

**MINUTES OF REGULAR MONTHLY MEETING OF  
SAN MIGUEL COUNTY BOARD OF COMMISSIONERS  
HELD TUESDAY, JULY 9, 2019 BEGINNING AT 2:00 P.M.**

**CALL TO ORDER**

The San Miguel County Board of Commissioners held its regular monthly meeting on Tuesday, July 9, 2019, beginning at 2:00 p.m. The meeting convened at the San Miguel County Administration Complex located at 500 West National Ave., Suite 200, Las Vegas, New Mexico 87701. During the meeting, a County Board of Finance Meeting will take place.

**ROLL CALL:**

Upon a call of the roll, Madam Chair Maria Martinez present, Vice-Chair Harold Garcia present, Commissioner Janice Varela present, Commissioner Max Trujillo present, and Commissioner Chris Najjar present, and a quorum was duly noted.

**PLEDGE OF ALLEGIANCE AND SALUTATION TO NM STATE FLAG**

Commissioners, staff and citizens in attendance joined in the pledge and salute.

**APPROVAL OF AGENDA**

Motion made by Commissioner Janice Varela to approve the agenda.  
Second by Commissioner Max Trujillo.  
Motion carried.

**APPROVAL OF MINUTES**

Motion made by Commissioner Janice Varela to approve the minutes for the Regular Monthly Meeting held June 11, 2019 and the Special Meeting held June 27, 2019 with changes made to the public input of the Special Meeting of June 27, 2019.  
Second by Vice-Chairman Harold Garcia.  
Motion carried.

## **PUBLIC INPUT**

The following persons addressed the Commission during the public input forum

**Frank Sanchez-** Spoke on his interest in partnering with San Miguel County Commissioners to do Lobbying for the county.

**Manuel Garcia-** Spoke on vacation of roads and disposition of records pertaining to roads and bridges.

**Lee Einer-** Spoke on his support for the resolution for wildlife corridors

**Penny Spring-** Spoke on her support for the wildlife corridors

**Rock Ulibarri-** Spoke on his support for the wildlife corridors

**Andres Aragon-** Spoke on his support for the wildlife corridors; Mr. Aragon is not in support of the resolution

**Martha Lopez-** Spoke on Samaritan House

**George F Lyon-** Spoke on Samaritan House

**Ernesto Lujan-** Spoke on Las Vegas Land Grants

**Georgina Ortega Angel-** Spoke on Las Vegas Land Grants

**Leslie Hammel-Turk-** Spoke on Hard Rock Mining Ordinance near Tererro

## **NEW BUSINESS**

Madam Chair Maria Martinez gave thanks to San Miguel County Detention Centers newest Officers Fernando Lopez and Jonathon Montoya for their hard work. Madam Martinez led while Officers followed in the oath of office.

## **PRESENTATIONS 5 MINUTES TIME LIMIT**

### **Presentation: NMSU 4-H Extension Office**

#### **Presenter NMSU**

Mr. Patrick Torres Northern District Department Head for the Cooperative Extension Service introduced to the Commission its newest employee John Martinez. Mr. Martinez will be the County's Extension Officer and will not only work with the County but also with the local schools to see if they can get more of San Miguel County youth involved with the 4-H Extension Program. Mr. Torres informed the Commission they presently have 84 youth involved in the livestock program. Mr. Torres also stated they are working with an adult master's 16-week program of Horticulture.

### **Presentation: San Miguel County Family and Community Health Council**

#### **Presenter: Barbara Casey**

Ms. Barbara Casey with the San Miguel County Family and Community Health Council spoke on the needs of the SMC Family Health Council. Ms. Casey is seeking assistance from the county in the amount of \$10,000 dollars. These monies would be used to help pay for the part time Health Coordinator's salary and expenses for the Suicide Prevention and Intervention Program. Ms. Casey informed the Commission they work with the funds they receive through an MOU. Once a year they receive monies from the state in the amount of \$4,488.00 which is not enough to get through the year. Ms. Barbara Casey introduced to the Commission Ms. Rosalie

Martinez, Suicide Prevention and Awareness Sociologist for their office. Ms. Rosalie Martinez informed the Commission that she has worked with individuals in the community to prevent suicide.

