

**MINUTES of the REGULAR MEETING**  
**of the BOARD of COUNTY COMMISSIONERS**  
**of SAN MIGUEL COUNTY, NEW MEXICO**

**HELD TUESDAY, SEPTEMBER 12, 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](http://www.co.sanmiguel.nm.us) and available in hard copy at the office of the San Miguel County Manager. <https://us02web.zoom.us/j/85320525154>

**1. CALL TO ORDER**

Chairman Harold Garcia called the meeting to order at 2:00 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**

County Clerk Geraldine E. Gutierrez 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**

Manager Joy Ansley asked for approval of the following changes to the Agenda: item "k" to be heard after item "u," and, items "n" "o" "p" "q" be heard after item "a".

Motion to approve Agenda with changes indicated made by Commissioner Max Trujillo. Second by Vice Chairman Martin Sena. Motion carried.

**6. APPROVAL OF MINUTES**

Minutes for approval are RM-08-08-2023. The Commission thanked the Clerk's office for the professionalism of the minutes.

Motion to approve minutes of RM-08-08-2023 made by Vice Chairman Martin Sena. Second by Commissioner Kenneth Medina. Motion carried.

## **7. PUBLIC INPUT FORUM**

Mr. Bill Mullican thanked PWD for the hard work and efforts required of them during the Fire/Floods this past year and a half. In anticipation of an upcoming request to abandon CR A16B, Mr. Mullican urges the Commission to reject this road vacate request.

Mr. Tim Colglazier also thanked PWD for their efforts to road maintenance/repair due the Fire/Floods. Mr. Colglazier stated he too encourages the Commission to continue to list CR A16B on the County Road Log, and reject the road vacate request.

Ms. Ellen Tole stated the Commission is the knowledge behind road maintenance and that CR A16B should be kept on the County Road Log and to reject the road vacate request.

Mr. Kerry Tole stated that Camp Blue Haven does not have the resources or knowledge to maintain current CR A16B, and encourages the Commission to reject the road vacate request.

Mr. Manuel Garcia submitted a letter that is available to the public in the County Clerk's Office and will be filed as a matter of public record with the approved minutes for RM-09-12-2023. Primary points of his letter: Assessor's Office, SMC Audits, Digital Imagery.

## **NEW BUSINESS**

### **8. REGULAR ORDER**

#### **a. DEPARTMENT HEAD REPORTS**

Fire Chief Andrew Duran informed the Commission on the following: Sapello VFD purchased a new water-tender. \* SMC Fire Chief approved and issued 271 requests totaling slightly over \$1M in last fiscal year. \* Tecolotito VFD is progressing in its efforts to secure a building and enter into a Memorandum of Understanding with the Anton Chico Land Grant for transfer of ownership and build-out of the property for the Tecolotito VFD. Volunteers have signed up and they are over the minority amount of Volunteers needed for a FD. Mr. Stony Jaramillo is President of Anton Chico Land Grant and is working with Chief Duran.

Public Works Director Benito Romero informed the Commission that PWD has been active in blading the eastern part of the County hauling 250 yd<sup>3</sup> of base-course material covering a majority of upper Sabinoso and installed a couple of culverts. \* 400 yd<sup>3</sup> of pit-run material for Trementina Road and bladed and shaped Trementina area. \* Excavated material will be placed on the Maes Road. \* The roads in Aurora area were overrun with three feet of silt due to recent rainstorms – blading and drainage clean-up was done. \* The crusher has in storage

4,000 yd<sup>3</sup> of crushed material. The crusher is being treated with kid-gloves until all repairs can be completed. \* Country Acres final paving will be completed next week and will start on Chapelle immediately after. Sheridan will begin in Spring 2024. \* CR A4A purchase order has been opened to conduct work on A4A for Emergency Protective Measures utilizing SB6 funds. \* Mr. Romero introduced Mr. Martin Aguilar as new Construction Project Manager who brings nearly 40 years of experience to the position.

