

**MINUTES of the REGULAR MEETING**  
**of the BOARD of COUNTY COMMISSIONERS**  
**of SAN MIGUEL COUNTY, NEW MEXICO**  
**HELD TUESDAY AUGUST 13, 2024 AT 1:00 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](http://www.co.sanmiguel.nm.us) and available in hard copy at the office of the San Miguel County Manager 505-425-9333. Contact Manager's Office for ZOOM link 505-425-9333.

**1. CALL TO ORDER**

Chairman Harold Garcia called the meeting to order at 1:01 PM in the SMC Commission Chambers at 500 W. National Avenue, Suite 201, Las Vegas, New Mexico 87701.

**2. ROLL CALL**

Deputy Clerk Elena I. Chavez administered Roll Call: Chairman Harold Garcia – present; Vice Chairman Martin Sena – present via Zoom; Commissioner Bernadette Baca – present; Commissioner Max Trujillo – present via Zoom at 1:02 PM. Commissioner Kenneth Medina – present.

A quorum is present.

**3. PLEDGE OF ALLEGIANCE**

USFS District Ranger Amina Sena 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**

County Manager Joy Ansley asked for approval to remove item (h) per request of the Mayor of Pecos. She also requested to either table or remove item (r).

Chairman Harold Garcia said to remove item (r) and place it on next month's Agenda, if needed.

Chairman Harold Garcia asked that Executive Session be moved to the first item followed by item (c.) to accommodate for Vice Chairman Martin Sena who is joining the meeting via Zoom.

Motion to approve changes to the Agenda made by Commissioner Bernadette Baca. Second by Commissioner Kenneth Medina. Motion carried.

#### **6. APPROVAL OF MINUTES**

Minutes for Approval: RM-07-08-2024  
SM-07-29-2024  
SM-07-30-2024

Motion to approve minutes RM-07-08-2024, SM-07-29-2024, SM-07-30-2024 made by Commissioner Kenneth Medina. Second by Commissioner Bernadette Baca. Motion carried.

#### **7. PUBLIC INPUT FORUM**

No citizens signed up for public input forum.

Motion to adjourn Regular meeting and convene to Executive Session made by Commissioner Kenneth Medina. Second by Commissioner Bernadette Baca.

Executive Session entered at 1:07 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) or 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.

No action taken in Executive Session.

Motion to adjourn Executive Session and resume Regular Session made by Commissioner Bernadette Baca. Second by Commissioner Kenneth Medina.

Regular Session resumes at 1:41 PM.

## **NEW BUSINESS**

### **8. REGULAR ORDER**

#### **c. APPOINTMENT OF COUNTY ASSESSOR**

Commissioner Kenneth Medina extended his thanks to all applicants for the position. He asked County Manager Joy Ansley to send thank you letters to each applicant. He then asked that Ms. Dorene Garcia be appointed County Assessor.

Motion to approve Dorene Garcia as County Assessor made by Commissioner Kenneth Medina.  
Second by Vice Chairman Martin Sena.

Roll Call: **AYES:** H. Garcia M. Sena B. Baca K. Medina

**NAYS:** M. Trujillo

**Motion passes: 4-1**

#### **a. COUNTY MANAGER/DEPUTY MANAGER'S REPORT**

County Manager Joy Ansley informed the Commission on the following:

\*Commission is aware of amount of complaints received regarding road conditions during the flood season. Some areas are worse than others. Public Works is trying to keep up with debris removal and emergency road effective measures but it is almost impossible. Residents are upset. SMC has emergency response contractors to pave the roads for the kids and busses but it has been a challenge in many parts of the county. San Miguel County experienced a lot of rain the last two weeks; roads that SMC had worked on have been damaged since. One of the primary areas of concern in Commissioner Bernadette Baca's district is the low water crossing in East Pecos. Many residents have voiced their concerns about the crossing when the water is flowing. Upon inspection, the low water crossing is functioning normally; however, that is not acceptable to the residents of the area. The water flowed about 7 inches deep the night before. The crossing is angled across the road so that the water fans out and the flow is shallower. Commissioner Baca requested a temporary solution. However there is no temporary solution for low water crossings, it would have to be built over. A design has been ready since 2021 for the installation of two large culverts that measure 84 inches by 57 inches. The estimate in 2022 when SMC had allocated ARPA funds to the project was \$450K. Today's estimate would be around \$600K. There may be some right of way issues and there would be an issue with a detour installation. County Manager Joy Ansley asked the Commission if they would like to make this road issue a budget priority. From there, Commissioner Baca, County Manager, Public Works and the engineer could hold a public meeting to ask the residents input on this large project. There has been concerns about the water and sewer project that is coming in east

Pecos and whether that would affect work done on the crossing. SMC could install something per easement filed. If water and sewer lines are installed, they would have to operate within the easement.

Chairman Harold Garcia asked about the status of ARPA funds.

County Manager Joy Ansley stated funds are minimal. Most of those funds are either encumbered or allocated. The projects could be re-prioritized if necessary. LATCF funds are available as well.

Chairman Harold Garcia stated that SMC used about \$1M ARPA funds for the photo imaging. He asked if that was reimbursable.

County Manager stated that those reimbursable funds have been allocated. She would need to get an accurate report ready for the Commission for the ARPA funds. She estimated about \$200K is available. Projects would need to be re-allocated to use ARPA funds.

Chairman Harold Garcia asked for ARPA funds status to be added to next month's Agenda. He also asked if they could look at local government funds.

County Manager Joy Ansley stated another funding source would be FEMA. That low water crossing was captured for flood damage. Reimbursement process could be lengthy.

Chairman Harold Garcia stated it could halt the sewer line project to a certain degree.

Commissioner Bernadette Baca stated the sewer line project is in the beginning stages where constituents are gathering deeds and easements to start the process.

Chairman Harold Garcia asked if the Village of Pecos supports the water/sewer line projects as it will affect their sewer system.

Commissioner Bernadette Baca stated they have the Village of Pecos's support.