**Presentation: Samaritan House Inc.**

**Presenter: George F. Lyons**

Mr. George F. Lyons Executive Director for Samaritan House Inc. presented to the Commission all they have been able to provide to the needy in our community. Mr. Lyons informed the Commission they are in the process of moving into a new location on 501 7<sup>th</sup> Street once the renovation is complete. Mr. Lyons informed the Commission they are on the final stages of being awarded \$150,000 dollars for their newest grant called the Youth Homeless Demonstration Grant. This grant will provide all the necessary services to the Homeless Youth in our community will need to be viable citizens to society.

**Presentation: Senior Citizens Program**

**Presenter: Wanda Salazar**

Ms. Wanda Salazar Manager of the Senior Citizen Program presented to the Commission all the services/ resources being provided in our Community for Senior Citizens. Ms. Salazar informed the Commission on funding issues and funds needed to continue providing services to our Senior Citizens in the community. Ms. Salazar thanked the Commission for the help and funding the SMC provides to the Senior Citizens Centers.

**Presentation: David F Cargo Library**

**Presenter: Rebecca Rodriguez-Salazar**

Ms. Aggie Ortega President of the David F Cargo Library in the Valley presented to the Commission the gratitude they have for the County for all they provided to the David F Cargo Library this past year. Ms. Ortega requested the Commission once again assist in the funding of the David F Cargo Library. Ms. Ortega turned over the floor to Librarian Rebecca Rodriguez-Salazar who went over all the accomplishments the David F Cargo Library has achieved.

**Presentation: Asphalt Pavement Association of NM**

**Presenters: Jessica Sena, Anita Evans, Seal Master; Terrell Wade and Cory Peyton, HollyFrontier**

Ms. Jessica Sena, Ms. Anita Evans and Mr. Terrell from Holly Frontier presented to the Commission the benefits of Preventative Maintenance Fog Seal Treatment. This Fog Seal Treatment if applied every 2 to 3 years will extend the life of the asphalt. Holly Frontier Presenters informed the Commission they would be doing a half mile of the Fog Seal Master at no cost to the County to demonstrate their product.

## REGULAR ORDER

### 1. **RESOLUTION NO. 07-09-2019-001**

San Miguel County Commissioner Max Trujillo informed the Commission of Resolution No. 07-09-2019-001. This resolution is in support of protecting wildlife corridors in the upper Rio Grande Basin. Commissioner Trujillo informed the Commission this resolution would encourage our Land Management Agency to take into consideration and the protection of wildlife corridors in our national forests and in our public lands, also the importance and safety of movement of wildlife and the connectivity of landscapes. Commissioner Trujillo also spoke on the importance of the landowners, cattle growers and so on. Commissioner Trujillo requested approval of Resolution No. 07-09-2019-001.

Motion made by Commissioner Janice Varela to approve Resolution No. 07-09-2019-001  
Second by Vice-Chair Harold M. Garcia  
Motion Carried.

### 2. **THREE YEAR BUILDING ASSET PLAN**

San Miguel County Maintenance Supervisor John Tiernan informed the commission on a building asset inspection on several county buildings; a three-year capital improvement plan; and a three-year capital improvement cost plan. Mr. Tiernan spoke on the project goals and ongoing maintenance that would be completed to accomplish the plans. Mr. Tiernan also gave information on the cost for these plans.

This item is for informational purposes only.

### 3. **SAN MIGUEL COUNTY DETENTION CENTER MEDICAL AND BEHAVIORAL HEALTH SERVICES**

San Miguel County Warden Matthew Elwell informed the commission of a request for proposal that was submitted by the SMC Detention Center. The proposal was made for medical and behavioral health services at the detention center. After review of responses, a committee of five members selected Core Health to be the provider of medical and behavioral healthcare. Mr. Elwell requested the commission's approval on the selection of the SMC Detention Center Medical and Behavioral Health Services and to allow the County Manager to negotiate a contract which would include cost of the services. The contract would be brought back in August for approval.

Motion made by Commissioner Chris A. Najar to approve  
Second by Commissioner Janice Varela.  
Motion carried.

