



Board of County Commissioners

Chris A. Najar
Chairman-District 5

Janice C. Varela
Vice-Chair-District 2

Harold M. Garcia
Commissioner-District 1

Max O. Trujillo
Commissioner-District 3

Maria L. Martinez
Commissioner-District 4

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 8, 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: December 23, 2018

Notice Posted on the SMC Website at www.co.sanmiguel.nm.us: December 19, 2018

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, 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

November 8, 2018 Canvassing

December 11, 2018 Regular Meeting

INTRODUCTION OF NEW SAN MIGUEL COUNTY EMPLOYEES:

PUBLIC INPUT FORUM

NEW BUSINESS

Presentations

Presentation: San Miguel Family and Community Health Council

Presenter: Dr. Barbara A. Perea Casey

REGULAR ORDER

1. ADOPTION OF OPEN MEETINGS ACT RESOLUTION FOR 2019

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 2019 as required by law.

Staff Recommendation: Same as above.

Presenter: Chris Najjar, Chairman

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: Chris Najjar, Chairman

3. SAN MIGUEL COUNTY RESOLUTION 2019-01-08 PECOS CANYON

Background Information: Resolution urging the New Mexico State Legislature and Governor Michelle Lujan Grisham to allocate funding for planning and improvements to the upper area of the Pecos Canyon, located in San Miguel County

Action Requested of Commission: Approve the resolution in support of Pecos Canyon.

Staff Recommendation: Same as above.

Presenter: Commissioner Janice Varela

4. CAPITAL OUTLAY REQUEST TO SUPPORT TRI COUNTY JUSTICE CENTER

Background Information: Capital Outlay request to support improvements to the Tri County Justice Center.

Action Requested of Commission: Approval to support capital outlay request.

Staff Recommendation: Same as above.

Presenter: Commissioner Harold Garcia

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

Background Information: The Chamber of Commerce requested the following services for San Miguel County: Develop a Las Vegas/San Miguel Chamber of Commerce website, sponsor events and/or activities that promote community development, business interest, promote the community, and promote networks between business, government entities and non-profit organizations. The Chamber of Commerce will present to County Commission in June 2019 on accomplishments and activities.

Action Requested of Commission: Approval for the county manager to sign the MOU with Chamber of Commerce

Staff Recommendation: Same as above.

Presenter: Vidal Martinez, County Manager

6. SAN MIGUEL COUNTY VS. PURDUE PHARMA INC.

Background Information: Discussion on the opioid suit San Miguel County filed against Purdue Pharma.

Action Requested of Commission: Discussion only

Staff Recommendation: Same as above

Presenter: Dave Romero, County Attorney

7. APPOINTMENT TO PLANNING AND ZONING COMMISSION DISTRICTS ONE, THREE AND FIVE

Background Information: Appointments or re-appointments to the Planning and Zoning Commission should take place, as there has been election of new County Commissioners. It is necessary to appoint or re-appoint individuals to serve on the Planning and Zoning Commission to represent County Commission Districts One, Three and Five.

Action Requested of Commission: Consider appointing or re-appointing individuals to serve on the Planning and Zoning Commission as the representative for County Commission Districts One, Three and Five for a term as set by the Board of County Commissioners.

Staff Recommendation: Appoint or re-appoint individuals to serve as the representatives for Districts One, Three and Five.

Presenter: Alex Tafoya, Planning and Zoning Supervisor

8. APPOINTMENT OF ROAD VIEWERS

Background Information: San Miguel County currently has three individuals who serve as road viewers and one individual who serves as an alternate road viewer. Appointment of new road viewers or re-appointment of current road viewers is being requested.

Action Requested of Commission: Appoint new road viewers or re-appoint current road viewers.

Staff Recommendation: As requested of the Commission.

Presenter: Alex Tafoya, Planning and Zoning Supervisor

9. RESOLUTION NO. 01-08-2019-LED

Background Information: To provide financial assistance and lease County owned buildings to Old Wood, LLC., it is necessary to comply with San Miguel County Ordinance No. 07-09-13-LEDA and the Local Economic Development Act.

Action Requested of Commission: Adopt and approve Resolution No. 1-08-2019-LED authorizing the adoption of an ordinance which would approve Old Wood, LLC., as an eligible economic development project and approve the appropriate lease agreements for the two (2) buildings the County wishes to lease to Old Wood, LLC.

Staff Recommendation: Approve the Resolution

Presenter: Alex Tafoya, Planning and Zoning Supervisor

10. 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 second year.

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

Staff Recommendation: Approve the Addendum to Agreement for second year.