SMCDC Warden Antonio Padilla informed Roadrunner Medical Services is now functioning in their role at the detention center and 24-hour medical operations are occurring. The number of call-outs to hospitals has significantly dropped with only one patient being sent to Alta Vista in the last 33 days. \* Incident Reports are copied to the Manager's office. \* Body scanner is operational and it recently detected 120 fentanyl pills on an incoming prisoner. \* Shakedowns seeking contraband (drugs/weapons) are conducted weekly in the pods. \* Pre-Trial Screening Services is assisting in minimizing the population of prisoners at the DC with a new average of 80-85 inmates/week. Communication on the efficacy and efficiency of the Program is on-going with the Courts, District Attorney and the various law enforcement partners. \* Two new employees have been hired: Vanessa Padilla and Miguel Martinez. \* AA and NA services are now available at the DC with hopes to reduce recidivism.

**n. RESOLUTION REQUESTING TIME EXTENSION FOR LGRF PROJECT CR B65 PECOS**

Public Works Director Benito Romero asked for approval of the Resolution requesting a time extension for completion of CR B65 Pecos for the LGRF project. Completion expected Spring 2024.

Motion to approve time extension request for Resolution SMC 09-11-2023-L400588 made by Commissioner Janice Varela. Second by Commissioner Max Trujillo. Motion carried.

**o. RESOLUTION REQUESTING TIME EXTENSION FOR LGRF PROJECT CR B26A BLANCHARD**

PW Director Benito Romero asked for approval of Resolution SMC 09-11-2023-L400595 for a chip-seal project on CR B65 in Pecos. Project should be completed Spring 2024.

Motion to approve Resolution SMC 09-11-2023-L400588 made by Vice Chairman Martin Sena. Second by Commissioner Janice Varela. Motion carried.

**p. RESOLUTION REQUESTING TIME EXTENSION FOR LGRF PROJECT CR B54A TECOLOTE**

PW Director Benito Romero asked for approval of Resolution SMC 09-12-2023-L400581 for a base course on CR B54A Tecolote.

Motion to approve Resolution SMC 09-11-2023-L400581 made by Chairman Harold Garcia. Second by Commissioner Max Trujillo. Motion carried.

**q. RESOLUTION REQUESTING TPF MATCH WAIVER 2023-24**

PW Director Benito Romero asked for approval of Resolution SMC 09-12-2023-TPF2324 for Sheridan and San Ysidro. SMC was the only county in the state to receive two match waivers. The county is responsible for 5%.

Motion to approve SMC 09-12-2023-TPF2324 made by Commissioner Janice Varela. Second by Vice Chairman Martin Sena. Motion carried.

**b. PROCLAMATION DECLARING SEPTEMBER AS NATIONAL RECOVERY MONTH IN SMC**

Ms. Patricia Gallegos with Rio Grande Adult Treatment Program and Ms. Chelsea Lucero Program Director for El Centro presented the Commission with a Proclamation for Declaring September as National Recovery Month. The program provides assistance to those suffering from mental and physical addictive issues. Recovery New Mexico/Santa Fe issued a grant to grow efforts in encouraging recovery in New Mexico. The program is using these funds for public media by showcasing interviews of people in recovery on KNMX. The group is also working with the 4<sup>th</sup> Judicial District Court. A RECOVERY EVENT will be held on September 23<sup>rd</sup>, 2023 at Railroad Ave and Douglas Ave.

Motion to approve Proclamation Declaring September as National Recovery Month made by Commissioner Kenneth Medina. Second by Commissioner Janice Varela. Motion carried.

**c. PROCLAMATION DECLARING SEPT. 2023 AS CHILDHOOD CANCER AWARENESS MONTH**

Chairman Harold Garcia presented the Commission with a Proclamation to highlight the ongoing battle against Childhood Cancer. SMC currently has 13 children residents with a cancer diagnosis.

