

**MINUTES of the REGULAR MEETING**  
**of the BOARD of COUNTY COMMISSIONERS**  
**of SAN MIGUEL COUNTY, NEW MEXICO**  
**HELD TUESDAY OCTOBER 08, 2024 AT 1:00 PM**

**APPROVED AND SIGNED MINUTES BY THE COMMISSION FORTHCOMING\*\***

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 1:00 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; Commissioner Bernadette Baca – present; Commissioner Max Trujillo – present; Commissioner Kenneth Medina – present.

A quorum is present.

**3. PLEDGE OF ALLEGIANCE**

Vice Chairman Martin 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 to remove the County Manager and Deputy Manager Report from the agenda.

Chairman Harold Garcia asked to move item "q" to after Public Input.

Motion to approve the Agenda as amended made by Commissioner Max Trujillo. Second by Commissioner Kenneth Medina. Motion carried.

## **6. APPROVAL OF MINUTES**

Minutes for Approval: RM-09-10-2024

Chairman Harold Garcia noted a correction in the item “a” in the Deputy Manager’s Report. Chief Judge Flora Gallegos’s name was listed as Chief Judge Floripa Flores.

Motion to approve minutes RM-09-10-2024 as amended made by Commissioner Bernadette Baca. Second by Vice Chairman Martin Sena. Motion carried.

## **7. PUBLIC INPUT FORUM**

Tim Hagaman from the New Mexico Economic Development Department came before the Commission to discuss updates on various projects. El Valle LEDA project has been completed. SMC has the best example in his district when completing LEDA Projects. Mr. Hagaman is working with Bill Garcia on the NMHU Golf Course project. A housing developer from Dallas was introduced to work on that project. NMHU’s focus is to fund their organization and consultant. NMEDD continues to identify possible sources for planning grants and EDA grants. The Regional Economic Development Summit will be held in Raton next week. One of the Mora projects that will be presented is a planning grant received from DOH to create housing after the fire. He invited the Commission to attend. NMEDD hosted the Economic Development Division in Las Vegas where guests stayed at the Castaneda and discussed topics such as historic preservation, disaster planning and forest industry. They toured the Barela Timber Works Company. Mr. Hagaman is assisting Barela Timber to obtain funds through LEDA to build a sawmill. They also toured the Chacon belts and other companies in Mora County. No Bull Meats, a meat processing company from ABQ is seeking to purchase a property in SMC to create a meat processing plant. They are having issues securing access to City water for this endeavor. Mr. Hagaman stated he is worried about site readiness for that company. He stated the importance of response from local government as businesses will choose to operate elsewhere.

## **NEW BUSINESS**

### **8. REGULAR ORDER**

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

County Manager Joy Ansley had no report for the Commission this meeting.

Deputy Manager Jesus Romero was not present.

**q. LEASE RENEWALS WITH OLD WOOD FOR WOOD BUSINESS PARK LEASES**

County Manager Joy Ansley stated that Mr. Old has approved and signed the leases to extend the current leases for the two properties at the Public Works property and Industrial Park. They operate a fire wood business and a floor business in the building that is farther south. The leases have been drafted for a five year term with amended language to reflect the Economic Development Grant that was received, and rent was increased per CPI each year.

Mr. Old stated that the Commission has been helpful and complimented the contract that was drafted. He stated the company is growing. However, the recent fires have interrupted the process. It is difficult to obtain wood. They are looking for pinon sources for harvesting. They want to hire 8 employees for the positions of loader operators, fork lift operators and firewood packaging to bolster increases in production capacity as they enter the upcoming fire wood season. A nationwide contract with Walmart was secured to ship to 1,800 Walmart's. They received their first purchase order from Buccees, a large gas station/convenience store chain. They have increased their wages and are seeking employees for management positions. A log loader, a medium-sized grinder and a Char-Boss which is an air curtain burner were purchased with the funding from the LEDA grant. The Char-Boss process burn excess wood into bio-char.

