



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, February 12, 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 26, 2019

Notice Posted on the SMC Website at www.co.sanmiguel.nm.us: January 22, 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, 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

January 8, 2019 Regular Meeting

INTRODUCTION OF NEW SAN MIGUEL COUNTY EMPLOYEES:

PUBLIC INPUT FORUM

NEW BUSINESS

REGULAR ORDER

1. CONTRACT OF EMPLOYMENT FOR SAN MIGUEL COUNTY MANAGER

Background Information: To approve the extension of contract with competitive salary. The commission may convene into executive session to discuss the contract of employment.

Action Requested of Commission: Approve extension of contract with competitive salary

Staff Recommendation: same as above

Presenter: Maria Martinez, Chair

2. RISK AWARENESS PROGRAM AWARD

Background Information: New Mexico Counties presented San Miguel County with a Risk Awareness Program (RAP) Award during the 2019 NMC Legislative Conference January 17, 2019 in Santa Fe. San Miguel County completed its eighth year of RAP with a 53% reduction in the number of workers' compensation claims for 2018. RAP is a workplace risk control education program that aims to reduce the frequency and severity of county claims through better risk awareness and safety practices.

Action Requested of Commission: information only

Staff Recommendation: Information only

Presenter: Dawn Kryder, Safety Coordinator

3. ADMINISTRATIVE REGULATION NO ADM-CM- 2-12-2019

Background Information: Regulation to modify Administrative Regulation No ASM-CM-11-10-15 Naming of Public Buildings and Properties owned by San Miguel County.

Action Requested of Commission: Review and Approval

Staff Recommendation: Review and Approval

Presenter: Harold Garcia, Vice-Chair

4. RENAME OF THE PUBLIC SERVICE BUILDING AND CRUSHER FACILITY TO THE DAVID R. SALAZAR SAN MIGUEL COUNTY PUBLIC SERVICE COMPLEX

Background Information: Requesting consideration from the County Commission to approve the request to re-name the San Miguel County Public Works and Gravel Crusher Facility the “David R. Salazar San Miguel County Public Service Complex”.

Action Requested of Commission: Approval

Staff Recommendation: Approval

Presenter: Harold Garcia, Vice-Chair

5. APPOINTMENT OF BOARD OF REGISTRATION MEMBERS FOR THE 2019 PURGE

Background Information: County Clerk’s Office will begin purging voters in March 2019. The Clerk’s office needs Commission’s approval for the appointment of Board of Registration members. The following names were submitted by the Democratic Party Chairman: JoAnn Gonzales, Rita Sanchez, Helen Baca and Priscilla Marquez. The Republican Party Chairman submitted the following names: Susie Tsyitee, Mike Spivey, Sam Lujan and Rey Herrera.

Action Requested of Commission: Need Commission’s approval for the names submitted for appointment of Board of Registration Members.

Staff Recommendation: Approve the names submitted for Board of Registration Members for the 2019 purge.

Presenter: Geraldine E. Gutierrez, County Clerk

6. STAGE 1- CONCEPTUAL DESIGN FOR THE SAN MIGUEL COUNTY- PUBLIC SAFETY FACILITY

Background Information: The County Manager is requesting approval from County Commission to approve RFP process for Stage 1- Conceptual Design for the San Miguel County- Public Safety Facility. The facility will house Fire Service Personnel, Emergency Medical Services, Office of Emergency Management, Communication Services, and Law Enforcement- Drug Task Force.

Action Requested of Commission: Approval of Stage 1- Conceptual Design for the San Miguel County- Public Safety Facility- RFP process

Staff Recommendation: Same as above

Presenter: Vidal Martinez, County Manager

7. APPOINTMENT OF ONE MEMBER AND ONE ALTERNATE TO THE NORTH CENTRAL NEW MEXICO ECONOMIC DEVELOPMENT DISTRICT

Background Information: NCNMEDD has been serving our region and the State of New Mexico for over 50 years by providing critical services and moving New Mexico forward in a positive direction. The governing body of NCNMEDD is the Board of Director; the Board is comprised of thirty-five members.

Action Requested of Commission: Appointment and approval of one member and one alternate

Staff Recommendation: Same as above

Presenter: Tomas Garcia, NCNMEDD Executive Director

8. APPROVAL OF THE 2019 HEALTH COUNCIL MEMBERS

Background Information: Respectfully request that the current members be re-appointed and that the people wishing to become members be appointed to the San Miguel and Community Health Council.

