

MINUTES of the REGULAR MEETING

of the BOARD of COUNTY COMMISSIONERS

of SAN MIGUEL COUNTY, NEW MEXICO

HELD TUESDAY, JANUARY 10, 2023 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 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 2:03 PM at the SMC Commission Chambers at 500 W. National Avenue, Suite 201, Las Vegas, New Mexico 87701.

2. ROLL CALL

Sr. Deputy Clerk Jacob Gonzales administered Roll Call: Chairman Harold Garcia present, Vice-Chairman Janice Varela present, Commissioner Max Trujillo virtual presence via Zoom, Commissioner Martin Sena present, and Commissioner Kenneth Medina present.

A quorum is present.

3. PLEDGE OF ALLEGIANCE

Emergency Manager Dennis Esquibel led the Chambers in the pledge, and:

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

Vice Chairman Janice Varela asked that item "k" RFP for Ambulance Service in San Miguel County become Item "d". Commissioner Martin Sena asked for items "n" Funding Assistance for Operating Funds for Ribera Community Center become item "e"; and item "o" Request SMC to be Fiscal Agent for Ribera Cultural Center become item "f". County Manager Joy Ansley asked for removal of current-listed items "i & j" [ARPA Funding Status Report from 2022, and ARPA Funding Allocation for 2023], and to add a new agenda item as "j" MOU with City of Las Vegas for Senior Service Centers.

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

6. APPROVAL OF MINUTES

Minutes for approval are RM-12-13-2022.

Motion to approve minutes of RM-12-13-2022 made by Commissioner Martin Sena. Second by Commissioner Kenneth Medina. Motion carried.

7. PUBLIC INPUT FORUM

Mr. Manuel Garcia addressed concerns about the destruction due to fires and subsequent flooding by asking that the Commission and County management continue to diligently address financing concerns for the citizens impacted by these disasters caused by the USFS. Mr. Garcia stated NM State Senator Ron Griggs (R-34) is sponsoring a bill requesting operational changes to the USFS burn practices and funding allocations. Governor Lujan-Grisham is requesting that HB-57 Prescribed Burn Act be passed.

Mr. Manuel Martinez thanked the Commission and his business members for the support of the Hispano Chamber of Commerce. Mr. Martinez informed the Chamber that state audits of the Hispano C&C have been positive and that the Chamber will continue on its mandates to continue in clean-up and in developing economic growth through environmental and cultural means.

Ms. Clara Lopez voiced concerns that the ambulance service being removed from Pecos would impact the Pecos/Rowe/Cowles area of the county negatively. Ms. Lopez requested that ambulance service be maintained in the Pecos area.

Mr. Rafael d'Amato, Fire Chief of the Volunteer Fire Dep't of Rowe also indicated that should ambulance service be reassigned to another area of the County that response times would be adversely affected in the Pecos/Rowe area.

Pecos Mayor Telesfor Benavidez spoke on Superior Ambulance service being severely affected to provide ambulatory services in Pecos area because it's consistently being used as a transport service for Alta Vista and the NM Behavioral Hospitals. The Village of Pecos provides payment of \$5K monthly for ambulatory services in Pecos area. Mayor Benavidez indicated that rumors have run rampant in stating the ambulance service was to be removed and that is not going to be the case.

NEW BUSINESS

8. REGULAR ORDER

a. ELECTION OF COMMISSION CHAIRMAN AND VICE CHAIRMAN

Manager Joy Ansley asked the Commission to elect a new Chairman and Vice Chairman of the Commission to be elected at the first new year meeting. Manager Ansley asked the Commission for nominations. Commissioner Kenneth Medina nominated Commissioner Harold Garcia to resume duties as Chairman, and Commissioner Garcia accepted the nomination.

Motion to vote on the nomination of Harold Garcia for Chairman of SMC Commission made by Commissioner Kenneth Medina. Second by Commissioner Martin Sena. Motion carried. Chairman Garcia thanked his associates for the vote of confidence, and assured he would continue to work in the interest of the County.

Commissioner Garcia asked for nomination for Vice Chairman. After several moments of silence, Commissioner Garcia nominated Commissioner Martin Sena. Commissioner Sena accepted the nomination.