County Manager Joy Ansley continued with her report, stating that SMC received three contracts for funding through the North Central New Mexico Economic Development District. They were granted money by Senator Liz Stefanics (Dist.39) for Statewide Projects. The three projects that SMC is eligible for include \$100K for Operations of Youth, Family and Recovery Centers, \$40K for EMTs, and \$40K for materials and support for small or rural libraries in Senate District 39. SMC will need to determine how to spend funds without violating anti-donation laws. The EMT funds could be spent on fire departments. The \$100K for Youth and Families would have been more appropriate to go to the school but upon meeting with Director Abeyta, she declined. The library funds may pose a challenge to distribute to Bernal and Villanueva.

Deputy Manager Jesus Romero informed the Commission on the following:

Last month, SMC held the annual employee appreciation barbeque at Storrie Lake hosted by the employee fund. He thanked Commissioner Bernadette Baca for the desserts she made for the barbeque. There was a corn hole tournament with a good employee turnout. Deputy Manager Romero thanked those who coordinated the event. \*Sanborn Imagery issues have been resolved. IT Director Kenneth Abeyta and Deputy Manager Romero have been working with Sanborn Imagery and they have been responsive and helpful so far. There is a bandwidth issue that should be resolved by end of day or tomorrow. There is a short meeting scheduled tomorrow afternoon with the Assessor's office to set up software in their office. \*There are plans for visual upgrades in the San Miguel County Chambers to tentatively start next month including new monitor screens and cabling. \*SMC has been preparing the County Fair Grounds. The County Fair starts tomorrow and runs through the weekend. Water lines with individual lines and shut-offs have been installed on all small animal show barns to provide adequate water. New electrical outlets were installed in the show steer areas. Public Works staff helped cut weeds, blade road and parking area. They revamped the arena. Maintenance provided support as well.

Commissioner Kenneth Medina asked the Deputy Manager to update the public on KNMX radio show on the status of county roads, closures and detours. For example, the bridge on CR23 is impassable.

County Manager Joy Ansley informed a structural engineer reviewed CR23 bridge and the engineer conveyed concern to safety. SMC is looking at contractors to construct temporary bridges. There is another bridge in South San Isidro that is dangerous.

\*For Information Purposes Only

#### **b. DEPARTMENT HEAD UPDATES**

Mr. Dennis Esquibel gave the Public Works Department update on behalf of Public Works Director Benito Romero. He informed the Commission on the emergency roadwork bids that opened for blade, shape, haul, place and emergency protective measures and snow removal. There are TPF going out to bid. Public Works will continue to work on the final stages for the RFPs with Deb Sulzer on debris removal, monitoring, engineering and services. The advertisement will go out sometime this month. \*Site inspections are scheduled to both re-capture sites that were affected by the flooding and capture new sites. SMC collected mapping and GPS data of damages to culverts, cattle guards and start and stop location of county roads that will be submitted to Sulzer and converted into a GIS map. Public Works ordered 50 Type-3 barricades. Two T900 Transports, one T880 Tandem, one T880 Water Truck and five Belly-dumps, one 25 ton Transport, one Hydro Excavator, one Peterbilt Roll-off, and a 53 ft. Walking

Floor Trailer are on order. Loaders, 335 Excavator, one 420 Backhoe and a 25 ft. Gooseneck Trailer were delivered. Signs for the road sign project have been ordered. Four Compactors and receivers for Solid waste have been delivered. Public Works is capturing all bridge damages and looking for temporary bridges. Bridges require engineering so it will be a while before those bridges are situated. Public Works requested temporary bridges from the federal government but they want us to go through a contract. SMC is developing more projects to capture Crusher operations during disasters as material is being lost on county roads. Crusher operations must continue to replace material on roads compromised by the rain. Projects are pending completion due to the weather. Emergency flooding periods on CR A1 in Las Dispensas, CR A3A in San Ignacio, CR A4A in Cañoncito de Manuelitas, Levi's Place in South Western Rociada, Martinez Ranch Rd off of HWY 94 by La Tewa exit, Penasco Blanco Rd which is behind Camp Luna, B31A, B31B, B36, B31B some of B30 and some of B31B.

IT Director Kenneth Abeyta informed the Commission on completing the phone upgrade. The previous phone system is out of business so a new phone provider was necessary. IT installed phone system and conducted phone training. \*IT is working with Sulzer Group on the GIS Data which roads, and culverts to avoid duplicate work and complete a comprehensive map of the County. \*A work station upgrade will begin in the next couple weeks. \*SMC will switch to a hosted version of Tyler Encode scheduled for the 26<sup>th</sup>-28<sup>th</sup> of August. SMC will no longer have Tyler housed on our servers to avoid update issues. Training will take place for that update.

Warden Antonio Padilla informed the Commission on the July 2024 Report. Two new staff members were hired last month and due to start within the next week. SMC has two full time temporary staff members still available. SMDC is fully staffed for the first time in 4 years. There was 153 bookings this month at the facility. Programing is ongoing including church services, Alcoholics Anonymous and Narcotics Anonymous. Sheriff's Department had 90 arrests this month. RFP for food, commissary services and inmate telephone system have been advertised. Bids have been received for the food and commissary. That will be presented to the Commission soon. SMDC received a grant with the Detention Officer Reimbursement Fund for \$656,250K. The first year SMDC receives \$375K, the second year is \$187,500K and the third year is \$93750K. These funds can be used for officer salaries and recruitment. Working on accreditation process and working on policies and procedures with the County Managers Office with a tentative date of January 2025 to become accredited.

Chairman Garcia asked for the status of the Committee that will be assembled to assist with the accreditation process and issues that arise with Detention Center.

Warden Antonio Padilla stated they are working with the Manager's Office and County Attorney on the bylaws, policies and procedures for the Committee. Pat Leahan, UWC Community Liaison is not in favor of the process. It's a structured process that differs from the

previous Citizen Advisory Meeting in which members apply and are voted to become members. Each Commissioner will appoint someone from their district to be a part of the Committee. Those procedures will be tentatively presented at the next Commission meeting.