Action Requested of Commission: Accept and approve the Members for Health Council

Staff Recommendation: Same as above

Presenter: Dr. Barbara Perea Casey, Health Council Chair

9. ADA TRANSITION PLAN FOR SAN MIGUEL COUNTY

Background Information: San Miguel County in regulations with ADA policy has created an ADA Transition Plan for commission approval.

Action Requested of Commission: Accept and approve the ADA Transition Plan

Staff Recommendation: Same as above

Presenter: Dawn Kryder, Safety Coordinator

10. PUBLIC WORKS DIVISION 2019 PROJECT UPDATE BY MILLER ENGINEERING

Background Information: The San Miguel County Public Works Division has multiply projects specified for design and construction for 2019. Verlyn Miller San Miguel County Engineer will be providing an update on projects.

Action Requested of Commission: For Information Purposes Only

Staff Recommendation: For Informational Purposes Only

Presenter: Arnold Lopez, SMC Public Works Interim Director, Verlyn Miller, Miller Engineering Consultants

11. PROBATE JUDGE REVOTE

Background Information: A motion, second and roll call vote will need to take place to confirm the appointment of Probate Judge Dwight Torres.

Action Requested of Commission: Motion, second and roll call vote to confirm the Selection of Probate Judge Dwight Torres.

Staff Recommendation: Same as above

Presenter: Dave Romero, County Attorney

12. APPOINTMENT TO PLANNING AND ZONING COMMISSION DISTRICT FIVE

Background Information: Appointment to the Planning and Zoning Commission to represent Commission District Five should take place, as there has been election of new County Commissioners

and there is a vacancy. It is necessary to appoint an individual to serve on the Planning and Zoning Commission to represent County Commission District Five.

Action Requested of Commission: Consider appointing an individual to serve on the Planning and Zoning Commission as the representative for County Commission District Five for a term as set by the Board of County Commissioners.

Staff Recommendation: Appoint an individual to serve as the representatives for District Five

Presenter: Alex Tafoya, Planning and Zoning Supervisor

13. RESOLUTION NO. 02-12-19-COMP

Background Information: On January 8, 2019, the Board of County Commissioners heard a presentation and discussion by County staff concerning the proposed draft Comprehensive Plan. The Plan is ready to be submitted for approval and adoption.

Action Requested of Commission: Adopt Resolution No. 02-12-19-COMP, which Resolution adopts the Comprehensive Plan

Staff Recommendation: As requested of the Commission

Presenter: Alex Tafoya, Planning and Zoning Supervisor

14. TYPE THREE SUBDIVISION APPLICATION NO. SC-0089

Background Information: Marshall Homes, LLC., has submitted an application for a Type Three Subdivision and propose to divide a 19.987 acre, more or less, tract of land into five (5) tracts, each tract being less than ten acres in size. The property is located along New Mexico State Road 34 south of the village of Rowe in San Miguel County.

Action Requested of Commission: (1) Hold and conduct a public hearing on Application No. SC-0089; and (2) approve the application.

Staff Recommendation: As requested

Presenter: Alex Tafoya, Planning and Zoning Supervisor

15. VACATION OF PLAT – APPLICATION NO. SV-0032

Background Information: Application No. SV-0032 for vacation of plat has been submitted by Dale and Donna Kuenzli for the purpose of vacating Lots 178, 179 and 180 to consolidate into one (1) lot, said lots located within Pendaries Village Subdivision No. Six in San Miguel County.

Action Requested of Commission: Conduct a public hearing on the application and approve the application.

Staff Recommendation: Conduct a public hearing and approve the application

Presenter: Alex Tafoya, Planning and Zoning Supervisor

16. SAN MIGUEL COUNTY MANAGER RECOMMENDATION TO APPROVE THE INDEPENDENT CONTRACTOR AGREEMENT WITH WHITE SANDS DRUG & ALCOHOL COMPLIANCE THROUGH YEAR 2021.

Background Information: The Independent Contractor Agreement with the White Sands Drug & Alcohol Compliance is being submitted for renewal. The White Sands Drug & Alcohol Compliance of Alamogordo New Mexico has been providing the Third Party Administration of the San Miguel County Drug & Alcohol Policy and the Mobil on site Random Drug and Random Breath Alcohol Testing also all the San Miguel County Pre - Employment Drug Testing.