Motion to vote on the nomination of Martin Sena for Vice Chairman of SMC Commission made by Chairman Harold Garcia. Second by Commissioner Kenneth Medina. Motion carried. Vice Chairman Martin Sena thanked the Commission.

b. OPEN MEETINGS ACT RESOLUTION

Manager Joy Ansley per mandates of the Open Meetings Act reiterated the monthly meeting of the Board of County Commissioners of San Miguel County will continue to be held on the Second Tuesday of each month at 2:00 PM in the Chambers of SMC Administration Building on the 2nd floor at 500 W. National Avenue Suite 201 in Las Vegas, NM. Appropriate notification and publication of Agenda will be made available to the public via the website of SMC and through request of any entity/citizen who requests info/agenda. Publication in The Las Vegas Daily Optic will be done when practical.

Motion to approve the Open Meetings Act Resolution made by Vice Chair Martin Sena. Second by Commissioner Max Trujillo. Motion carried.

Roll Call – **AYE:** Harold Garcia Janice Varela Max Trujillo Martin Sena Kenneth Medina

c. COUNTY MANAGER/DEPUTY MANAGER'S REPORT*

Manager Joy Ansley informed the Commission on the following matters: * Katherine Sanchez has been hired as the Finance Director for SMC and will begin on January 30, 2023. Ms. Sanchez is originally from Las Vegas and is returning home. * Moving forward on FY-2022 audit which

was due in November – now late due to Finance turnover – these items are currently being submitted to the audit team and hope to be resolved soon. * Ebeeny Mondragon has been working with budget reviews and adjustments by meeting with department heads and elected officials. This, too, hopefully will be reviewed in the upcoming meetings for approval and submission to NMDFA. * HRSA grant of \$1.5M for the Drug Treatment Crisis Center sponsored by US Senator Ben Ray Lujan is being reviewed and finalized for funds distribution. * 2022 ARPA Funds Report will be presented to the Commission in the February meeting. A reallocation of '22 Funds will need to be addressed in upcoming meetings. Manager Ansley is compiling a new spreadsheet and action paper. The 2023 funds disbursement is \$2.6M. * Bids are due at end-of-January for the SMC Drug Treatment and Crisis Center, and construction to begin shortly thereafter. * Annual Detention Center Inspection is due and will be conducted at the February 14 Regular Meeting with a Call to Order for the Meeting at 10 AM at the Chamber's, then traveling to the Detention Center for Inspection and Lunch, and re-adjournment for the regular meeting at 2:00 PM in the Chamber's. * NM County Legislative Conference is January 18 and 19th in Santa Fe coinciding with the start of the 60-day Legislative Session. * County Attorney H. Chico Gallegos is compiling additional documents for various MOUs – Las Vegas Senior Center, NMSU Extension Service and the Medical-Dental-Vision Clinic being held on March 11-12, 2023 at WLVHS. * Vice Chair Martin Sena asked for clarification on the Commissioner's being listed as lobbyists for SMC for the 2023 January 60-day Legislative Session. Manager Ansley indicated no changes have been submitted so the lobbyist credentials should be viable for 2023.

Deputy Manager Jesus Romero informed the Commission on the following matters: * Met with representatives of AMR and the City of Las Vegas regarding RFP. * Meetings between SMC fairgrounds, the Public Health Office, Maintenance Manager John Tiernan regarding solutions to water and air quality at facilities. * Assisting and updating Finance paperwork due to the staff shortage in Finance. * Roger's Mortuary is continuing their mission to dispose of the unclaimed corpses at the morgue. * Crow pest-control anti-roosting measures still being pursued. * Legislative Outlay course administered by NNMECD, Deputy Manager Romero was in attendance. Due date for ICIP list is January 12, 2023. * Property in non-compliance due to squatters in Camp Luna area is undergoing, and is now considered a public nuisance and therefore a civil matter. * Checks were distributed for the Volunteer Fire Fighter's per diem. * Continued meetings with Mr. Lewandowski regarding solid waste consultation and fire damage mulching.

Sheriff Chris Lopez informed the Commission about the \$600K Communications array that is being developed/constructed.