#### **4. GRANT AGREEMENT SAP 19-D2517-GF**

SMC Planning and Zoning Supervisor Alex Tafoya informed the Commission on Grant Agreement SAP 19-D2517-GF, which provides \$85,000 to purchase and equip a transport truck for roll-off containers for the solid waste department of San Miguel County. The Agreement requires acceptance by an adopted resolution and signature on said agreement by the County Commission Chair. Mr. Tafoya requested authorization of Madam Chair Maria Martinez's signature on the Agreement and to sign attachment F which is Resolution No. 07-9-2019-PW-D2517 along with the approval from the Commission of Grant Agreement SAP 19-D2517-GF.

Motion made by Commissioner Janice Varela to approve Grant Agreement SAP 19-D2517-GF and authorize the signature of the County Chair.  
Second by Commissioner Max O. Trujillo.  
Motion Carried.

#### **5. GRANT AGREEMENT SAP 19-D2518-GF**

San Miguel County Planning and Zoning Supervisor Alex Tafoya informed the commission on Grant Agreement SAP 19-D2518-GF, which provides \$20,000 to purchase and equip solid waste bins for the solid waste department of San Miguel County. The Agreement requires acceptance by an adopted Resolution and signature on said Agreement by the County Chair.  
Mr. Tafoya requested authorization of Madam Chair Maria Martinez's signature on the Agreement and to sign attachment F which is Resolution No. 07-9-2019-PW-D2518 along with the approval from the Commission of Grant Agreement SAP 19-D2518-GF.

Motion made by Commissioner Max O. Trujillo for Approval of Grant Agreement SAP 19-D2518-GF and authorize the signature of the County Chair.  
Second by Commissioner Chris A. Najar.  
Motion Carried.

#### **6. APPROVAL OF CONTRACT-STANTEC CONSULTING SERVICES**

San Miguel County Planning and Zoning Supervisor Alex Tafoya informed the commission of contract negotiations that were made between Stantec Consulting Services and San Miguel County which were discussed at the May 15, 2019 Regular Meeting, for engineering services as needed. A contract was received from Stantec Consulting Services which was the contract that the county provided to Stantec initially. Mr. Tafoya requested the County Commissioners approval of the contract and to authorize the County Manager to sign the contract.

Motion made by Vice-Chair Harold M. Garcia to approve the contract and authorize the signature of the County Manager for the Contract between the County and Stantec Consulting Services for engineering services as needed.

Second by Commissioner Chris A. Najar.

Motion Carried.

**7. APPLICATION NO. SC-0090 SUMMARY SUBDIVISION**

San Miguel County Planning and Zoning Supervisor Alex Tafoya informed the Commission on a proposal submitted to the county by Mr. Lawrence J. Lucero who would like to divide a tract of land consisting of 4.802 acres, more or less, into three (3) tracts. The agency review has been reviewed, which included the State Engineer's Office review in regard to water availability and well issues. Mr. Tafoya requested the commission review the application and to conduct a public hearing and accept public comment on the application and also to approve the application.

Motion made by Vice-Chair Harold M. Garcia

Second by Commissioner Max O. Trujillo

Motion Carried.

**8. RESOLUTION NO. 07-09-19-ICIP**

SMC Planning and Zoning Division Supervisor, Alex Tafoya addressed the board of County Commissioners to adopt Resolution No. 07-09-19- ICIP to select the top five (5) projects for the Infrastructure Capital Improvement Plan (ICIP) for 2021-2025. The deadline to submit the ICIP is September 3, 2019 and the ICIP needs to be adopted by resolution. Mr. Tafoya requested the Commission select the top five projects for legislative ranking and also adopt Resolution No. 07-09-19-ICIP.

Motion made by Commissioner Chris A. Najar

Second by Commissioner Max O. Trujillo

Motion Carried

**9. RESOLUTION NO. SMC-07-09-2019-CAP AUTHORIZING SAN MIGUEL COUNTY TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE NEW MEXICO DEPARTMENT OF TRANSPORTATION FOR ROAD IMPROVEMENT FUNDS THROUGH THE LOCAL GOVERNMENT ROAD FUND PROGRAM**

San Miguel County Public Works Interim Director Arnold Lopez addressed the board of County Commissioners to adopt Resolution No. SMC 07-09-2019-CAP. This agreement is for funding assistance through 2019-2020 and is intended to improve the conditions of its public right-of-way. The New Mexico

Department of Transportation authorized the County \$112,685.00 (75%) as an appropriation from the State with the understanding the county is to match \$37,562.00 (25%) for this project.

