

**MINUTES of the REGULAR MEETING**  
**of the BOARD of COUNTY COMMISSIONERS**  
**of SAN MIGUEL COUNTY, NEW MEXICO**

**HELD TUESDAY, NOVEMBER 08, 2022 AT 2:00 PM**

ZOOM LINK is active. 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](http://www.co.sanmiguel.nm.us) and available in hard copy at the office of the San Miguel County Manager.

**1. CALL TO ORDER**

Chairman Harold Garcia called the meeting to order at 2:02 PM at the SMC Commission Chambers at 500 W. National Avenue, Suite 201, Las Vegas, New Mexico 87701. Chairman Garcia indicated a few changes to the seating arrangements during Commission Meetings by appointing the desk as the Sergeant-at-Arms station, Sheriff Chris Lopez, or his appointed representative, will be seated here; and County Attorney Herman Gallegos will be seated on the Commissioners panel.

**2. ROLL CALL**

Roll Call was not administered; however, Chairman Harold Garcia present, Vice-Chairman Janice Varela present, Commissioner Max Trujillo present, Commissioner Martin Sena present via Zoom, and Commissioner Kenneth Medina present.

A quorum is present.

**3. PLEDGE OF ALLEGIANCE**

The pledge and salutation were not recited.

**4. 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".**

**5. APPROVAL OF AGENDA**

County Manager Joy Ansley asked that item "G" Acceptance of Rodeo Feasibility Study be deemed a Discussion/Information Item [will become Item "H"]; and to add Item "A" San Miguel County Proclamation Election Officials 11-08-2022.

Motion made by Vice Chairman Janice Varela to approve the agenda with changes indicated. Second by Commissioner Kenneth Medina. Motion carried.

## **6. APPROVAL OF MINUTES**

Minutes for approval are RM-10-11-2022 and SM-10-21-2022.

Motion to approve minutes of RM-10-11-2022 made by Commissioner Max Trujillo. Second by Chairman Harold Garcia. Motion carried.

Motion to approve minutes of SM-10-21-2022 made by Commissioner Kenneth Medina. Second by Commissioner Max Trujillo. Motion carried.

## **7. PUBLIC INPUT FORUM**

Mr. Manuel Garcia spoke on Prescribed Burns and informed that Santa Fe County passed a resolution that requested a study on Prescribed Burns and asked for a cease order of prescribed burns after a comprehensive study is undertaken by the US Forest Service, and have the USFS inform local safety and police officials of their burn schedules.

## **NEW BUSINESS**

### **8. REGULAR ORDER**

#### **a. PROCLAMATION DECLARING ELECTION OFFICIALS DAY 11-08-2022**

Manager Joy Ansley read the Proclamation declaring 11-08-2022 as Election Officials Day.

Motion to approve Proclamation Declaring 11-08-2022 as Election Officials Day made by Vice Chairman Janice Varela. Second by Commissioner Max Trujillo. Motion carried.

#### **b. COUNTY MANAGER/DEPUTY MANAGER UPDATE\***

Manager Joy Ansley informed the Commission on the following:

\*Special Meeting for 2022 General Election Canvass Approval to be held on Monday, 11-14-2022 at 9:00AM

\*Various road and grant projects being finalized for the three on-going CDBG projects, NMFA feasibility reports, HRSA addiction building grant, legislative priorities and ICIP funding list, STD questionnaire.

\*Manager's office has absorbed the following from Finance/P&Z (turnover/workflow issues): Payroll, section 8 and road vacation/adoption.

\*ARPA funds are forthcoming from US Treasury in amount of \$2.6M – Commission to decide appropriation.

\*NMDFA approved Budget Resolution, and updated ICIP list for Detention Center body scanner, Clerk's Voting Storage Building, Treatment Center, CDBG East Pecos project, Sheriff's vehicles and shooting range. A new resolution is not needed for ICIP list as the initial resolution indicated it is a working document.

\*FEMA reimbursement in amount of \$62K is forthcoming on the bridge repair in Manuelitas/Las Dispensas area. Mr. Benito Romero PW Director stated other statements have been submitted and others will be submitted and then wait for FEMA accounting to catch up.

\*County is assisting in advertising for the SMC Extension Agent for the NMSU SMC Cooperative Extension Service.