Motion to approve both lease renewals with Old Wood for Wood Business Park Leases made by Vice Chairman Martin Sena. Second by Commissioner Max Trujillo. Motion carried.

**b. DEPARTMENT HEAD UPDATES\***

Road Foreman Martin Aguilar stated his department is busy. \*Pecos station has a new hire. There are only two drivers in Solid Waste. \*The road crew has been tree trimming and mowing. One mower is out for repairs. Cattle guard replacements in Maez will be completed next week. Sabinoso and San Rafael road repairs are complete. Garita roads are in progress; upon completion they will work in the Pecos area. \*The crusher is running. Mr. Aguilar plans to crush enough to work on local roads during the winter. He would like to find caliche pits in those areas instead of hauling from Las Vegas which would be time-consuming. \*Three belly dumps and a trailer were picked up last week. Two belly dumps and a roll-off still need to be picked up.

Commissioner Kenneth Medina asked if the contractors are aware of the boundaries on county roads.

Mr. Aguilar stated that although most contractors are aware of the boundaries, some mistakes happen. If he finds that a road has not been finished, he sends his road crew to finish incomplete roads. His goal is to be fully staffed with four blade men to avoid the need for contract services.

Chairman Harold Garcia inquired about Pork Chop Road. A constituent had problems with the road recently where that individual's vehicle was damaged due to the bar ditch depth.

Mr. Aguilar stated that those issues are throughout the entire County. A blade will be brought in tomorrow and that problem can be addressed.

Chairman Harold Garcia stated that he appreciates the work that the staff does.

Vice Chairman Martin Sena stated that there are eight miles of unfinished road in the Maez area in CR C53A.

Mr. Aguilar stated that a grader broke and will be in for repairs this week. Those last eight miles will be finished at a later date. They need to work on an extension for one of the culverts as well as finish the cattle guards in that area.

Vice Chairman Martin Sena inquired about Myers Road.

Mr. Aguilar stated that base course is in good shape. There is a problem area at the river past the church. A blade man is working in that area today.

Vice Chairman Martin Sena asked for the status on the Ojitos Frios area.

Mr. Aguilar stated there is a contractor working in that area. Both SMC and the contractor are hauling base course and the project should be finished by end-of-week. Drainage issues are being addressed.

Vice Chairman Martin Sena stated he has received several calls about the Sheridan chip and seal job.

Mr. Aguilar stated that over time the road should become smoother. If the road does not pass the final walk through, the contractor will be called in to fix those deficiencies.

Public Works Director Benito Romero stated that the following LGRF projects are complete: Pecos, Tecolote, Sheridan Chip Seal, Pecos Chip Seal, and Tecolote Overlay. They are waiting for the price on speedbumps for the Tecolote area. \*They have contract blading on CR A20 and hauling base course to areas that are needed most. \*Debris removal and debris monitoring projects have received bids. Rating and ranking are due on October 18<sup>th</sup>. Sulzer Group has published advertisement for engineering bids. Four contract bids were received from four

different contractors for the temporary bridge structures on C23 and A3. \*They received all Type 3 barricades, three belly dumps and walk-in floor trailer. Two additional belly dumps are on order. The roll-off truck needs hydraulic work done. \*TPF projects have been awarded. Pre-con is scheduled this week October 22<sup>nd</sup> or 23<sup>rd</sup> and 23<sup>rd</sup> and 24<sup>th</sup>.

Commissioner Max Trujillo asked if the contractors that bid for the temporary bridges are local contractors.

Director Romero stated that three out of the four contractors are local. One is an out-of-state bid.

Commissioner Max Trujillo commented on how private bridges need repairs as well. He asked to inform the contractors.

Commissioner Kenneth Medina thanked Public Works for the work on CR23. That bridge has been a concern for constituents.

Chairman Harold Garcia stated that funds have been appropriated for a project in Pecos for Commissioner Baca last meeting. He inquired if price quotes are being solicited.