Motion made by Commissioner Chris A. Najar to approve Resolution No. SMC 07-09-2019-CAP  
Second by Vice-Chair Harold M. Garcia  
Motion Carried

**10. RESOLUTION NO. SMC-07-09-2019-CO-OP AUTHORIZING SAN MIGUEL COUNTY TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE NEW MEXICO DEPARTMENT OF TRANSPORTATION FOR ROAD IMPROVEMENT FUNDS THROUGH THE LOCAL GOVERNMENT ROAD FUND PROGRAM**

San Miguel County Public Works Interim Director Arnold Lopez addressed the board of County Commissioners to adopt Resolution No. SMC 07-09-2019-CO-OP. This agreement is for funding assistance through 2019-2020 and is intended to improve the conditions of its public right-of-way. The New Mexico Department of Transportation authorized the County \$55,491.00 (75%) as an appropriation from the State with the understanding the county is to match \$18,497.00 (25%) for this project.

Motion made by Vice-Chair Harold M. Garcia to approve Resolution No. SMC 07-09-2019-CAP and authorize staff to submit the 2019-2020 Cooperative Agreements to the New Mexico Department of Transportation for execution. Second by Commissioner Chris A. Najar  
Motion Carried

**11. RESOLUTION NO. SMC-07-09-2019-SB AUTHORIZING SAN MIGUEL COUNTY TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE NEW MEXICO DEPARTMENT OF TRANSPORTATION FOR ROAD IMPROVEMENT FUNDS THROUGH THE LOCAL GOVERNMENT ROAD FUND PROGRAM**

San Miguel County Public Works Interim Director Arnold Lopez addressed the board of County Commissioners to adopt Resolution No. SMC 07-09-2019-CO-SB. This agreement is for cooperative funding assistance from the New Mexico Department of Transportation through 2019-2020 and is intended to improve the conditions of its public right-of-way. The New Mexico Department of Transportation authorized the County \$63,080.00 (75%) as an appropriation from the State with the understanding the county is to match \$21,027.00 (25%) for this project.

Motion made by Commissioner Janice Varela to approve Resolution No. SMC 07-09-2019-SB and authorize staff to submit the 2019-2020 Cooperative Agreements to the New Mexico Department of Transportation for execution.  
Second by Vice-Chair Harold M. Garcia  
Motion Carried

**12. LEGISLATIVE APPROPRIATION NO. D3393**

San Miguel County Public Works Interim Director Arnold Lopez informed the board of County Commissioners on Legislative Appropriation No. D3393, which provides \$100,000.00 to plan, design, and construct road improvements to County Road B26C, including overlay in the Chapelle area in San Miguel County. The agreement was sent to the Department of Transportation for approval.

Motion made by Vice-Chair Harold M. Garcia to Review and approve Legislative Appropriation No. D3393.

Second by Commissioner Max O. Trujillo

Motion Carried

**13. LEGISLATIVE APPROPRIATION NO. D3390**

San Miguel County Public Works Interim Director Arnold Lopez informed the board of County Commissioners on Legislative Appropriation No. D3390, which provides \$50,000 to plan, design and construct improvements to County Road A27 in the Gallinas area in San Miguel County. The agreement was sent to the Department of Transportation for approval.

Motion made by Commissioner Chris A. Najar to Review and approve Legislative Appropriation No. D3390

Second by Vice-Chair Harold M. Garcia

Motion Carried

**14. LEGISLATIVE APPROPRIATION NO. D3394**

San Miguel County Public Works Interim Director Arnold Lopez informed the Board of County Commissioners on Legislative Appropriation No. D3394, which provides \$50,000 to plan, and construct low water crossing structure and road overlay improvements to County Road B51A in San Miguel County. The agreement was sent to the Department of Transportation for approval.

Motion made by Vice-Chair Harold M. Garcia to Review and approve Legislative Appropriation No. D3394

Second by Commissioner Max O. Trujillo

Motion Carried

**15. LEGISLATIVE APPROPRIATION NO. D3392**



San Miguel County Public Works Interim Director Arnold Lopez informed the Board of County Commissioners on Legislative Appropriation No. D3392, which provides \$25,000.00 to plan design and construct, equip, maintain and make improvements to Pendaries Road, County Road A34 in the Rociada Area in San Miguel County.