Presenter: Alex Tafoya, Planning and Zoning Supervisor

11. UPDATE ON SAN MIGUEL COUNTY COMPREHENSIVE PLAN

Background Information: A draft Comprehensive Plan has been developed and is ready for review by the Board of County Commissioners for informational purposes at this time.

Action Requested of Commission: Entertain an update and review on the draft Comprehensive Plan for informational purposes at this time.

Staff Recommendation: As requested by Staff.

Presenter: Alex Tafoya, Planning and Zoning Supervisor

12. UPDATE AND DISCUSSION ON POSSIBLE CDBG PROJECTS

Background Information: The Board of County Commissioners determined that three (3) projects be looked into for CDBG application eligibility. County staff would like to provide a brief discussion in regard to the projects and any other possible projects for consideration.

Action Requested of Commission: Discussion on the three (3) projects and any other possible projects for consideration.

Staff Recommendation: As requested.

Presenter: Alex Tafoya, Planning and Zoning Supervisor

13. RECENT GRANT AWARDS – 2019 FIRE PROTECTION GRANT

Background Information: Several San Miguel County Volunteer Fire Departments submitted applications for the 2019 Fire Protection Grant through the NM State Fire Marshal Office. Notice has been posted and we are awaiting award letters, four of our fire departments have been awarded a grant.

The departments are:

El Pueblo VFD \$100,000 for Apparatus (10% match required)

Pecos Canyon VFD \$40,850.00 for Communication (5% match required)

Rowe VFD \$98,141.40 for Facility Improvement, General Firefighting Equipment, PPE, SCBA (10% match required)

Sapello-Rociada VFD \$100,000.00 for Apparatus (10% match required)

Action Requested of Commission: Information Only

Staff Recommendation: Information Only

Presenter: Andrew J. Duran, Fire Marshal

14. PERSONNEL ACTIONS OR CHANGES FOR THE MONTH OF NOVEMBER 2018 AND DECEMBER 2018.

Background Information: Personnel actions or changes which have taken place in San Miguel County for the month of November 2018 and December 2018 are submitted for ratification and approval by the San Miguel County Board of Commissioners.

Action Requested of Commission: To approve and ratify the personnel actions or changes that have taken place during the months of November 2018 and December 2018.

Staff Recommendation: To approve and ratify the personnel actions or changes that have taken place during the months of November 2018 and December 2018.

Presenter: Eileen Sedillo, Human Resource Supervisor

15. PUBLIC WORKS DIVISION REPORT FOR THE MONTHS OF NOVEMBER AND DECEMBER 2018

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, Public Works Road Foreman

16. SUBCONTRACT AGREEMENTS FOR JUVENILE JUSTICE SERVICES: VIOLENCE AND SUBSTANCE ABUSE PREVENTION SERVICES WITH SOMOS FAMILIA; RESTORATIVE JUSTICE SERVICES WITH ARMAND HAMMER UNITED WORLD COLLEGE; GIRLS CIRCLE AND BOYS COUNCIL WITH PECOS VALLEY MEDICAL CENTER

Background Information: The County was recently awarded the Juvenile Justice Contract, requiring us to provide specific early intervention services for youth ages 11-17. We requested quotes for services and the best quotes are listed above. Funds to provide the services are included in the grant award from CYFD.

Action Requested of Commission: Approve subcontract agreements for Juvenile Justice Services.

Staff Recommendation: Approve subcontract agreements for Juvenile Justice Services.

Presenter: Yolanda Cruz, DWI Coordinator

17. APPROVE AND ADOPT RESOLUTION NO. DWI-01-08-19 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 FY20. A resolution is required authorizing the County to serve as Fiscal Agent.

Action Requested of Commission: Review and adopt Resolution No. DWI-01-08-19 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-02-13-18 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

18. STATEMENT OF ASSURANCES FOR THE LOCAL DWI GRANT AND DISTRIBUTION PROGRAM FY20

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 FY20. 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

19. FY20 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 FY20. The MOU document is the same throughout the state.

Action Requested of Commission: Review and approve the FY20 Memorandum of Understanding between San Miguel DWI Program and the New Mexico Department of Finance and Administration

Staff Recommendation: Review and approve the FY20 Memorandum of Understanding between San Miguel DWI Program and the New Mexico Department of Finance and Administration

Presenter: Yolanda B. Cruz, CDWI Coordinator

BOARD OF FINANCE MEETING

20. BANK TRANSFERS FOR THE MONTH OF NOVEMBER AND 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, SMC Treasurer

21. QUARTERLY TAX DOLLAR REPORT

Background Information:

Action Requested of Commission: Informational purposes only

Staff Recommendation: None

Presenter: Bertha Bustamante, SMC Treasurer

22. 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 second year contract. The addendum is for the sole purpose of extending the contract for the period of January 9, 2019 through January 8, 2020.

