



# Board of County Commissioners

*Maria L. Martinez*  
Chair-District 4  
*Chris A Najar*  
Vice-Chair-District 5  
*Harold M. Garcia*  
Commissioner-District 12  
*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 November 10, 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](http://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.

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

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## 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

August 27, 2020 Special Meeting

October 13, 2020 Detention Center Inspection

Administration Complex

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

October 13, 2020 Regular Meeting

**PUBLIC INPUT FORUM**

**NEW BUSINESS**

**REGULAR ORDER**

**1. COVID-19 UPDATE**

**Background Information:** Update on COVID- 19

**Action Requested of Commission:** Information only

**Staff Recommendation:** Information only

**Presenter:** Leo Maestas, Emergency Manager

**2. SAN MIGUEL COUNTY ORDINANCE NO. 11-10-20**

**Background Information:** An ordinance providing for the efficient and sanitary disposal and collection of solid waste in San Miguel County, New Mexico, regulating solid waste, litter and construction & demolition debris; establishing a solid waste management fee and providing a penalty, severability, and effective date.

**Action Requested of Commission:** (1) Adjourn from the regular Commission meeting and call to order a Public Hearing; (2) accept public input; and (3) approval of Solid Waste Ordinance

**Staff Recommendation:** As requested

**Presenter:** Robert Archuleta, Planning and Zoning Supervisor and Joe Lewandowski, Operational Consultants

**3. DISCUSSION OF EXEMPTIONS TO SOLID WASTE IN SAN MIGUEL COUNTY**

**Background Information:** In the December 2020 Commission Meeting, a resolution to the county Commission will be presented for approval of rates and services

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

**Staff Recommendation:** same as above

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

#### **4. PUBLIC WORKS DIVISION REPORT FOR THE MONTH OF OCTOBER 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.

The commission will also be informed of the following: Illegal dumping in the Camp Luna Area, CDBG update, FEMA bridge project update and 8<sup>th</sup> Street extension boundaries, wastewater disposal at county lagoons.

**Action Requested of Commission:** For Information Purposes Only

**Staff Recommendation:** For Informational Purposes Only

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

#### **5. 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.

#### **6. 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:** Daye Romero, Jr.

## **BOARD OF FINANCE MEETING**

### **7. BANK TRANSFERS FOR THE MONTH OF SEPTEMBER**

**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

### **8. INDIGENT CLAIMS**

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

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

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

**Presenter:** Melinda Gonzales

### **9. CERTIFICATION OF CAPITAL ASSET INVENTORY FOR FY19/20; RESOLUTION 2020-11-10-F1**

**Background Information:** Certify the capital asset inventory and allow the action being requested.

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

**Staff Recommendation:** Review and approval

**Presenter:** Melinda Gonzales, Finance Director

#### **10. BUDGET ADJUSTMENT RESOLUTION 2020-11-10-F2**

**Background Information:** To move a position budgeted in the Solid Waste Department to the IT Department resulting in a transfer of \$38,000.

To close out the ENDWI/STEP grant for federal fiscal year ending September 30, 2020 and to budget for the new grant for the federal fiscal year ending September 30, 2021.

To budget three Fire Protection Grants from the State Fire Marshalls Office for the Cabo Lucero VFD, Sheridan VFD and the Rowe VFD.

To budget carryover EMS funds as approved by the Department of Health.

To budget the CDBG award for the Country Acres project. The match is already established and the majority expended on engineering fees tied to this project.

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

**Staff Recommendation:** Review and approval.

**Presenter:** Melinda Gonzales, Finance Director

#### **11. CASH BALANCE REPORT FOR THE MONTH OF SEPTEMBER 2020**

**Background Information:** To report the September 2020 cash balances to the Commission

**Action Requested of Commission:** Informational Purposes Only

**Staff Recommendation:** Informational Purposes Only

**Presenter:** Melinda Gonzales, Finance Director

## **12. RECEIPT REPORT FOR THE MONTH OF SEPTEMBER 2020**

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

**Action Requested of Commission:** Informational purposes

**Staff Recommendation:** Informational purposes.

**Presenter:** Melinda Gonzales, Finance Director

## **13. JOURNAL ENTRY REPORT FOR THE MONTH OF SEPTEMBER 2020**

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

**Action Requested of Commission:** Informational purposes

**Staff Recommendation:** Informational purposes.

**Presenter:** Melinda Gonzales, Finance Director

## **14. ACCOUNTS PAYABLE REPORT FOR THE MONTH OF SEPTEMBER 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 Director

## **15. BUDGET REPORT FOR THE PERIOD OF JULY 1, 2020 THROUGH SEPTEMBER 30, 2020 AND THE 1<sup>ST</sup> QUARTER BUDGET REPORT TO DFA**

**Background Information:** To provide the Commissioners with a FY20/21 Year to Date Budget Report and with the 1<sup>st</sup> Quarter Budget Report to DFA.

**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: Opioid Lawsuit and San Miguel County vs. Alta Vista

**Adjournment**