County Manager Joy Ansley stated if SMC invites a group of civilians into the facility, there needs to be updated parameters for the rules, responsibilities and authority.

Fire Chief Andrew Duran informed the Commission on Rope Rescue Course that 11 firefighters participated in collaboration with City of Las Vegas firefighters. The course was mentally and physically challenging for the members but was completed successfully. Starting new week, five firefighters will begin the EMT program at Luna Community College. SMC received grant funding of \$787K for the firefighter recruitment program from the State of New Mexico. It funds firefighter's salaries 100 % for the first year, 75% for the second year and 25% the third year. There will be documentation in next month's meeting for Commissioners to approve acceptance of those funds.

Chairman Harold Garcia asked for the status of the fires in Trujillo.

Chief Duran stated that they are 80% contained. They were in a difficult location. They were primarily monitored on the first day. One is approximately 90 acres, the other is 40 acres.

Commissioner Sena inquired about the progress of the Tecolotito Fire Department.

Chief Duran stated they are waiting on a survey. The survey company indicated they would have something soon.

Commissioner Martin Sena asked if the area had been identified.

Chief Duran stated that the property being surveyed is where the Community Center was located.

Commissioner Martin Sena also gave an update on former Chief Steven Gallegos's health. His health has declined and he is now in hospice care.

Chief Duran stated they have been in contact with other District Chiefs regarding the former Chief. Some of the members have also contacted his family.

\*For Informational Purposes Only

**c. APPOINTMENT OF COUNTY ASSESSOR**

\*Moved to first item on Agenda

**d. INTRODUCTION OF MELISSA WRIGHT, SAN MIGUEL COUNTY EXTENSION AGENT\***

Ms. Melissa Wright, San Miguel County Extension Agent introduced herself to the Commission. She grew up in a 4<sup>th</sup> generation cattle ranch in Kansas. She went to Kansas State and received an Animal Science Degree. She spent the last 20 years teaching various grade levels. She was previously an FFA Advisor at her last teaching job. She is excited to work with the 4H kids and the San Miguel County community. She looks forward to guidance from the Commission.

\*For Information Purposes Only

**e. UPDATE ON ALTA VISTA REGIONAL HOSPITAL\***

Ms. Amanda Shurtz, Interim CEO of Alta Vista Regional Hospital introduced herself to the Commission. She comes from a nurse background and has been in hospital administration for 17 years. She is a life-long resident of an area similar to Las Vegas in southern Illinois. She primarily worked in health service in rural communities. JAVA Medical approached her about taking a position for Corporate Director of Operations; she accepted knowing that the first assignment would be moving to Las Vegas, New Mexico. Quorum Health had previously owned the facility. DAVA, a non-profit group purchased the hospital and it is now being managed by its sister company JAVA. She will be here for a year to help through that operational transition. She created a leadership team starting with local people, and is working on filling any other open positions. Before DAVA purchased the hospital, \$3M was spent on travel contracts. She is thankful to those travel nurses but the goal is to hire locally. She brought her leadership team to introduce themselves.

CNO and Emergency Department Director Leah Joslin stated she has been living in Las Vegas for a year. Her dad grew up here and attended Robertson High School. She spent her summers here. Her parents moved back and lost their house in the fire. They decided to rebuild and asked her to move back to help them. Her family has decided to stay permanently. Her goal is restore community trust and give back the hospital that San Miguel can rely on.

Director of Physician Practices Ms. Annette Hernandez manages the employed clinics for the hospital including Family Medicine, Pediatric, and Cardiology clinics. Her goal is take care the community and establish services to provide that care. Family Medicine is headed by Dr. Raymond Ortiz who just came to the community. He was here about a year ago and had been here for eight years. He came back from retirement. He is taking new patients and extended hours to of 8 AM to 8PM Monday through Thursday. Pediatrics is headed by Dr. Robin Edward, MD and Erica Green, NP. New patients are being accepted including sports physicals.



Revenue Cycle Director, Compliance and Privacy Officer Ms. Shelley Scoggin has lived in Las Vegas for 12 years. Her goal is to make the relationship between medical records and other physician offices seamless so that they can get all records that they need.

Mr. Glen Maestas has worked in the hospital for 12 years. He is now the Director of Marketing and Physician Recruitment. His goal is to build community trust.

Human Resources Director Ms. Jennifer Dominguez has lived in Las Vegas her entire life. Her goal is to be a voice for the community, to recruit and retain staff and make Alta Vista a good place to work.

Interim CEO Ms. Amanda Shurtz stated she brought her team to give the community and Commission a glimpse of the changes happening at Alta Vista. Mr. Robert Nelson served about a year and half as CEO. Her plans for recruiting a new CEO will be transparent. Their hope is to hire someone local, if not from San Miguel County, then statewide. If no one can be found in New Mexico, they will begin recruiting nationwide for someone to relocate here. They have been able to recruit several executives, leaders and staff members. They have brought a Laboratory Director from Texas, a Facility Operations person from St. Louis, Missouri, and a Quality Officer from Oregon. They have plans this fall to open the hospital ICU.

Chairman Harold Garcia asked if she could elaborate on the Rehab Program that they have been discussing.

Ms. Shurtz stated they are going to see their first patient in the next week or so. A group called Cross Roads has rented the space in the hospital that was the former OB space. They will get their own joint commission certification. The hospital supports them in linen, dietary and security services. They have a psychiatrist on staff. They are happy to work with law enforcement, ER and BHI. They are an in-patient detox unit.

\*For information purposes only.