*For Informational Purposes

d. RFP FOR AMBULANCE SERVICE IN SAN MIGUEL COUNTY

Manager Joy Ansley informed the Commission that AMR submitted a letter of cancellation in November for ambulatory services in the County for the contract that ends in July. The current contract is for \$563K annually, and Procurement Code does not allow for doubling existing contracts without issuing a revised RFP which AMR or other qualified entities can submit a Proposal. AMR is requesting a new total annual contract at a cost of \$1.2M. Commissioner Max Trujillo expressed concerns that Alta Vista and NM Behavioral Hospitals use the ambulances available to the County as a transport service to other hospitals in NM without incurring a cost to the hospital administration. Chairman Harold Garcia impressed that this RFP should include input from all servicing agents of ambulatory services – City of Las Vegas, Village of Pecos, remainder of San Miguel County and the hospitals in question.

Motion to approve issue of RFP for Ambulance Service in San Miguel County made by Commissioner Max Trujillo. Second by Chairman Harold Garcia. Motion carried.

e. FUNDING ASSISTANCE REQUEST FOR OPERATING FUNDS FOR RIBERA COMMUNITY & CULTURAL CENTER

Community Organizer Gloria Gonzales asked the Commission for a funding request of \$30K for operating funds for the Center in Ribera. The Center is utilized by citizens for a variety of reasons including the County as an early voting center.

Motion to approve Funding Assistance Request for Operating Funds for Ribera Community & Cultural Center and to add to the ICIP list and/or to determine if ARPA funds can be used for RCCC made by Chairman Harold Garcia. Second by Vice Chair Martin Sena. Motion carried.

ROLL CALL – **AYE:** Harold Garcia Janice Varela Max Trujillo Martin Sena Kenneth Medina

f. REQUEST SMC TO BE FISCAL AGENT FOR RIBERA COMMUNITY & CULTURAL CENTER

Community Organizer Gloria Gonzales asked the Commission to grant approval for the County to act as Fiscal Agent for the Center.

Motion to support Request to be Fiscal Agent for Ribera Community & Cultural Center by Vice Chair Martin Sena. Second by Commissioner Janice Varela. Motion carried.

g. COVID UPDATE*

Emergency Manager Dennis Esquibel informed the Commission in San Miguel County, since pandemic was asserted; there have been 7,562 cases with 82 covid identified deaths. You can request covid tests by calling 1-800-232-0233 or www.covid.gov/tests . The County is averaging

one positive case per day. Tests can be picked up at the Administration Building Suite 106, and at the Ribera and Villanueva Community Centers and at the Pecos Administration Building.

*For Informational Purposes

h. DEPARTMENT HEAD UPDATES*

Road Foreman Johnny Trujillo informed the Commission that County Road A4A is open and PWD is now working on the road of Las Dispensas. PWD has added three feet of base core on this road. Continued grading/blading on disaster affected roads and culvert/cattleguard repair is on-going.

*For Informational Purposes

i. RESOLUTION AUTHORIZING A QUORUM OF COMMISSIONERS TO ATTEND THE NM LEGISLATURE AND NM COUNTIES LEGISLATIVE CONFERENCE

County Attorney H. Chico Gallegos informed the Commission that a resolution indicating there may be a quorum on any given day/moment during the 2023 NM Legislative Session beginning Tuesday, January 17th, 2023 for a 60-day session without any action or discussion on the part of the Commissioners in quorum.

Motion to approve the Resolution Authorizing a Quorum of Commissioners in attendance at the NM Legislative Session and NM Counties Legislative Conference made by Commissioner Janice Varela. Second by Vice Chair Martin Sena. Motion carried.

j. MOU WITH CITY OF LAS VEGAS FOR SENIOR CENTER OPERATIONS

Manager Joy Ansley asked for approval to pay City of Las Vegas Senior Center Operations \$75K which is an on-going yearly fee paid to the City for Senior food/facility operations.

Motion to approve MOU – Las Vegas Senior Centers/San Miguel County made by Commissioner Janice Varela. Second by Commissioner Kenneth Medina. Motion carried.

k. NMFA PLANNING GRANT DOCUMENTS

Manager Joy Ansley reminded the Chamber qualified for a grant of \$50K for a rodeo feasibility study. NMFA needs approval of these planning documents to continue with the process.