Motion made by Vice-Chair Harold M. Garcia to Review and approve Legislative Appropriation No. D3392  
Second by Commissioner Chris A. Najar  
Motion Carried

**16. LEGISLATIVE APPROPRIATION NO. D3391**

San Miguel County Public Works Interim Director Arnold Lopez informed the Board of County Commissioners on Legislative Appropriation No. D3391 which provides \$50,000.00 to plan, design and construct road and drainage improvements to County road A34 in the Pendaries area in San Miguel County. The agreement was sent to the Department of Transportation for approval.

Motion made by Vice-Chair Harold Garcia to Review and approve Legislative Appropriation No. D3391  
Second by Commissioner Max O. Trujillo  
Motion Carried

**17. PUBLIC WORKS DIVISION REPORT FOR THE MONTH OF JUNE 2019**

San Miguel County Public Works Interim Director, Arnold Lopez presented to the Board of County Commissioners the Public Works Division Report for the month of June 2019. Mr. Lopez updated the commissioners on maintenance including blading of county roads and/or special projects that were executed during the month of June 2019.

This item is for informational purposes only

**18. APPRAISAL INCENTIVE PAY**

San Miguel County Assessor, Connie Gallegos informed the Board of County Commissioners on staff members in the assessors office who attended the IAAO classes and received certificates for their completion in the courses. Ms. Gallegos referenced State Statute, Section 4-39-5 NMSA 1978(chap 138, Sec. 2). Ms. Gallegos requested the approval of additional compensation as per IAAO Certification.

Motion made by Commissioner Chris A. Najar to approve the Appraisal Incentive Pay  
Second by Commission Max O. Trujillo  
Motion carried

**19. PROTEST BOARD & ALTERNATE PROTEST BOARD MEMBERS**

San Miguel County Assessor, Connie Gallegos advised the Board of County Commissioners that the County Assessors office is in the middle of protest season. Two of the alternate protest board members declined to

serve any further on the board. Roland Medrano and Lorraine Padilla will remain on the board as regular board members. Two new alternates have been selected, John David Hernandez and Elizabeth DeMare. Ms. Gallegos requested the Commission approval for the acceptance of current Protest Board Members along with the two alternates to be replaced.

Motion made by Commissioner Janice Varela to approve the appointment of Protest Board and Alternate Protest Board Members for the assessors office.  
Second by Commissioner Max O. Trujillo  
Motion Carried

### **BOARD OF FINANCE MEETING**

#### **20. BANK TRANSFERS FOR THE MONTH OF JUNE**

San Miguel County Treasurer, Bertha Bustamante presented to the Board of County Commissioners the bank transfers for the month of June 2019.

For informational purposes only

#### **21. QUARTERLY TAX DOLLAR REPORT**

San Miguel County Treasurer, Bertha Bustamante presented to the Board of County Commissioners the Quarterly Tax Dollar Report for the month of April, May and June 2019.

This Item is for informational purposes only

#### **22. RESOLUTION 2019-07-09-F1, PROVIDING SUPPORT TO THE CENTRO FAMILY HEALTH CENTER FOR FISCAL YEAR 19/20.**

San Miguel County Finance Director, Melinda Gonzales advised the Board of County Commissioners on Resolution 2019-07-09-F1, this resolution provides funding/financial support to El Centro Family Health to offset costs in which indigent patients are unable to cover, these funds will be provided from the county's indigent fund. Ms. Gonzales requested the Commission approval of Resolution No. 2019-07-09-F1.

Motion made by Commissioner Janice Varela to approve Resolution No. 2019-07-09-F1  
Second by Commissioner Chris A. Najjar  
Motion carried

#### **23. INDIGENT CLAIMS**

San Miguel County Finance Director, Melinda Gonzales provided information regarding the indigent claims processed since the last Commission Meeting. Ms. Gonzales requested the commission's ratification of the indigent burial payment.