**f. UPDATE ON NMHU GOLF COURSE\***

NMHU President Neil Woolf introduced Dr. Brandon Kempner, Chief of Staff and Student Body President Mr. Kel Rayner who is a senior in the Forestry Program. He informed the Commission on a monthly community forum that will start August 20<sup>th</sup>, 2024 at 5:30 PM at the Stu Clark Athletic Building. They will be introducing new coaches; seven out of the nine coaches are new this year. He then addressed Vice Chairman Martin Sena, wishing his granddaughter a quick recovery and shared the good news of recently hiring a Mariachi staff member who will work to revive the Mariachi program at NMHU. He proceeded with a PowerPoint presentation about the golf course. He stated they are grateful for the MOU and partnership with the County. Play

has increased and they are making some revenue. The University incurs some additional costs of maintenance and staff. Disc golf is available to play and the Fusion Tacos Restaurant is open on the course. They are grateful for the \$60K for operational costs. Their partners Mr. John Allen and Mr. Ted Sandoval are continuing the Torres legacy. They are providing golf opportunities for youth. There are two high school teams that utilize the golf course. There are plans to establish men's and women's golf teams as well as hosting academic classes on the course. May through July they budgeted \$130K in revenue and received \$116K so far. On expenses, they are operating within a margin of about \$33K. The expenses are a little bit less than what was budgeted. The loss of revenue is attributed to the storms and flooding this summer. Mr. Woolf presented the player statistics of the course. 3,200 rounds played in 2023 with a monthly average of 500 rounds which increased from previous years. The draft studies from Mr. Kim Murphy estimated the possibility of 175 single family homes on the golf course property. One of the deterrents when hiring faculty is the availability of housing. The study included an additional 125 units of apartment style housing. There is 86K square feet of additional retail space. The study approximates tax revenue of \$5.6M for SMC. NMHU Forestry Department works with institutes related to forestry that can provide a commercial seed bank. The seed bank will be on NMHU, possibly on the golf course.

Chairman Harold Garcia inquired if the housing plans are for students and staff only.

Mr. Woolf stated they have additional plans for student housing. They are hoping to have an academic space on the ground floor which would make the buildings eligible for state funding.

Dr. Kempner stated that they want an external developer to work on the 175 single family homes and those would be available for anyone in the community.

\*For information purposes only.

**g. FOREST SERVICE UPDATE ON HERMITS PEAK CALF CANYON RECOVERY  
ENVIRONMENTAL ASSESSMENTS\***

USFS District Ranger Amina Sena stated that she and her partner Mr. Kenny Alcon attended to inform the Commission on community engagement, partnerships, the Hermits Peak Calf Canyon Restoration EA and accomplishments. She acknowledged the USFS role in the Hermits Peak Calf Canyon and the significant impact that persists presently. The USFS is committed to the recovery process and aim to be inclusive and transparent. The Santa Fe National Forest is committed to working with partners, informing community members and willing to be guided. They invite partners and community members to share their ideas and feedback. Their vision is to establish a presence that shifts the current culture to one that prioritizes community knowledge, expertise, priorities, needs and concerns. They are working with partners including State Forestry, National Forest Foundation, Bat Conservation International, NM Wild, Santa Fe

Community Foundation, River Source, and Hermits Peak Water Shed Alliance. They plan to purchase the Legion Park Elementary School to upgrade their office and to offer housing in the second wing. A survey was finished and an appraisal will be presented to the school board with a purchase agreement. The USFS and USDA including NRCS (Natural Resource Conservation Service), FSA, Tierra Monte Soil and Water Conservation District, Western Mora Soil and Water Conservation District and Rural Development have been actively participating in fire wood distribution, allotment assessments for the range permittees, fence replacements, roadside hazard tree removal, timber and agricultural industry recovery efforts, water shed stabilization and acequia and infrastructure repair. USFS is working on the Hermits Peak Calf Canyon EA. Before projects can begin on Forest Service lands, USFS is required to go through the NEPA process. Part of the NEPA process is a comment period where they inform the public of the proposed action and accept feedback. USFS asks for input before issuing proposed action. Starting in August, the USFS will start attending local meetings. News releases and more information on this long term planning effort will be available in the coming weeks. Phase 1 is asking for community input and solutions in regards to roads, bridges, and aquatic organism passage structures. Phase 2 is presenting these proposed actions and conducting an official scoping period. In Phase 3 they will provide that draft of the environmental assessment for final review. At the final draft review, comments can be provided but the goal is to have that input before that stage. That long term recovery will be identified approximately in November. USFS will host workshops at the end of August into September that SMC will be invited to. She asked the Commission for the best way to obtain those comments whether through those workshops, separate meetings or email.

Mr. Kenneth Alcon from USFS informed the Commission on USFS recovery and roads process. The USFS has established LOE's (Lines of Efforts) to plan the restoration process of the Hermits Peak Calf Canyon Fire. The Lines of Effort include Forestry, Engineering, Range, Watershed and Recreation. Last year, USFS had an agreement with the Santa Fe Community Foundation in partnership with Neighbors Helping Neighbors to process about 1,300 cords of wood to the communities in San Miguel and Mora Counties. USFS will continue with this partnership for the next two years to distribute about 2,500 cords to the elderly in the community. There will be 2 cords for those over 65 and 1 cord for anyone under that age. USFS is working on communication plan to inform the community. Mora County received 4,000 cords of woods that came from Carson Forest. 2,000 cords of wood have been delivered to the Mora Fuel lot; this wood is only available to Mora County residents. This plan is not sustainable for the long term as they must be cognizant of tax payer money. The public can also go to the Las Vegas or Pecos local fuel house ranger station to obtain free use fuel wood permits to get up to 5 cords of wood per increment for free. A Restoration VPA Contract was approved for hazardous tree removal. Last year USFS completed 450 acres and expect to complete 470 acres of hazardous tree removal off of forest service roads. Anything 150 feet off the side of road is to be used for