Motion to approve Proclamation declaring September Childhood Cancer Awareness Month made by Vice Chairman Martin Sena. Second by Commissioner Max Trujillo. Motion carried.

**d. RESOLUTION DECLARING SEPTEMBER OEM PREPAREDNESS MONTH**

OEM Manager Dennis Esquibel asked for approval of the Proclamation declaring September as OEM Preparedness Month. Commissioner Max Trujillo asked if it would be beneficial to host a CPR/basic aid training event.

Motion to approve Proclamation declaring September OEM Preparedness Month made by Commissioner Max Trujillo. Second by Commissioner Kenneth Medina. Motion carried.

**e. RESOLUTION SETTING 2023 PROPERTY TAX RATES**

Chief Deputy Assessor Dorene Garcia-Lujan and Chief Appraiser Raymond Montano asked for approval of the NM DFA property setting rates. DFA submitted, and is available to the public, a spreadsheet showing valuations and disbursements of which the City and School Districts were to forward their approval to the Commission – none have.

Motion to approve Resolution Setting 2023 Property Tax Rates made by Commissioner Kenneth Medina. Second by Commissioner Max Trujillo. Motion carried.

**f. APPROVAL OF FORMAL PROTEST BOARD**

Chief Appraiser Raymond Montano asked the Commission to approve the Independent Formal Protest Board recommendations of Roland Medrano, Elizabeth de Mar as Principals and Alternates, Lauren Garduno and John David Hernandez. Chief Appraiser Montano stated 700 properties in SMC were affected by the Fires/Floods. The affected property can be rested for up to three years. The County will lose tax assessments because of the lost revenue due to damaged/destroyed properties.

Motion to approve the appointment of the above named to the Assessor's Office Formal Protest Board made by Commissioner Kenneth Medina. Second by Commissioner Janice Varela. Motion carried.

**g. RATIFICATION OF 2025-2029 ICIP RESOLUTION**

Manager Ansley asked for ratification of the previously approved 2025-2029 ICIP Resolution.

Motion to approve ratification of 2025-2029 ICIP Resolution made by Vice Chairman Martin Sena. Second by Commissioner Kenneth Medina. Motion carried.

**h. JOB DESCRIPTION – FINANCE SPECIALIST III – GRANTS ADMINISTRATOR**

Human Resource Director Eileen Sedillo asked for approval of this position to now include responsibility of grants administration and some supervisory roles. The class and comp study referenced the position as accountant.

Motion to approve revised job description of Finance Specialist III/Grants Administrator made by Commissioner Max Trujillo. Second by Vice Chairman Martin Sena. Motion carried.

**i. JOB DESCRIPTION – RISE PROGRAM MANAGER – SMCDC**

Human Resources Director Eileen Sedillo asked for approval of this newly created position at the SMCDC to manage the grant that will fund the operation of the RISE program.

Motion to approve job description RISE program manager made by Commissioner Kenneth Medina. Second by Commissioner Janice Varela. Motion carried.

**j. RESIGNATION - COUNTY CLERK & APPOINTMENT OF REPLACEMENT COUNTY CLERK**

County Clerk Geraldine E. Gutierrez tendered her resignation citing personal reasons. Clerk Gutierrez thanked the Commissioners. Clerk Gutierrez was humbled and honored to serve the citizens of San Miguel County. Clerk Gutierrez recommended the Commission appoint Louanna G. Ortega as County Clerk for the remainder of Gutierrez's term. Ms. Ortega was Chief Deputy for the past 7+ years. The Commission thanked Ms. Gutierrez for her years of service and professionalism in managing the Clerk's Office.

Motion to accept the resignation of County Clerk Geraldine E. Gutierrez and appoint Louanna G. Ortega to County Clerk made by Commissioner Kenneth Medina. Second by Commissioner Max Trujillo. Motion carried. Chairman Garcia asked for a roll-call vote:

**YEAS: H. Garcia M. Sena J. Varela M. Trujillo K. Medina – unanimous passage.**

Motion to take a recess made by Commissioner Kenneth Medina at 3:14. Second by Commissioner Max Trujillo. Motion carried.