Action Requested of Commission: Approval of the Independent Contractor Agreement with White Sands Drug & Alcohol Compliance for the period of two years January 1, 2019 through December 31, 2021.

Staff Recommendation: Approval of the Independent Contractor Agreement with White Sands Drug & Alcohol Compliance for the period of two years January 1, 2019 through December 31, 2021.

Presenter: Eileen Sedillo, Human Resource Supervisor

17. SAN MIGUEL COUNTY MANAGER RECOMMENDATION TO APPROVE THE PROFESSIONAL SERVICE AGREEMENT BETWEEN SAN MIGUEL COUNTY AND HOLCOMB LAW OFFICE March 1, 2019 THROUGH FEBRUARY 28, 2021.

Background Information: Holcomb Law Office will provide advice and assistance to San Miguel County in the following areas (1) To Represent San Miguel County in employment and Labor Issues, as needed; (2) to provide Legal Advice and Consultation, as needed; and (3) as otherwise directed by San Miguel

County. The term of the Professional Services Agreement between San Miguel County and Holcomb Law Office is March 1, 2019 through February 28, 2021.

Action Requested of Commission: Approval of the Professional Services Agreement between San Miguel County and Holcomb Law Office March 1, 2019 through February 28, 2021.

Staff Recommendation: Approval of the Professional Services Agreement between San Miguel County and Holcomb Law Office March 1, 2019 through February 28, 2021.

Presenter: Eileen Sedillo, Human Resource Supervisor

18. PERSONNEL ACTIONS OR CHANGES FOR THE MONTH OF JANUARY 2019.

Background Information: Personnel actions or changes, which have taken place in San Miguel County for the month of January 2019, 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 month January 2019.

Staff Recommendation: To approve and ratify the personnel actions or changes that have taken place during the month January 2019.

Presenter: Eileen Sedillo, Human Resource Supervisor

19. RESOLUTION NUMBER 02-12-19 RA AUTHORIZING THE BOARD OF COMMISSIONERS OF SAN MIGUEL COUNTY TO SUBMIT THE 2019 ADOPTED COUNTY ROAD LOG TO NEW MEXICO DEPARTMENT OF TRANSPORTATION

Background Information: The New Mexico Department of Transportation recently notified San Miguel County of their need of the 2019 San Miguel County Road Log. This is required for certification purposes in order to qualify for Road Funds through the Local Government Road Fund Program as well as access to funding sources that might be available through the Department of Transportation.

Action Requested of Commission: Adopt Resolution Number 02-12-19 RA and authorize Staff to proceed in sending to the New Mexico Department of Transportation.

Staff Recommendation: Adoption of Resolution Number 02-12-19 RA

Presenter: M. Diego Trujillo, Rural Addressing/IT Director and Arnold Lopez, SMC Public Works Interim Director

20. PUBLIC WORKS DIVISION REPORT FOR THE MONTH OF JANUARY 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: Arnold Lopez, SMC Public Works Interim Director

21. UPDATE FROM SAN MIGUEL COUNTY DWI COORDINATOR

Background Information: Update on current programs and initiatives that San Miguel County DWI Program is working on and an update on Las Vegas Day/ Night at the Legislature.

Action Requested of Commission: Information only

Staff Recommendation: Information Only

Presenter: Yolanda Cruz, DWI Coordinator

22. OUT OF STATE TRAVEL FOR STEVEN GARCIA AND LAWRENCE G. ARAGON

Background Information: Request approval for out of state travel for Steven Garcia and Lawrence G, Aragon, to attend a Less Lethal ICP Instructor Training hosted by the Greeley Police Department through the Safariland Training Academy in Greeley, Colorado February 18, 2019 through February 23, 2019. Cost of travel for training and per diem will be \$3,500.

Action Requested of Commission: Review and Approve

Staff Recommendation: Same as above

Presenter: Matthew A Elwell, Warden

23. SAN MIGUEL COUNTY DETENTION CENTER 2018 STATISTICAL REVIEW

Background Information: The San Miguel County Detention Center will provide a statistical review of the Detention Center for calendar year 2018.

