

MINUTES of the REGULAR MEETING
of the BOARD of COUNTY COMMISSIONERS
of SAN MIGUEL COUNTY, NEW MEXICO
HELD TUESDAY, APRIL 11, 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 2:02 PM at the SMC Commission Chambers at 500 W. National Avenue, Suite 201, Las Vegas, New Mexico 87701.

2. ROLL CALL

Clerk Admin Assistant Jacob Gonzales administered Roll Call: Chairman Harold Garcia present; Vice-Chairman Martin Sena present; Commissioner Janice Varela present; Commissioner Max Trujillo present; Commissioner Kenneth Medina present.

A quorum is present.

3. PLEDGE OF ALLEGIANCE

Mrs. Elaine Estrada 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

Chairman Harold Garcia asked for removal of item "k" Request for Funding for Samaritan House, and to table item "l" Resolution Identifying Healthcare Interests in SMC

Motion to approve Agenda with changes indicated made by Commissioner Max Trujillo. Second by Commissioner Janice Varela. Motion carried.

6. APPROVAL OF MINUTES

Minutes for approval are RM-03-14-2023 and SM-03-29-2023.

Motion to approve minutes of RM-03-14-2023 and SM-03-29-2023 made by Vice Chairman Martin Sena. Second by Commissioner Kenneth Medina. Motion carried.

7. PUBLIC INPUT FORUM

Mr. Manuel Garcia informed the Commission about the finalization of Senator Griggs bill limiting prescribed burns as it was signed by Governor Michelle Lujan-Grisham. Claims may be made up to two years. \$3.95 billion for other disasters has been attributed as loss due to fraud by FEMA/contractors, etc. If you know of fraud, please contact Homeland Security Office of Inspector General.

NEW BUSINESS

8. REGULAR ORDER

a. COUNTY MANAGER / DEPUTY MANAGER'S REPORT

Manager Joy Ansley informed the Commission on the following matters:

PNM is beginning a project to replace power poles and lines that are in city limits and surrounding communities. For parties interested, a map of the project is available in the manager's office. * The FY-2022 audit will be reviewed by Auditor's staff sometime in May and then presented to DFA. Audit FY-2023 is due to the Auditor's office December 1. * SMC has formed a planning committee for the 2024 New Mexico Counties Conference being hosted in Las Vegas. The meeting will be held sometime in May. * FEMA has assigned a FEMA claims specialist and is opening an office in Las Vegas to assist taxpayers, et. al., affected by the fires. The County has a claims specialist in submitting claims for infrastructure weakened/destroyed/impacted by the disaster. * SMC Detention Center needs to issue an RFP for Medical Services as contract expires in August. Contract will need to be confirmed by July, and RFP will need to be issued in May. * Contracts have been signed and submitted to all concerned parties on the construction of the Sheriff's Office, Clerks Voting Machine Storage Facility, and the Treatment Center. Bonds are in place and await construction.

Deputy Manager Jesus Romero informed the Commission on the following matters:

SMC is housing the newly hired Grant Manager being funded by NMAC. The position is funded, at this point, for two years. * Deputy Manager Romero and Emergency Manager Dennis Esquibel met with concerned citizens in Maestas Canyon about the dangers (floods / landslides) posed by the upcoming monsoons. FEMA mitigation team has been made aware. * Finance Department organizational policies and procedures review continues. * IT Director Kenneth Abeyta attended the meeting with Eagle Assessor "View" to organize the flyover data and upload that data with backed up house servers. * The NMHU meeting for the Hermit's Peak

Calf Canyon Fire loan reimbursement was attended. Allison Gillette will be working with SMC on the Direct Recovery Loans for reimbursement of projects. * Rogers Mortuary completed two final dispositions from the group of unclaimed corpses. * The sixth show at KFJN was completed, and the last one with KNMX will be this month. * Met with HR on Personnel, & Planning & Zoning on internal issues. * Tecolote Watershed with assistance from P&Z for projects on restoring the flood plain and other issues brought about by the disaster. * A collapsed water line and demolition has begun for repair. Timeline should be a few weeks. * Commissioner Sena asked about resolution thus far on the nuisance abatement issue in the Village of Bernal. * Commissioner Varela asked to remind the acequia mayordomos to exercise extreme care when cleaning by fire.

b. DEPARTMENT HEAD UPDATES

IT Director Kenneth Abeyta: Two cyber-security services were purchased to maintain our safety from hackers. * Sheriff's cameras with updating cameras and programming projects in the Assessor's Office. * Commissioner Trujillo asked about offering additional anti-cyber-crime training for staff.

Road Foreman Johnny Trujillo informed the Commission that blading and maintenance of County Roads is on-going and continuous. Culvert replacement or strengthening is on-going in the disaster area. Mr. Trujillo takes concerns from citizens and lists their concerns and creates plans to assist. The crusher is still down, however, there is movement on getting it operational. Commissioner Varela asked about the water crossing at La Joya del Padre. The water crossing has been running steadily and increasing due to the spring melt.

