NM Department of Finance and Administration requires a Statement of Assurances for the local DWI Grant and Distribution Program be submitted with the funding application for FY21. The document is the same throughout the state.

**Action Requested of Commission:** Review, approve and ratify the Statement of Assurances for the local DWI Grant and Distribution Program

**Staff Recommendation:** Review, approve and ratify the Statement of Assurances for the local DWI Grant and Distribution Program

**Presenter:** Yolanda B. Cruz, CDWI Coordinator

## **23. REIMBURSEMENT FOR JENNIFER LAFEBRE LUNA COMMUNITY CLASSES**

**Background Information:** online acct. 2130E-Intermediate accounting 1-3-20 thru 5-8-20

**Action Requested of Commission:** Informational purposes only

**Staff Recommendation:** None

**Presenter:** Bertha Bustamante, County Treasurer

## **BOARD OF FINANCE MEETING**

### **24. BANK TRANSFERS FOR THE MONTH OF DECEMBER**

**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

## **25. TAX DOLLAR QUARTER REPORT**

**Background Information:**

**Action Requested of Commission:** Informational purposes only

**Staff Recommendation:** None

**Presenter:** Bertha Bustamante, County Treasurer

## **26. ADDENDUM TO CONTRACT WITH EGB ELECTRIC**

**Background Information:** EGB Electric was awarded a contract last year based on a request for proposals. The contract was initiated for a one year term with the option to renew three additional years. The Maintenance Department is satisfied with their performance and would like to enter into a third year contract. The addendum is for the sole purpose of extending the contract for the period of January 9, 2020 through January 8, 2021.

**Action Requested of Commission:** Review and approval.

**Staff Recommendation:** Review and approval.

**Presenter:** Melinda Gonzales, Finance Director

## **27. ADDENDUM TO CONTRACT WITH JCG PLUMBING**

**Background Information:** JCG Plumbing was awarded a contract last year based on a request for proposals. The contract was initiated for a one year term with the option to renew three additional years. The Maintenance Department is satisfied with their performance and would like to enter into a third year contract. The addendum is for the sole purpose of extending the contract for the period of January 9, 2020 through January 8, 2021.

**Action Requested of Commission:** Review and approval.

**Staff Recommendation:** Review and approval.

**Presenter:** Melinda Gonzales, Finance Director

## **28. INDIGENT CLAIMS**

**Background Information:** To provide the Commission with information regarding the indigent claims processed since the last Commission Meeting.

**Action Requested of Commission:** Ratification of the indigent claims.

**Staff Recommendation:** Ratification of the indigent burial payment.

**Presenter:** Melinda Gonzales, Finance Director

## **29. RESOLUTION 2020-01-14-F1**

**Background Information:** Requests are being made to increase the El Pueblo, Cabo Lucero, Sheridan and the Trementina Volunteer Fire Departments budgets as a result of being awarded 2020 New Mexico Fire Protection Grants.

A budget increase for the Cabo Lucero New Mexico Finance Authority Loan/Refinancing is needed to expend the loan funds.

The County is increasing the Justice Assistance Grants by \$5,840.50 which reflects the 2017 JAG funds awarded that have yet to be spent.

**Action Requested of Commission:** Review and approval.

**Staff Recommendation:** Review and approval.

**Presenter:** Melinda Gonzales, Finance Director

## **30. ACCOUNTS PAYABLE REPORT FOR THE PERIOD OF NOVEMBER 2019**

**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 Director

### **31. RECEIPT REPORT FOR THE MONTH OF NOVEMBER 2019**

**Background Information:** To provide the Commissioners with a Receipt Detail Report for the month of November 2019.

**Action Requested of Commission:** Informational purposes

**Staff Recommendation:** Informational purposes.

**Presenter:** Melinda Gonzales, Finance Director

### **32. JOURNAL ENTRY REPORT FOR THE MONTH OF NOVEMBER 2019**

**Background Information:** To provide the Commissioners with a Journal Entry Reports for the month of November 2019

**Action Requested of Commission:** Informational purposes

**Staff Recommendation:** Informational purposes.

**Presenter:** Melinda Gonzales, Finance Director

### **33. CASH BALANCE REPORT FOR THE MONTHS OF NOVEMBER 2019**

**Background Information:** To report the November 2019 cash balances.

**Action Requested of Commission:** Informational purposes only.

**Staff Recommendation:** Informational purposes only.

**Presenter:** Melinda Gonzales, Finance Director

### **34. BUDGET REPORT FOR THE PERIOD OF JULY 1, 2019 THROUGH NOVEMBER 30, 2019**

**Background Information:** To provide the Commissioners with a FY19/20 Year to Date Budget Report.

**Action Requested of Commission:** Informational purposes only.

**Staff Recommendation:** Informational purposes only.

**Presenter:** Melinda Gonzales, Finance Director

**EXECUTIVE/CLOSED SESSION**

- 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: Mesa Grande; and Blame Her Ranch

**ADJOURNMENT**