fuel wood and stacked there. Some trees will be taken to the local fuel houses to process for fuel wood. USFS will work with Mora San Miguel Electric Cooperative to remove hazardous trees on about 102 acres power lines that are on forest service lands. Regarding acequias, the work load is minimal on forest service lands. On Carson there are 7 or 8 miles of an acequia that came off of Serpent Lake. That work has been completed and they removed hazardous trees and debris with support from Tierra Monte Soil and Water Conservation District. USFS will work on Acequia de la Pasita de Arriba in the Gallinas Canyon which is about 300 yards. They removed hazardous trees from all the camp grounds which are available as fuel wood. In regards to Reforestation, they identified approximately 50,000 acres of potential reforestation forest service lands. Some parts may not be accessible due to terrain but there is natural regeneration including aspen stands. In the next 20 or 30 years, people could use that land as recreation that could lead to economic development. There are increased wildflowers and raspberries in the area that burned. USFS does not have the capacity to plant the amount trees necessary but they are working with partners like Harrington to work on reforestation. Last year they planted 1,500 acres in Walker Flats area and this year they have 1,570 acres slated to be done in the Johnson Mesa area. The second LOE-Engineering- relates to the flood response. USFS has a flood response team and have been utilizing internal Forest Service Engineering Crews. After the first flood, Road 18 in the Johnson Mesa area had a blowout. USFS has removed the culvert and made a low water crossing in the interim. USFS is being as reactive as possible to address the roads on forest service lands that have been impacted. Their crews have been working diligently in Gallinas, Forest Rd 263, which has serious damage. USFS allows access because there are private land holdings there and residents that have cabins there; the area is closed off, otherwise. USFS is utilizing internal and engineering crews as it is the most cost effective. The second option is to hire a local contractor. The third option is go through VYPER which is costly. USFS has about 900 cords for the community for fuel wood processing left from Walker Flats. Capulin area is slated for hazardous tree removal this year and the following year. USFS is working on the road in Barillas and removing hazardous trees to provide fuel wood. Barillas Lookout was burned during the fire. It serves the Forest Service, partners in State Forestry and local fire departments. From that lookout, east is visible out to the private lands and acts as a good communication plan to bounce emergency and report fires. USFS is waiting on the FAA to give a final report to man that outlook. Regarding Engineering, Gallinas Canyon is time-consuming. 15 bridges were impacted. The first bridge called Bridge Zero has a weight limit due to the abutments being compromised. Work will begin in the next two weeks for reinforcement of the bridge. The limit is 10 tons which is a liability because if that bridge is lost, the canyon is inaccessible. Bridge 3 was completely submerged but has since been exposed with a low water crossing. USFS has a small service contract with a local contractor to work in that low water crossing. The third LOE- Range- involves grazing permittees, primarily. 202 miles of fence were impacted or burned during the fire. There are private fences between Forest

Service lands and private lands. USFS must confirm fences are on the correct fence line. The internal forest service surveying crew and two contracts have been awarded to work in the Rio de la Casa area for 14 and one-half miles. By the end of this week, six miles will be completed. The internal forest service surveying crew will survey where the actual fence needs to be. USFS awarded a contract for the Capulin area for 23 miles. The survey crew will begin this coming week. Both contracts were locally awarded. USFS will purchase 75 miles of fencing including material and is also implementing virtual fencing. Collars are put on the livestock to keep cattle on the grazing allotments but don't prevent the private cattle coming into the allotted land. There are four allotments with virtual fencing. USFS is working on spring developments that were burned. USFS completed the Mondragon Spring in Walker Flats area. 29 springs need to be redone. Forest Service is buying the material to reduce cost for the local contractors. 1 mile of fence with posts and labor is costing \$60K-\$80K a mile which does not include hazardous tree removal. USFS does not have jurisdiction on private lands for this process. The fourth LOE, Watershed, is time-consuming. NFF (National Forest Foundation) will write RAPS which is a Watershed Restoration Action Plan. Based off that, USFS will determine how to protect roads and homes downstream. There are no plans for aerial seeding on Forest Service lands but there is collaboration with NRCS and Tierra Y Montes to do big watershed areas. Seed is certified, weed free and native. USFS planted wheat and barley that helps with the flooding. There are two pilot projects where USFS is partnering with Tierra Y Montes, Western Mora and NRCS for the Mora area, Rio de la Casa and Ledoux. They will expand in San Miguel County. The last line of effort is Recreation. There are not a lot of opportunities for development on the east side including Gallinas Canyon, which is a primarily day use area in Bakers Flat, EV Long and El Porvenir. Many of those areas are in the 100 year flood plain which is a liability for the line officer. USFS will conduct public forums to determine public input and needs for recreation in the Gallinas Canyon and trails. They had 121 miles of trails that were impacted in the wilderness and 88 miles that were outside the wilderness. NM Wild is doing assessments for the USFS. Based on those assessments, USFS will begin trail maintenance with support from the NFF with potential for re-routing.

County Counselor Chico Gallegos thanked Ms. Sena and Mr. Alcon for their presentation and suggested a public forum.

Chairman Harold Garcia thanked them for the updates and recent help they gave on El Llano road and the road at UWC.

District Ranger Amina Sena stated they will have two meetings in San Miguel and two in Mora. The first meeting is to listen to the public's concerns. The second set of meetings will be to ask the public's input in more detail. Mora County has plans to distribute a newsletter to inform the public. Ms. Sena asked if something similar could be distributed in San Miguel County.

\*For information purposes only

**~~h. REQUEST FOR ASSISTANCE WITH ROAD MAINTENANCE – VILLAGE OF PECOS~~**

**i. PUBLIC WORKS EQUIPMENT PURCHASE FROM FEMA FUNDING\***

County Manager Joy Ansley stated that Public Works Director Benito Romero submits a report to the Commission for the FEMA PA and claims that are requested monthly. There was no Commission action last meeting on the equipment that was purchased. Manager Ansley asked if the Commission would like to change the purchasing policy. The Commission awards bids but if SMC purchases off a state contract there is no requirement for Commission to review or approve. In this case, Public Works bought equipment. They received FEMA PA money in the amount of \$4.4M. It did not come through Commission; Chairman Garcia indicated it should have.

Chairman Harold Garcia stated the Commission is responsible for budget and policy. At a minimum, he would like to be informed of the purchases. The community is expecting the Commission to know where that money is. There has been criticism on the equipment purchased.

County Manager Joy Ansley stated the Commission was informed. If the Commission would like take action, she would need to develop a policy.

Chairman Harold Garcia stated his goal is to provide assistance to Public Works as they are hiring contractors to catch up on work. He would like to be informed of the whole process.

County Manager Joy Ansley asked how the Commission would like to be informed. That information came as department head report previously.