Planning/Zoning Director Amanda Salas informed the Commission on operations in the P&Z office for the past year. P&Z is managing the application and project management of the Full Debris Removal Program which has 340 applications with 118 of those completed, 40 deemed ineligible (which does not mean denial.) 200 applications have been forwarded to the NMDOT for that agency to begin their work in removal of debris and hazard trees. There are also several free-standing adobe walls that require stabilization tests to determine asbestos contamination. P&Z is also securing easements for the removal of debris and other components necessary for the program. * In another disaster related program – FEMA Direct Home – 5 are in San Miguel with 2 being on personal property. An additional three are in Mora county as chattel property. * 328 Business License applications were granted. 40 business licenses from previous year(s) have not renewed. * 180 Development permits issued. * Code Enforcement has 14 cases in 2023 with 6 open. Most of the violations were for trash riddled yards, others littered with building material waste and other debris to include vehicular ruins, appliances and tires. Two cases in SMC area involved squatters. These will be ruled on by the 4th Judicial District. In another case, city water taps were drawing water for the squatters and that

has been remedied. * Students in the Graduate Studies Program for the UNM College of Architecture and Planning are theorizing how disaster modeling affects structures, architecture and zoning issues. These students are writing their thesis and dissertation using information from SMC P&Z. * The Airbnb ordinance enforcement begins in May. The county is utilizing a coded search mechanism finding evidence for rentals processed by the various rental entities in addition to Airbnb. The software will assist in finding the commerce transaction so that P&Z Lodger's Tax can be recovered. * Cannabis Licensing: SMC currently has 8 licensed producers with 3 additional added in 2023. One Retail license has been issued in Pecos. The county has one production license who is requesting adding a manufacture license, and two additional producer licenses were granted. * NM Community Solar Program in the ETZ zone is slated for April distribution. This needs a state issued RFP. * P&Z Commission Meeting was held in mid-April for a temporary permit for asphalt mining plant. The permit was granted. * P&Z Lodger's Tax Committee will be meeting in May.

c. PROCLAMATION DECLARING APRIL 21, 2023 AS GABRIEL ESTRADA'S DAY IN SAN MIGUEL COUNTY

Commissioner Janice Varela introduced the legacy in conservation and soil health that Mr. Gabriel Estrada pushed to keep our land and water healthy. Earth Day highlights his work, and will host a tree planting in honor of Mr. Estrada.

Motion to approve Proclamation Declaring April 21, 2023 as Gabriel Estrada Day in San Miguel County made by Commissioner Janice Varela. Second by Vice Chairman Martin Sena. Motion carried.

ROLL CALL: AYES, H. Garcia, M. Sena, J. Varela, M. Trujillo, K. Medina. Unanimous Passage.

d. PROCLAMATION DECLARING NATIONAL CRIME VICTIMS' RIGHTS WEEK

4th Judicial District Attorney – Special Program Director Ms. Ashley Archuleta requests approval to Declare April 23-29, 2023 as National Crime Victim's Rights Week. A tree planting and ceremony will be held.

Motion to approve made by Commissioner Max Trujillo. Second by Commissioner Kenneth Medina. Before voting, Vice Chairman Martin Sena asked to include language honoring a fallen victim, Amanda Varela. Motion carried.

e. OVERVIEW OF ROAD VIEWING HELD IN ROCIADA – PENASCO BLANCO DRIVE

Land Use Compliance Specialist Nanette Knox informed the Commission the road viewing was held to adopt the road in Rociada on March 29, 2023 at 8AM. Two road viewers attended with one appointed at the viewing. Expense by private landowners is climbing especially after the

disaster. Road Viewers Larry Watson and Adelaido Trujillo support the adoption most especially since the landowners have agreed to purchase culverts. Mr. Ernesto Lujan does not support adoption. 11 citizens were present at the viewing.

Motion to adopt the road made by Commissioner Max Trujillo. Second by Chairman Harold Garcia on the condition that guidelines for private driveways be adhered as not to violate anti-donation clause(s). Motion carried.

ROLL CALL: AYES, H. Garcia, M. Sena, J. Varela, M. Trujillo, K. Medina. Unanimous Passage.

f. UPDATE FROM LV/SMC CHAMBER OF COMMERCE*

Mr. Phillip Martinez and Ms. Angie Lyster presented the Quarterly Report to the Commission for the long-standing working relationship the Commerce and the County share. The welcome center has 4 employees. The Chamber is starting a Young Ambassador's Club. Ms. Lyster reported on the Film Conference she attended in Los Angeles. Film Executives were at the conference and asked many questions about studio services and locations available for their upcoming projects. Much networking was done which will translate into filming in our area. Efforts by the Chamber have enticed Fusion Tacos to open a location in LV. The Chamber will assist in planning the NMAC 2024 Conference.