#### **c. COVID UPDATE**

Emergency Manager Dennis Esquibel informed the Commission there are still positive results for covid-19 in San Miguel County. Masks and booster shots are recommended to minimize the illness. 14 new cases reported up to November 7, 2022. Testing is being done at Melody Park on NMHU campus.

#### **d. DEPARTMENT HEAD UPDATES\***

Road Foreman Johnny Trujillo indicated the grader(s) and PW employees have been en force repairing roads, culverts and cattle guards especially in burn scar areas. One of the grader operators is out ill, Mr. Trujillo covers when he can. Transfer station is open in Rincona.

IT Director Kenneth Abeyta informed that IT is beginning a hardware refresh and identifying machines county-wide to refurbish or replace. \* New Copy Contract was entered into with Pacific Office Automation to address aging copy machines to be replaced - new delivery will begin soon. \* New operating license with Adobe Acrobat. \* Entered into a managed services contract with ABBA Technologies for server upgrade and security. \* IT is always on lookout for hacking and phishing, and encourages all staff members to be aware and inform if any suspicious emails etc. are received.

#### **e. REQUEST FOR FUNDING FROM LAS VEGAS, SAN MIGUEL CHAMBER OF COMMERCE**

Mr. Philip Martinez and Ms. Angie Lester informed the Commission the Chamber has been active in the community by providing services for youth, disaster assistance (water hauling, etc.), substance use addiction center, and in driving film business. The Chamber is requesting \$43,000 for this year.

Motion to grant Las Vegas—San Miguel Chamber of Commerce their funding request of \$43,000 made by Commissioner Max Trujillo. Second by Commissioner Kenneth Medina. Motion carried.

Roll Call: Affirmatives

Harold Garcia, Janice Varela, Max Trujillo, Martin Sena, Kenneth Medina.

**f. REQUEST FOR SAN MIGUEL COUNTY TO BE FISCAL AGENT FOR EL VALLE COMMUNITY CENTER**

Ms. Eva Artschwager requested for SMC to become Fiscal Agent for the Community Center/David F Cargo Library in Villanueva for two legislative funding requests: 1) Junior discretionary funds for operational support and future fundraising programs; 2) Capital Outlay Funds to upgrade facility, and remove asbestos from a collapsed contaminated building.

Motion to approve SMC to act as Fiscal Agent for El Valle Community Center made by Vice Chair Janice Varela. Second by Commissioner Kenneth Medina. Motion carried.

Roll Call: Affirmatives

Harold Garcia, Janice Varela, Max Trujillo, Martin Sena, Kenneth Medina

**g. RESOLUTION 11-08-2022 COUNTY LOSS PREVENTION AND SAFETY COMMITTEE FORMATION**

Safety & Fleet Director Richard Rivera asked for approval to create a Safety and Loss Prevention Committee for the County. Mr. Rivera informed that he has been inspecting convenience centers and additional buildings under County occupancy.

Motion to approve Resolution 11-08-2022 County Loss Prevention & Safety Committee made by Commissioner Kenneth Medina. Second by Commissioner Max Trujillo. Motion carried.

**h. CONSIDERATION OF ACCEPTANCE OF RODEO FEASIBILITY STUDY\***

County Manager Joy Ansley presented a draft of the study to the Commission. The Commission requested a study to explore the potential economic benefits in developing a rodeo arena. The study evaluates three sites based on economic opportunity, utility and access, and existing infrastructure, zoning and ease of use.

\*For Informational Purposes

**i. PETITION TO ADOPT ROAD IN ROCIADA-PENASCO BLANCO DRIVE**

County Manager Joy Ansley informed a petition to adopt road in Rociada – Penasco Blanco Drive – was submitted by Marvin and Deborah Valencia. The road petition is complete and requires approval from the Commission to authorize a road viewing per statute. The road is 0.5 miles in length and is off NM Road 105.

Motion to authorize Penasco Blanco Drive road viewing made by Commissioner Max Trujillo. Second by Vice Chairman Janice Varela. Motion carried.

**j. AMEND ICIP TO INCLUDE MOVIE STUDIO AND FILM MUSEUM\***

County Manager Joy Ansley reiterated what was stated in her Manager’s Report in Item “B”. These items were listed on the ICIP list and submitted to NMDFA.