Chairman Harold Garcia stated department head updates are verbal. He requests proper documentation that can be recorded in the Clerk's Office.

Commissioner Kenneth Medina requested a policy where this funding comes before the Commission either for approval or information only.

County Manager Joy Ansley stated there is a policy a place. An amendment would have to be drafted.

Commissioner Bernadette Baca stated she would rather have written documentation of these purchases rather than verbal.

County Manager Joy Ansley asked what authority the Commission is asking for in regards to these purchases so that she can draft the policy.

Commissioner Bernadette Baca asked if that policy includes a description of these purchases.

County Manager Joy Ansley stated that is not part of the policy as that is the fixed asset list maintained by the Finance Department.

Commissioner Kenneth Medina asked if that policy authorizes Public Works to order without authorization.

County Manager Joy Ansley stated that it does allow Public Works to purchase anytime. However, the policy has different purchasing limits. Under \$5K, SMC does not need to get prices. From \$5K - \$19K SMC needs a verbal quote. From \$20K to \$60K, written quotes are required. From \$60K, sealed bids are required. If it is a sealed bid, the Commission needs to award it. The equipment was not bid because it was purchased on state contract. State contracts are not addressed in the policy. She asked if Commission is requesting a policy where the Commission selects and approves purchases for capital equipment over a certain dollar limit.

Chairman Harold Garcia stated that is a good idea. He stated that he would prefer to be informed without having to ask. He would like something presented to the Commission. He does not feel that the Commission should approve each purchase but something should be brought before the Commission so that they are informed when the public reaches out to the Commissioners. He belongs to the Finance Committee at the Las Vegas City Schools. Once a month, they are presented a list of purchases over \$50K. It is for information only. He stated that something like that could work.

County Manager Joy Ansley stated that the Commission is presented with the expenditures from the Finance Department in every Regular Meeting.

Chairman Harold Garcia stated that is for the entire County. He would prefer something from each division head.

Sheriff Christopher Lopez asked for clarification from the Commission on these updates. He asked if such an update would be for FEMA claims only. He stated that the goal for his office and SMC is to recover from this disaster as well as prepare for future disasters. These purchases from Public Works allow SMC to be self-sufficient.

Mr. Dennis Esquibel stated that Public Works is in recovery preparedness. The equipment purchased has replaced old and worn equipment. That equipment is necessary for both the recovery process and future disasters. He stated that he is available anytime for any questions the Commissions may have via phone call.

Chairman Harold Garcia stated that he would like the department heads to provide that information to the Commission.

County Manager Joy Ansley stated those updates have been presented to the Commission.

Chairman Harold Garcia stated those updates were verbal only.

County Manager Joy Ansley asked if Chairman would like it to be a separate agenda item for purchases.

Chairman Harold Garcia stated that is not necessary. He would like written documentation for information only. The public asks the Commission questions about purchases like this and they would like to be informed. The Finance Department presents expenditures monthly but that expenditure list is for the entire County and is difficult to find each line item. He stated they could strategize what the Commission is asking for after the regular meeting.

Commissioner Kenneth Medina stated that a purchase policy is necessary to answer constituents questions about where there funds are spent. Something could be brought before the Commission that shows expenditures over \$50-60K.

Chairman Harold Garcia stated his goal is to hire employees to use the equipment purchased.

County Manager Joy Ansley stated that was supposed to come before the Commission today but there are obstacles when hiring new employees and positions. If it is a new position Commission would need to approve a job description. If it is extra employees, that must be brought before the Commission as well.

Commissioner Kenneth Medina asked if Public Works is fully staffed.

County Manager Joy Ansley stated that there is one position open. Public Works is also asking for additional staff.

Chairman Harold Garcia suggested a retreat to consider and review these issues.

County Manager Joy Ansley stated she needs clarification on re-structuring the process of what is brought before the Commission as there are many purchases over \$50-60K limit. Many of those purchases cannot wait a month for approval.

Chairman Harold Garcia asked how much funds SMC has beyond the approved operating budget. Public Works spent approximately \$4.4M on new equipment. The Commission did not approve \$4.4M in the budget. He asked where that is in the budget.



County Manager Joy Ansley stated it is in the 207 fund. It was presented to the Commission; there was \$25M in that fund.

Chairman Harold Garcia stated that the line item was presented with the funds but there was no other information.

Finance Director Katherine Sanchez asked if the Commission would like a report from finance for purchases over \$60K.

County Manager Joy Ansley stated that needs to be looked at carefully as there are monthly expenditures that exceed that limit that must be paid including utility bills.

Chairman Harold Garcia stated he is not asking for the Commission to approve those expenditures; he would like to be informed of those purchases on a monthly basis.

County Manager Joy Ansley asked if they would like written documentation. That would need to be on the agenda.

Chairman Harold Garcia stated it does not need to be on the Agenda. Handouts are given to the Commission that are often not included in the Agenda. Something like that would suffice.

County Manager Joy Ansley stated that those handouts are not included in the minutes.

Chairman Harold Garcia stated that it should be considered to be included in the minutes. When something is presented to the Commission, it should be an official document that supports the discussion of the regular meeting. He stated that an additional meeting may be needed to clarify this process.

Counselor Chico Gallegos suggested a report from Finance be presented with greater detail of the purchases.

County Manager Joy Ansley stated that each check is listed in the expenditure report.

Finance Director Katherine Sanchez stated Finance could provide any kind of information necessary including purchase orders.

Sheriff Lopez suggested a working document from each department that the Commission has access to view to show the FEMA expenditures.

Chairman Harold Garcia stated something like that could work. His goal is hire Public Works staff to use the new equipment.

County Manager Joy Ansley stated SMC was on a timeline to get the equipment purchased. SMC has been pushing for claims for over a year. Once the funds were released, they needed to be spent.

Chairman Harold Garcia stated that there will be additional expenditures in Public Works and would like to be informed of those purchases.

County Manager Joy Ansley asked if the Commission would like a more detailed report of Public Works expenditures.

Chairman Harold Garcia stated he would like a detailed report of purchases related to FEMA claims.