Motion to approve NMFA Planning Grant documents made by Chairman Harold Garcia. Second by Commissioner Kenneth Medina. Motion carried.

I. CONSIDERATION OF CONSTRUCTION CONTRACT WITH MAGNUM CONSTRUCTION FOR VOTING MACHINE BUILDING

County Manager Joy Ansley informed that the Contract with local builder Magnum Construction for completion of the Clerk's Voting Machine Building to be located at the Public Works Facility on Airport Road is awaiting final signatures from the Commission and County Clerk. The final tally came out to \$369,742.30 plus tax.

Motion to approve Construction Contract with Magnum Builders for the SMC Clerk's Voting Storage Building made by Commissioner Janice Varela. Second by Commissioner Kenneth Medina. Motion carried.

Roll Call – **AYE:** Harold Garcia Janice Varela Max Trujillo Martin Sena Kenneth Medina

m. FAIR MARKET RENTS 2023, & UTILITY ALLOWANCES 2023

SMC Housing Authority Director Betty Valdez informed the Commission that the U.S. Housing and Urban Development increased the County's portion of allowances for rent and utilities for 2023.

Motion to approve Fair Market Rent and Utility Allowances 2023 made by Commissioner Janice Varela. Second by Commissioner Kenneth Medina. Motion carried.

n. LEAD PROGRAM UPDATE*

LEAD Project Manager Tiffany Abeyta presented the Commission with statistics for the past year of this program. The total number of referrals (statewide) was 473 with 219 enrolling. San Miguel County had 43 referrals with 21 enrolling. Ms. Abeyta's statistics showed improvements in housing and employment by those who enrolled. The LEAD program is trying to be present at the referrals as enrollment increases with a therapist present. Police officers are trained in LEAD referral but any officer can refer. The Program hopes that all police groups refer to the program as one of the primary components is to keep individuals out of the justice system.

*For Informational Purposes Only

9. BOARD OF FINANCE

No presentation or discussion/actions presented.

Motion to adjourn the Regular Session and enter Executive Session made by Commissioner Kenneth Medina. Second by Vice Chair Martin Sena. Motion carried. Executive Session was entered into at 4:04 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 Meetings 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, More Specifically:

10. POTENTIAL PROFESSIONAL SERVICE CONTRACTS AND PERSONNEL MATTERS

Motion to adjourn Executive Session and re-adjourn Regular Session made by Commissioner Kenneth Medina. Second by Vice Chair Martin Sena. Motion carried. Regular Session re-adjourned at 5:37 PM.

The Commission informed the Public that item 10 was discussed in Executive Session and no action taken. Further, the Commission informed that no further discussion is to be had at this juncture on item 10.

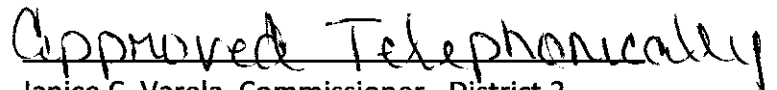
11. ADJOURNMENT

Motion to adjourn RM-01-10-2022 made by Commissioner Janice Varela. Second by Vice Chair Martin Sena. Motion carried. Adjournment at 5:39 PM.

Approved this 14th day of February, 2023 as the Official Minutes of the Board of County Commissioners of San Miguel County New Mexico, of its Regular Meeting held January 10, 2023.

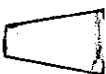

Harold M. Garcia, Chairman - District 1


Martin Sena, Vice-Chairman - District 4

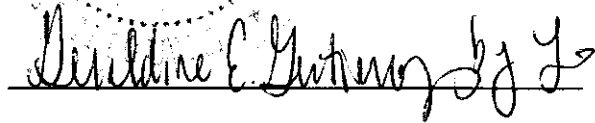

Janice C. Varela, Commissioner - District 2



Max Trujillo, Commissioner - District 3


Kenneth C. Medina, Commissioner District 5



ATTEST:


Geraldine E. Gutierrez, San Miguel County Clerk


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