\*For Informational Purposes

**k. RESOLUTION 11-08-22-CM**

County Manager Joy Ansley informed the reason for this resolution is to address raises for Chief Deputies Treasurer, Assessor and Clerk, and Under-Sheriff to 90% of the elected officials’ salary. And, First Deputy Assessor, Sheriff’s Executive Secretary will receive 70% of elected officials salary.

Motion to approve Resolution 11-08-22-CM made by Commissioner Max Trujillo. Second by Chairman Harold Garcia. Motion carried.

**l. WIND ENERGY DEVELOPMENT IN SAN MIGUEL COUNTY+**

Ms. Matilda Gallegos requested a status update on the Community’s concern regarding Wind Energy Development from her presentation during October 2022s Commission Regular Meeting. Ms. Gallegos advised the Commission that there are an additional 24 properties being surveyed by the Wind Companies survey company. Vice Chairman Janice Varela proposed a community meeting to be held in El Valle. Commissioner Max Trujillo suggested a representative from the State Land Trust Office present the parameters of what defines easements and licenses for wind energy development. Vice Chairman Varela and Ms. Gallegos will coordinate a community input meeting for a Sunday.

County Attorney Herman Chico Gallegos is reviewing the current Wind Energy Ordinance and suggest additions to legal form and substance, then advise the Commission with public input to follow.

+Citizen Requested Discussion

**9. BOARD OF FINANCE MEETING**

**a. BUDGET ADJUSTMENT RESOLUTION**

County Manager Joy Ansley requested approval on a Budget Adjustment Resolution to move funds from Unrestricted Cash Fund to ARPA Fund; and to Contractual Fund from Public Works Receivables to pay for consulting fees. And, to move funds for County Attorney Services.

Motion to approve Budget Adjustment Resolution made by Vice Chairman Janice Varela. Second by Commissioner Max Trujillo. Motion carried.

Motion to enter Executive Session made by Vice Chairman Janice Varela. Second by Commissioner Kenneth Medina. Motion carried. Executive session entered into at 3:42 PM.

**EXECUTIVE / CLOSED SESSION**

Limited Personnel Matters, as permitted by NMSA 1978, Section 10-15-1(H)(2) (as amended) of the Open Meetings Act, more specifically personnel matters regarding specific county Departments:

Certain Purchases, as permitted by NMSA 1978 Section 10-15-1(H)(6) (as amended) of the Open Meeting Act, and Section 13-1-116 of the Procurement Code:

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.

Real Property and water rights as permitted by NMSA 1978, Section 10-15-1(B) (as amended) of the Open Meetings Act. More specifically: Discussion of the purchase, acquisition or disposal of real property or water rights by the public body.

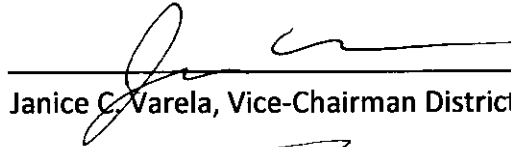
Motion to adjourn Executive Session and reconvene Regular Session made by Commissioner Max Trujillo. Second by Vice Chairman Janice Varela. Motion carried. Reconvened at 5:00 PM.

**10. ADJOURNMENT**

Motion to adjourn Regular Meeting made by Commissioner Kenneth Medina. Second by Vice Chairman Janice Varela. Meeting adjourned at 5:00 PM.

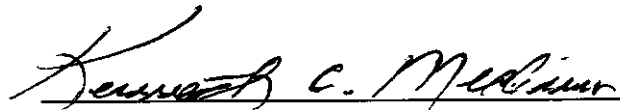
Approved this 13<sup>th</sup> day of December 2022 as the Official Minutes of the Board of County Commissioners of San Miguel County New Mexico, of its Regular Meeting held November 08, 2022.

  
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Harold M. Garcia, Chairman District 1

  
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Janice C. Varela, Vice-Chairman District 2

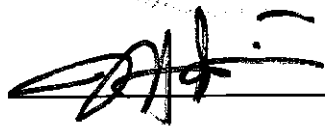
  
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Max O. Trujillo, Commissioner District 3

  
\_\_\_\_\_  
Martin Sena, Commissioner District 4

  
\_\_\_\_\_  
Kenneth C. Medina, Commissioner District 5

ATTEST:

  
\_\_\_\_\_  
Geraldine E. Gutierrez, San Miguel County Clerk

  
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Minutes submitted by Jacob P. Gonzales

### **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