A celebratory cake and punch was distributed and enjoyed by all present.

Motion to exit recess and reconvene the Meeting in session made by Commissioner Janice Varela. Second by Commissioner Max Trujillo. Motion carried.

**I. AGREEMENT WITH SANBORN FOR DIGITAL IMAGERY PROGRAM**

IT Director Kenneth Abeyta presented a Contract with Sanborn for digital imaging and spectrometry for the County to assist in its assessments. The heavier populated areas will have a three inch resolution yielding greater degree of information and six inch resolution in rural areas. The cost of the contract including server maintenance and security managed by Sanborn will amount to \$994,576.90. The flyover will commence end-fall into early winter.

Motion to approve contract with Sanborn Digital Imagery made by Commissioner Max Trujillo. Second by Commissioner Janice Varela. Motion carried.

**m. LETTER OF SUPPORT – PECOS WATERSHED PROTECTION ACT AND THOMPSON PEAK WILDERNESS DESIGNATION**

Commissioners Max Trujillo and Janice Varela presented a letter written to New Mexico’s federal delegation: Senator’s Martin Heinrich, Ben Ray Lujan; Congressional Delegates: Teresa Leger-Fernandez, Melanie Stansbury, Gabe Vasquez. The Pecos Wilderness and watershed suffered greatly from the contamination done by the Terrero Mine Disaster of the early 1990s which the taxpayers of San Miguel County and New Mexico funded the cleanup efforts for the incompetence of the Terrero Mine.

Motion to approve the letter in support of establishing the Pecos Watershed Protection Act/Thompson Peak Wilderness Designation to NM’s Congressional Delegation made by Vice Chairman Martin Sena. Second by Commissioner Kenneth Medina. Motion carried. Chairman Garcia asked for a roll-call vote:

**AYES: H. Garcia M. Sena J. Varela M. Trujillo K. Medina - unanimous passage.**

**r. IDENTIFICATION AND ALLOCATON OF ARPA FUNDING\***

Manager Joy Ansley stated total ARPA funds received total \$5.29M. The latest allocation of \$2.6M. December 2024 is the deadline to spend 1<sup>st</sup> ARPA funding allocation. December 2025 is the deadline for spending the 2<sup>nd</sup> ARPA funding allocation. The Commission has earmarked for SMC projects/needs \$4,846,876.81, leaving a balance of \$451,360.19 to earmark.

Item “r” was listed as a Discussion/Action item, however no action was taken. For Informational Purposes Only\*

**s. APPROVAL OF FISCAL YEAR 2022 AND 2023 AUDIT CONTRACTS W/PATILLO, BROWN & HILL, LLP**

Manager Joy Ansley provided the following update in the County’s 2022/2023 audit(s). The 2022 audit is extremely late due to various complications: disasters, & finance staffing turn-over. The original contractor – Carr Riggs & Ingram CPA – recently informed Manager Ansley that they would be unable to complete their contract agreement with SMC for the 2022 audit, and that they would act as consultant CPAs for another firm to complete the audit. Patillo Brown and Hill LLP was contracted to complete the 2023 audit and affirmed they could complete the audit of 2022 by the end of December 2023 and complete the 2023 audit by February 2024 at a cost of \$59,563.56 per audit year. The NM State Auditor’s office has approved this audit provider switch at the state level. Manager Ansley would like the contact with CRI CPAs cancelled and have that contract added to the 2023 audit contract with Patillo Brown & Hill.

Motion to approve 2022/2023 Audit Contract merge to Patillo Brown Hill and cancel CRI role in the 2022 audit made by Commissioner Janice Varela. Second by Commissioner Max Trujillo. Motion carried.