Counselor Gallegos asked if such documentation should be included in the Commission packets with the department head updates.

County Manager Joy Ansley stated that there will be an issue with that. The department updates are not always correct and therefore should not include official documentation in the minutes. If there are discrepancies, they will need to be corrected in the following meeting. She suggested a FEMA Projects update and each department head will present. There could be running expenditure list attached.

Chairman Harold Garcia stated that could work. For example, the Sulzer group has not been paid and he would like clarification be brought to the Commission on how these consultants and items are paid. His main concern is being informed.

Commissioner Bernadette Baca agreed with the Chairman.

Mr. Dennis Esquibel asked if every department would need to give an update. He stated these expenditures are documented well and can be presented if necessary. The reason the new equipment is not being used is due to the recent flooding. The Public Works employees are fixing damages incurred by the flood throughout the County. There are also positions open that need to be filled.

Chairman Harold Garcia stated that there are good things happening in the County that the Commission would like to be a part of. SMC is buying equipment for the first time. Previously, it has always been leased. He stated he would like to be informed on the purchase amounts for the equipment.

Mr. Dennis Esquibel extended an invitation for the Commission to come to Public Works facility.

Chairman Harold Garcia stated that issues could arise when the Commission involves themselves.

Mr. Dennis Esquibel stated it could motivate the employees for the Commission to visit with each department head. He stated that Public Works expenses are documented and presented each Commission meeting.

\*For information only

**j. AWARDING FOR EMERGENCY CONTRACTOR SERVICES**

Mr. Dennis Esquibel stated Public Works sent out RFPs for emergency contractor services. Four contractors have been evaluated and submitted.

County Manager Joy Ansley stated that there are existing emergency contracts with two local contractors. The term is ending and Public Works would like more options in case of emergencies.

Mr. Dennis Esquibel stated that the four companies include Magnum Construction, North Eastern Construction, Hays and Rocky Road.

County Manager Joy Ansley asked for a tabulation sheet that combines the score sheets for the evaluations in the future to better compare the scores. One contractor is ranked significantly lower than the rest. She asked whether that company has adequate experience in road projects, bonding capacity and insurance.

Mr. Dennis Esquibel stated they meet the minimum requirements. That company rates lowest due to lack of experience compared to other companies.

Commissioner Bernadette Baca inquired how these companies are selected to be evaluated.

Mr. Dennis Esquibel explained that the RFP (Request for Proposals) are advertised and those companies respond with proposals which is standard bidding practice.

County Manager Joy Ansley stated that there are requirements that SMC has for big projects or multi-year contracts. Companies have clipping services to find the RFP SMC submits. Companies decide what to bid on. They submit their qualifications and the prices are negotiated at a later date.

Commissioner Kenneth Medina asked if the contract states parameters for commitment to a project once the project has started and if there are set dates for a project completion.

Mr. Dennis Esquibel explained this is for emergency repairs only. In the case that one contractor is not available, SMC will move on to the next of the four contractors.

Vice Chairman Martin Sena inquired about the process if none of the contractors are available for those emergency services.

County Manager Joy Ansley explained that SMC is limited by procurement if companies are not under contract. Other contractors cannot be contacted to do the emergency services unless it is out to bid, which is a lengthy process.

Mr. Dennis Esquibel stated SMC has the ability to call the State for assistance.

Chairman Harold Garcia explained that if a company is contracted through the State, SMC can procure with them as a last resort.

Motion to approve the recommendation to award the emergency contractor services to Magnum Construction, North Eastern Construction, Hays and Rocky Road made by Commissioner Kenneth Medina. Second by Commissioner Bernadette Baca. Motion carried.

**k. AMENDMENT #1 TO PURCHASING AND PROCUREMENT POLICY**

County Manager Joy Ansley stated that the amendment is reiterating and emphasizing that SMC has a process to verify the contract number and actual contract when utilizing a state or federal purchase contract or cooperative bid exception (state purchasing or CES). Purchase orders cannot be processed without the contract number and relevant contract description.

Motion to approve Amendment #1 to Purchasing and Procurement Policy made by Commissioner Bernadette Baca. Second by Commissioner Kenneth Medina. Motion carried.

**l. ADDENDUM #2 TO CONTRACT WITH EGB ELECTRIC**

County Manager Joy Ansley stated that SMC submits RFP for services used frequently including plumbing and electrical. EGB's contract has expired. According to procurement code, SMC has the option to renew for three additional years.

Commissioner Bernadette Baca recused herself as her husband is the owner of EGB Electric.

Motion to approve Addendum #2 to Contract with EGB Electric made by Commissioner Kenneth Medina. Second by Vice Chairman Martin Sena. Motion carried.

**m. RESOLUTION AUTHORIZING OVERTIME TO FLSA EMPLOYEES DURING EMERGENCIES**

County Manager Joy Ansley stated that during the fire, SMC adopted a resolution to allow FLSA employees to be paid overtime because that is reimbursable by FEMA. According to FEMA, that language is not allowed in the resolution. FEMA requested a new resolution stating that

employees are eligible for overtime in times of emergency response or disasters including exempt employees such as Emergency Management, Fire Chief, Public Works Director, IT, Deputy Manager, Planning and Zoning and Under Sheriff.

Chairman Harold Garcia inquired if the overtime would only be applicable when a state or federal disaster is declared.

Motion to approve the Resolution authorizing overtime to FLSA Employees during emergencies made by Commissioner Bernadette Baca. Second by Commissioner Kenneth Medina. Motion carried.

**n. GRANT AGREEMENT FROM NMDOT FOR CAPITAL OUTLAY APPROPRIATION FOR ACEQUIA DE LOS SEGURAS**

County Manager Joy Ansley stated that SMC received a capital outlay appropriation through the Department of Transportation for \$50K to plan, design and construct a bridge in North San Isidro on behalf of the Acequia de Los Seguras. Acequia de Los Seguras lobbied for the money on their own; the funds were given to SMC. SMC has identified no damage to the structure of the bridge so it is unclear how the funds will be used.