*For Informational Purposes Only

g. RESOLUTION OF SPONSORSHIP-NMDOT PROJECTS

Public Works Director Benito Romero asked for approval of resolutions to apply for NMDOTs Transportation Fund. The roads project application FY-23/24 for the following projects: 1) Camp Luna Road Project funds \$549,415 (5% SMC match) Resolution no. SMC-04-11-2023-1; 2) Sheridan Road CR A25A Road Projects funds \$1,544,314 (5% SMC match) Resolution no. SMC-04-11-2023-2; and 3) Pecos CR B65, and San Ysidro CR B43B funds \$266,227 (5% SMC match) Resolution no. SMC-04-11-2023-3.

Motion to approve NMDOT TPF Resolutions No. SMC-04-11-2023-1, SMC-04-11-2023-2, SMC-04-11-2023-3 made by Commissioner Max Trujillo. Second by Commissioner Janice Varela. Motion carried.

h. REQUEST TO HOLD MAY COMMISSION MEETING IN PECOS

Commissioner Janice Varela asked that Pecos host the May meeting. Chairman Garcia asked for a Special Meeting be scheduled in May to discuss several matters in Executive Session.

Motion to approve May Regular Meeting to be held in Pecos and a Special Meeting to be scheduled made by Vice Chairman Martin Sena. Second by Max Trujillo. Motion carried.

i. REVISED JOB DESCRIPTIONS

**Item accidentally skipped, item "j" was heard before item "i".*

*HR Director Eileen Sedillo asked the Commission to approve revised job description for Officer and Record Manager and Inmate Program Coordinator. The original description was enacted in 2004. This current description adds numerous responsibilities and duties that were not listed previously. The discussion turned into specific queries about the position to the occupant of that position and future roles and employees. Attorney Gallegos informed that this was now becoming a discussion regarding personnel matters and should be discussed in Executive Session.

j. UPDATE & PRESENTATION COOPERATIVE EXTENSION SERVICE*

Ms. Christina Turner and Ms. Patricia Smith presented to the Commission the increase in participation in our local 4H programs in SMC. 4H is an integral component in growing our adolescents to be contributing members to our society.

*For Informational Purposes Only

~~**k. REQUEST FOR FUNDING FOR SAMARITAN HOUSE**~~

~~**l. RESOLUTION IDENTIFYING HEALTHCARE INTERESTS IN SMC**~~

9. BOARD OF FINANCE MEETING

a. BUDGET STATUS UPDATE*

b. ACCOUNTS PAYABLE REPORT FOR MARCH 2023*

c. CASH BALANCE REPORT MARCH 2023*

**For informational Purposes Only (item a. b. c. available for public review)*

d. BUDGET RESOLUTION DETENTION CENTER

Ms. Katherine Sanchez SMC Finance Director asked for approval to transfer \$300K to the SMC Detention Center Fund for medical costs. The reason is that due to high turn-over in Finance and the fact these funds were allocated and budgeted, however many funds were not credited to the proper accounts at the correct time and held in General Fund, in this particular case the funds were held in the Indigent Fund. This resolution corrects where the money ought to have been.

Motion to approve the Detention Center Budget Resolution No. SMC-4-11-2023-F1 made by Commissioner Kenneth Medina. Second by Commissioner Janice Varela. Motion carried.

Motion to adjourn the Regular Session and enter Executive Session made by Commissioner Max Trujillo. Second by Vice Chair Martin Sena. Motion carried. Adjourn RM and enter Executive Session at 4:00 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:

NMSA 1978, Section 10-15-1(H)(6) that portion of the Meetings at which the contents of competitive sealed proposals solicited pursuant to the Procurement Code are discussed during the contract negotiation process.

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:

Motion to adjourn Executive Session and resume Regular Session made by Commissioner Max Trujillo. Second by Commissioner Kenneth Medina. Motion carried. RM resumed at 5:27 PM.

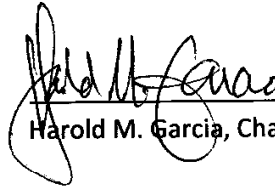
i. Revised Job Description

Motion to table Revised Job Description (Officer, Record Manager and Inmate Program Coordinator) made by Commissioner Max Trujillo. Second by Commissioner Kenneth Medina. Motion carried.

10. ADJOURNMENT

Motion to adjourn RM-04-11-2023 made by Commissioner Max Trujillo. Second by Commissioner Kenneth Medina. Motion carried. Adjournment at 5:29 PM.

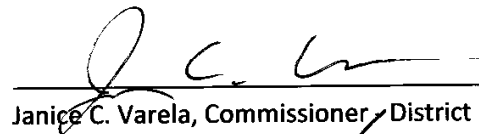
Approved this 09th day of May, 2023 as the Official Minutes of the Board of County Commissioners of San Miguel County New Mexico, of its Regular Meeting held April 11, 2023 at 2:00 PM.




Harold M. Garcia, Chairman - District 1



Martin Sena, Vice-Chairman - District 4



Janice C. Varela, Commissioner - District 2



Max Trujillo, Commissioner - District 3

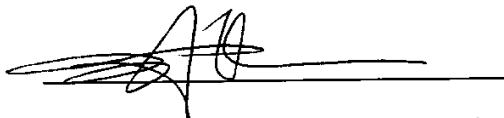


Kenneth C. Medina, Commissioner District 5

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