Action Requested of Commission: For Informational Purposes Only

Staff Recommendation: For Informational Purposes Only

Presenter: Warden Matthew A. Elwell

24. COLFAX COUNTY-SECOND EXTENSION AGREEMENT FOR CONFINEMENT OF PRISONERS

Background Information: San Miguel County and Colfax County have entered into a contract for inmate confinement since October 2016. This extension is required in order to continue to house inmates for Colfax County on an as needed basis.

Action Requested of Commission: Review and Approval of Second Extension for Colfax County on Confinement of Prisoners.

Staff Recommendation: Approve Second Extension to continue providing services to Colfax County.

Presenter: Warden Matthew Elwell

25. CITY OF LAS VEGAS-FOURTH EXTENSION AGREEMENT FOR CONFINEMENT OF PRISONERS

Background Information: San Miguel County and City of Las Vegas have entered into a contract for inmate confinement since October 2015. This extension is required in order to continue to house inmates for City of Las Vegas on an as needed basis.

Action Requested of Commission: Review and approval of Fourth Extension for City of Las Vegas on Confinement of Prisoners.

Staff Recommendation: Approve Fourth Extension to continue providing services to the City of Las Vegas.

Presenter: Warden Matthew Elwell

26. LOS ALAMOS COUNTY CONTRACT FOR DETAINEE CONFINEMENT

Background Information: San Miguel County and Los Alamos County are in need of entering into a contract for inmate confinement on an as needed basis.

Action Requested of Commission: Review and approval of Contract for Los Alamos County Detainee Confinement.

Staff Recommendation: Approve contract in order to provide services to Los Alamos County Detention Center.

Presenter: Warden Matthew Elwell

27. APPROVAL TO TAKE CLASSES FOR JENNIFER LAFEBRE

Background Information: Approval for Jennifer LaFebre to take classes at Luna Community College. She will be taking two classes on Monday, Wednesday and Friday during working hours for accounting Business Capstone and Quantitative Methods of Business. The tuition will be 177.00 and books 223.00 for a total of 400.00

Action Requested of Commission: Approval

Staff Recommendation: Approval

Presenter: Bertha Bustamante, County Treasurer

BOARD OF FINANCE MEETING

28. BANK TRANSFERS FOR THE MONTH OF JANUARY

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

29. SOLID WASTE COLLECTION: BILLING ISSUES

Background Information: To discuss the issues of solid waste collection and billing

Action Requested of Commission: Informational purposes only

Staff Recommendation: Informational purposes only

Presenter: Melinda Gonzales

30. RESOLUTION 2019-02-12-F1

Background Information: The midyear budget has been reviewed and as a result, changes to the budget are being recommended. The resolution documents the reason for the changes and the recap sheet has been updated to show the impact of the changes.

Action Requested of Commission: Review and approval

Staff Recommendation: Review and approval

Presenter: Melinda Gonzales

31. INDIGENT BURIAL CLAIMS

Background Information: The Finance Office has received, reviewed and processed two claims from Riverside Funerals Home of Santa Fe each for \$1,200 and one claim from Gonzales Funeral & Cremations for \$1,200.

Action Requested of Commission: Ratification of the indigent burial payments

Staff Recommendation: Ratification of the indigent burial payment

Presenter: Melinda Gonzales

32. 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

33. BUDGET REPORT FOR THE PERIOD OF JULY 1, 2018 THROUGH DECEMBER 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

34. JOURNAL ENTRY REPORT FOR THE MONTH OF DECEMBER 2018

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

Action Requested of Commission: Informational purposes

Staff Recommendation: Informational purposes

Presenter: Melinda Gonzales

35. RECEIPT REPORT FOR THE MONTH OF DECEMBER 2018

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

Action Requested of Commission: Informational purposes

Staff Recommendation: Informational purposes

Presenter: Melinda Gonzales

36. ACCOUNTS PAYABLE REPORT FOR THE PERIOD OF DECEMBER 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

EXECUTIVE/CLOSED SESSION

- A. 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 Manager.

- B. 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: San Miguel County vs. Economic Development Board/ Old Wood Lease Agreement; Gallinas Valley Apartments vs. San Miguel County; Lodgers Tax litigation; -Enforcement of Judgment with Dave Jones Estates; In the Matter of the Strickling Ranch Water Rights litigation.

ADJOURNMENT