Commissioner Bernadette Baca asked if those funds could be used for another bridge in the area.

County Manager Joy Ansley explained that the legislative language states for \$50K to plan design and construct a bridge on behalf of the Acequia de Los Segura in San Miguel County. Acequia de Los Seguras submitted their request for the bridge that crosses Cow Creek in North San Isidro. Discussion is necessary with the Acequia de Los Seguras as they indicated that the bridge was on the verge of collapse.

Motion to accept the Grant Agreement from NMDOT for capital outlay appropriation for Acequia de Los Seguras made by Commissioner Bernadette Baca. Second by Commissioner Kenneth Medina.

**o. RESOLUTION ACCEPTING NMDOT CAPITAL OUTLAY APPROPRIATION FOR ACEQUIA DE LOS SEGURAS**

County Manager Joy Ansley stated this is the resolution for the grant agreement from NMDOT for capital outlay appropriation for Acequia del Los Seguras.

Motion to approve the Resolution accepting NMDOT Capital Outlay Appropriation for Acequia de Los Seguras made by Commissioner Kenneth Medina. Second by Commissioner Bernadette Baca. Motion carried.

**p. TERMINATION OF MEMORANDUM OF UNDERSTANDING WITH SAN MIGUEL COUNTY FAMILY & COMMUNITY HEALTH COUNCIL\***

County Manager Joy Ansley stated that the Chairman of the SMC Family and Community Health Council, Dr. Linder sent a letter to SMC stating that their organization no longer needs SMC as a fiscal agent; they obtained their 501-C3 status.

\*For information only

**q. PRESENTATION AND ~~APPROVAL~~ OF THE ECONOMIC DEVELOPMENT ASSOCIATION GRANT FUNDING FOR WOOD BUSINESS PARK\***

County Manager Joy Ansley stated that SMC applied for funding under the Economic Bureau to make improvements to the Wood Business Park. SMC received \$1M with a ten percent match. The plan is to expand the work area on the south and purchase equipment. SMC is preparing to administer the grant.

\*For information only

**~~r. LEASE RENEWALS WITH OLD WOOD FOR WOOD BUSINESS PARK LEASE~~**

**s. CONSIDERATION OF AGREEMENT WITH USFS FOR ELK MOUNTAIN REPEATER**

Sheriff Christopher Lopez informed the Commission of the use agreement with USFS for the Elk Mountain Repeater. This agreement allows the second phase of a communication system upgrade to provide better communication throughout the entire County. During the fire and floods, the communication in mountainous areas was poor. This upgrade could assist in various emergency situations as well as improving radio communication for emergency responders for their safety.

Motion to approve agreement with USFS for Elk Mountain Repeater made by Commissioner Kenneth Medina. Second by Commissioner Bernadette Baca. Motion carried.

**9. BOARD OF FINANCE MEETING**

**a. CHECK REPORT JULY 2024**

SMC Finance Director Katherine Sanchez presented the Commission with the July 2024 check report.

Motion to approve the July 2024 check report made by Commissioner Kenneth Medina. Second by Commissioner Bernadette Baca. Motion carried.

**b. POOLED CASH REPORT FOR JULY 2024\***

SMC Finance Director Katherine Sanchez presented the pooled cash report for July 2024.

\*For Information Purposes Only

**c. 4<sup>TH</sup> QUARTER REPORT\***

SMC Finance Director Katherine Sanchez updated Commission on status of Q4 DFA Report. Finance must submit to DFA.

County Manager Joy Ansley explained that the resolution adopted at the last meeting corresponds to this report.

\*For informational purposes only.

Motion to adjourn the Regular session of the RM-08-13-2024 and enter Executive Session made by Commissioner Kenneth Medina. Second by Commissioner Bernadette Baca. Motion carried.

Executive Session was entered into at 4:31 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) or 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.

No action taken in Executive Session.

Motion to resume Regular Session made by Vice Chairman Martin Sena. Second by Commissioner Bernadette Baca.

Regular Session resumes at 5:17 PM.

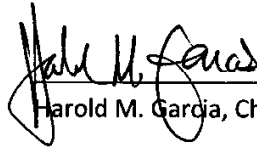
#### **10. ADJOURNMENT**

Motion to adjourn the Regular Session of RM-08-13-2024 made by Commissioner Bernadette Baca. Second by Vice Chairman Martin Sena. Motion carried.

Adjournment at 5:18 PM.



Approved the 10<sup>th</sup> of September 2024 as the Official Minutes of the Board of County Commissioners of San Miguel County New Mexico of its Regular Meeting held the 13<sup>th</sup> of August 2024 at 1:00 PM in Suite 201 of the San Miguel County Administration Complex, 500 W. National Ave.



Harold M. Garcia, Chairman - District 1

approved telephonically

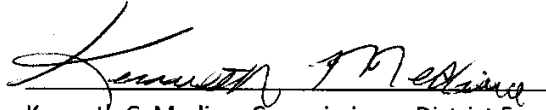
Martin Sena, Vice-Chairman - District 4



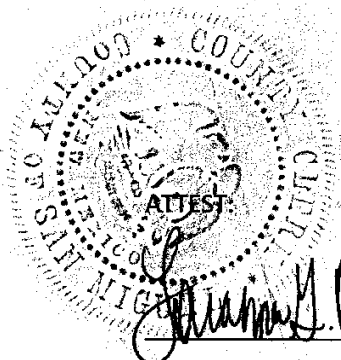
Bernadette Baca, Commissioner - District 2

approved telephonically

Max Trujillo, Commissioner - District 3



Kenneth C. Medina, Commissioner District 5



Louanna G. Ortega, San Miguel County Clerk



Minutes submitted by Elena I. Chavez

### **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 Manager's 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 Clerk's Office at 505-425-9331 if a summary or other type of accessible format is needed.

Contact: [mstroud@co.sanmiguel.nm.us](mailto:mstroud@co.sanmiguel.nm.us) | [jpgonzales@co.sanmiguel.nm.us](mailto:jpgonzales@co.sanmiguel.nm.us)