Motion made by Commissioner Chris A. Najar to approve the Indigent Claims  
Second by Vice Chair Harold M. Garcia  
Motion Carried

**24. RECEIPT REPORT FOR THE MONTH OF MAY 2019**

San Miguel County Finance Director, Melinda Gonzales provided the Board of County Commissioners a Receipt Detail Report for the month of May 2019.

This item is for informational purposes only

**25. JOURNAL ENTRY REPORT FOR THE MONTH OF MAY 2019**

San Miguel County Finance Director, Melinda Gonzales provided the Board of County Commissioners a Journal Entry Report for the month of May 2019.

This item is for informational purposes only

**26. CASH BALANCE REPORT FOR THE MONTH OF MAY 2019**

San Miguel County Finance Director, Melinda Gonzales provided the Board of County Commissioners the reconciled cash balances for the month of May 2019.

This item is for informational purposes only

**27. BUDGET REPORT FOR THE PERIOD OF JULY 1, 2018 THROUGH MAY 31, 2019**

San Miguel County Finance Director, Melinda Gonzales provided the Board of County Commissioners the FY18/19 Year to Date Budget Report.

This item is for informational purposes only

**28. ACCOUNTS PAYABLE REPORT FOR THE PERIOD OF MAY 2019**

San Miguel County Finance Director, Melinda Gonzales presented to the Board of County Commissioners the Accounts Payable Report for the period of May 2019, this report entails present payments processed through the finance office and Bernalillo County on behalf of San Miguel County. Ms. Gonzales is requesting the Commission's review and approval of the Accounts Payable Report for the period of May 2019.

Motion made by Vice-Chair Harold M. Garcia for approval

Second by Commissioner Janice Varela  
Motion Carried

### **Executive/Closed Session**

#### **A. Personnel Matters as permitted by Section 10-15-1(H) (2) (as amended) of the New Mexico Open Meetings Act, more specifically personnel matters regarding specific county departments: County Attorney Contract: Dave Romero Law Firm**

Madam-Chair Maria Martinez recommends to retire into Executive Session at 4:20 p.m. to discuss Personnel Matters, as permitted by Section 10-15-1(H) (2) (as amended) of the New Mexico Open Meetings Act, more specifically, Personnel Matters regarding specific county departments: County Attorney Contract: Dave Romero Law Firm

Motion made by Vice-Chair Harold M. Garcia to retire into Executive Session at 4:40 p.m. to discuss Personnel Matters, as permitted by Section 10-15-1 (H) (2) (as amended) of the New Mexico Open Meetings Act, more specifically, Individual Policy Violation and Personnel Matters regarding specific county departments: County Attorney Contract: Dave Romero Law Firm  
Second by Commissioner Chris A. Najjar  
Motion Carried

Motion made by Vice-Chair Harold M. Garcia to return to regular session, from at 5:15 p.m.  
Second by Commissioner Chris A. Najjar  
Motion Carried

The record will show no action was taken in Executive Session, and matters discussed in the closed meeting were limited only to those specified in the motion for closure.

### **ADJOURNMENT**

Motion made by Vice-Chair Harold M. Garcia to adjourn the meeting.  
Second by Commissioner Chris A. Najjar  
Motion carried

The record will show the time of adjournment is 5:16 p.m.

Approved this 13<sup>th</sup> day of August, 2019 as the Official Minutes of the Board of County Commissioners of San Miguel County, New Mexico, of its Regular Meeting held July 9, 2019.

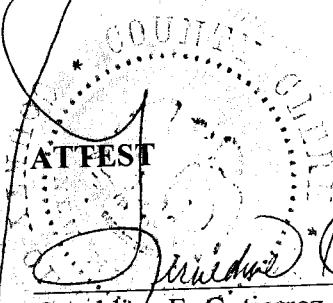
Maria L. Martinez  
Madam Chair, Maria L. Martinez  
District 4

Harold M. Garcia  
Vice-Chairman, Harold M. Garcia  
District 1

Max O. Trujillo  
Commissioner, Max O. Trujillo  
District 3

Chris A. Najar  
Commissioner, Chris A. Najar  
District 5

Janice C. Varela  
Commissioner, Janice C. Varela  
District 2

  
**ATTEST**  
Geraldine E. Gutierrez  
Geraldine E. Gutierrez, County Clerk

Louanna Sanchez  
Minutes Submitted by Louanna Sanchez