**t. PROFESSIONAL SERVICES AGREEMENT WITH CARR, RIGGS & INGRAM CPAs**

As Manager Ansley mentioned in the above item “s” regarding the consultation services agreement for the 2022 audit, approval for a professional services agreement is needed with Carr Riggs Ingram, CPAs.

Motion to approve consultation professional services agreement with Carr Riggs Ingram CPAs made by Vice Chairman Martin Sena. Second by Commissioner Kenneth Medina. Motion carried.

**u. PECOS CANYON VFD LOAN DOCUMENTS**

Fire Chief Andrew Duran informed the Commission that the grant received to purchase a new water tender for the Pecos Canyon VFD is not sufficient to purchase a new water tender with the escalation of vehicle prices in the last year. Assumption of a loan is necessary to purchase this equipment – the loan amount is \$139K and secured through NM Finance Authority and the funds from the grant will be enough to purchase the new water tender. Chief Duran asked for approval of the loan application.

Motion to approve the Loan from NMFA for Pecos Canyon VFD water tender purchase made by Commissioner Janice Varela. Second by Commissioner Max Trujillo. Motion carried.

**k. 100% SAN MIGUEL – REQUEST TO ACT AS FISCAL AGENT**

Quintin Leger an administrator of 100% San Miguel and a teacher at the Valley Schools asked for the County to continue being Fiscal Agent for this non-profit. The money will be distributed from the Community Foundation of Southern NM. Manager Ansley and Finance Dept. are in agreement with being Fiscal Agent.

Motion to approve request by 100% San Miguel that SMC act as Fiscal Agent made by Vice Chairman Martin Sena. Second by Commissioner Max Trujillo. Motion carried.

**9. BOARD OF FINANCE MEETING**

**Pooled Cash and Check Reports for July/August 2023\***

Finance Director Katherine Sanchez presented the Commission with the above mentioned reports, and stated they are available to interested parties in the County Clerk’s office.

\*For Informational Purposes Only



Executive Session was not entered into by the Commission as County Attorney was not present.

### **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:

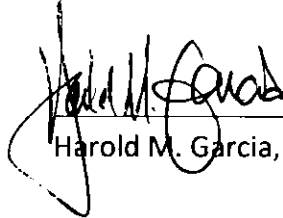
Certain Purchases, as permitted by NMSA 1978, Section 10-15-1(H)(6) (as amended) or the Open Meetings Act, and Section 13-1-116 of the Procurement Code.

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.

### **10. ADJOURNMENT**

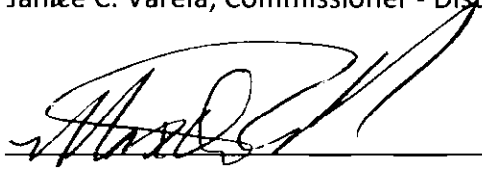
Motion to adjourn the Regular Session of RM-09-12-2023 made by Vice Chairman Martin Sena. Second by Commissioner Kenneth Medina. Motion carried. Adjournment at 4:00 PM.

Approved this 10<sup>th</sup> day of October, 2023 as the Official Minutes of the Board of County Commissioners of San Miguel County New Mexico, of its Regular Meeting held the 12<sup>th</sup> of September 2023 at 2:00 PM.

  
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Harold M. Garcia, Chairman - District 1

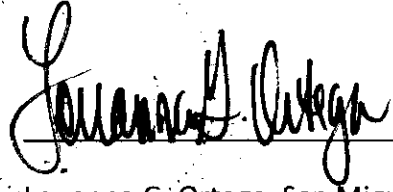
  
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Martin Sena, Vice-Chairman - District 4

  
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Janice C. Varela, Commissioner - District 2

  
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Max Trujillo, Commissioner - District 3

  
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Kenneth C. Medina, Commissioner District 5

ATTEST:

  
\_\_\_\_\_  
Louanna G. Ortega, 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