Action Requested of Commission: Review and approval

Staff Recommendation: Review and approval

Presenter: Melinda Gonzales

23. 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 second year contract. The addendum is for the sole purpose of extending the contract for the period of January 9, 2019 through January 8, 2020.

Action Requested of Commission: Review and approval

Staff Recommendation: Review and approval

Presenter: Melinda Gonzales

24. RESOLUTION 2019-01-08-F1

Background Information: A budget adjustment is being requested to increase the general fund revenue and expenditures by \$3,500 to cover costs associated with special elections.

A budget adjustment is being proposed to increase the following Volunteer Fire Department Budgets as a result of receiving FY19 NM Fire Protection Grant Council Awards. Notices of the awards are provided.

- Sapello VFD (Fund/Dept) 407-115 in the amount of \$100,000 for Apparatus;
- El Pueblo VFD (Fund/Dept) 410-115 in the amount of \$100,000 for Apparatus;
- Pecos VFD (Fund/Dept) 417-115 in the amount of \$40,850 for Communications; and,
- Rowe VFD (Fund/Dept) 420-115 in the amount of \$98,141.40 for Facility Improvements.

Action Requested of Commission: Review and approval.

Staff Recommendation: Review and approval.

Presenter: Melinda Gonzales

25. ACCOUNTS PAYABLE REPORT FOR THE PERIOD OF OCTOBER 2018

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

26. ACCOUNTS PAYABLE REPORT FOR THE PERIOD OF NOVEMBER 2018

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

27. RECEIPT REPORT FOR THE MONTH OF OCTOBER 2018

Background Information: To provide the Commissioners with a Receipt Detail Report for the months of October 2018.

Action Requested of Commission: Informational purposes

Staff Recommendation: Informational purposes.

Presenter: Melinda Gonzales

28. RECEIPT REPORT FOR THE MONTH OF NOVEMBER 2018

Background Information: To provide the Commissioners with a Receipt Detail Report for the months of November 2018.

Action Requested of Commission: Informational purposes

Staff Recommendation: Informational purposes.

Presenter: Melinda Gonzales

26. JOURNAL ENTRY REPORT FOR THE MONTH OF OCTOBER 2018

Background Information: To provide the Commissioners with a Journal Entry Reports for the month of October 2018

Action Requested of Commission: Informational purposes

Staff Recommendation: Informational purposes.

Presenter: Melinda Gonzales

27. JOURNAL ENTRY REPORT FOR THE MONTH OF NOVEMBER 2018

Background Information: To provide the Commissioners with a Journal Entry Reports for the month of November 2018

Action Requested of Commission: Informational purposes

Staff Recommendation: Informational purposes.

Presenter: Melinda Gonzales

28. CASH BALANCE REPORT FOR THE MONTHS OF NOVEMBER 2018

Background Information: To report the November 2018 reconciled cash balances.

Action Requested of Commission: Informational purposes only.

Staff Recommendation: Informational purposes only.

Presenter: Melinda Gonzales

29. CASH BALANCE REPORT FOR THE MONTHS OF OCTOBER 2018

Background Information: To report the October 2018 reconciled cash balances.

Action Requested of Commission: Informational purposes only.

Staff Recommendation: Informational purposes only.

Presenter: Melinda Gonzales

30. INDIGENT BURIAL CLAIMS

Background Information: The Finance Office has received, reviewed and processed a claim from Gonzales Funerals and Cremations and a claim from Rogers Mortuary each for \$1,200.

Action Requested of Commission: Ratification of the indigent burial payments.

Staff Recommendation: Ratification of the indigent burial payment.

Presenter: Melinda Gonzales

31. BUDGET REPORT FOR THE PERIOD OF JULY 1, 2018 THROUGH OCTOBER 2018

Background Information: To provide the Commissioners with a FY18/19 Year to Date Budget Report.

Action Requested of Commission: Informational purposes only.

Staff Recommendation: Informational purposes only.

Presenter: Melinda Gonzales

32. BUDGET REPORT FOR THE PERIOD OF JULY 1, 2018 THROUGH NOVEMBER 2018

Background Information: To provide the Commissioners with a FY18/19 Year to Date Budget Report.

Action Requested of Commission: Informational purposes only.

Staff Recommendation: Informational purposes only.

Presenter: Melinda Gonzales

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: Potential Litigation Re: Breach of Contract , Pending Litigation Detention Center, SMC vs. Economic Development Corporation, Rock Ulibarri vs. SMC,

ADJOURNMENT