County Manager Joy Ansley stated that the deadline to encumber funds is December 31<sup>st</sup>. The engineer has the plans ready to bid. There needs to be a detour and right-of-way in place. There are plans to speak to landowners about the detour with Commissioner Baca. Bids may come in from the emergency contractors.

Warden Antonio Padilla informed the Commission on the monthly report for September. \*SMCDC had 149 bookings. \*RISE Grant program will start October 15<sup>th</sup>. There are funds for mental health court to divert individuals with mental health issues away from detention and provide the help they need. \*Accreditation process is near completion with 25 files remaining out of the 249 standards. Those files will be uploaded to receive approval. An audit will be performed late December or early January. \*A meeting with Alta Vista took place yesterday with the County Manager, County Attorney and District Attorney about medical clearances to streamline the process. Alta Vista staff will be visiting the facility. \*Warden acknowledged Sheriff Lopez, Under Sheriff Padilla and their staff for their commitment and resilience on their arrests. The Sheriff's Department has had the most arrests for the last eight months.

Commissioner Kenneth Medina asked for a printed copy of the monthly report.

Commissioner Max Trujillo thanked the Warden for his work at the facility.

Vice Chairman Martin Sena thanked the Warden and Sheriff's Office for honoring and escorting his nephew and former Fire Chief Steven Gallegos at his funeral service.

Planning and Zoning Director Amanda Salas informed the Commission on increased build permits for manufactured homes in the Sapello and burn scar area. \*Builds have not slowed down due to colder weather. There are increased land splits for families. \*Filming started today in Pecos at the Freeman Ranch. The title and plot are confidential. \*There are increased code enforcement issues regarding dumping trash in the county particularly on Gunner Rd. Ms. Salas contacted Public Works about the trash and the possibility of having signage in that area. \*A Lodgers Tax meeting will take place this month to accept applications. \*Two public hearings are scheduled. The first meeting is for a five megawatt solar farm off of Highway 518. The second meeting is for aircraft lighting detection system tower in Stanley, NM.

Fire Chief Andrew Duran updated the Commission on receiving a 2,000 gallon water tender for Pecos Canyon. It is currently in Albuquerque for final touches and will be delivered to Pecos Canyon soon. \*The Congressional Direct Spending Grant is in the final stages to purchase a quick attack fire engine for the Rowe District. A vendor has a truck that is in production and will be completed in December. \*Fire season has not slowed down as the colder months are approaching. Yesterday, the fire department was dispatched to a vehicle fire that turned into a 10-15 acre fire that spread in minutes and came within feet of some structures.

Vice Chairman Martin Sena thanked the Chief for honoring his nephew and former Fire Chief Steven Gallegos at his funeral services.

\*For Informational Purposes Only

**c. RECOGNITION PLAQUES FOR DEPUTIES\***

Sheriff Lopez presented the deputies with plaques for exemplary hard work and dedication in the department. Normally, one employee is chosen for the employee of the year. This group of individuals showed proactive police work and deserved recognition.

Sheriff Lopez mentioned that there was an additional plaque for the animal control officer. There was one more vacant position in animal control that was recently filled and will greatly contribute to the amount of the calls received.

Commissioner Trujillo thanked the Sheriff and staff for their hard work.

Commissioner Bernadette Baca thanked the Sheriff and asked for more presence in Pecos area.

Under Sheriff Padilla stated they went to the fishing derby and issued around 30 citations. The County's geographical volume presents issues in covering the entire area, but will make a concerted effort to patrol the Pecos area.

Chairman Harold Garcia thanked the Sheriff and his staff and also extended his thanks to the Under Sheriff and administrative staff.

\*For Informational Purposes Only

**d. RESOLUTION APPROVING CORRECTIONS OFFICER RECRUITMENT FUNDS**

Warden Antonio Padilla requested approval for corrections officer recruitment funds in the amount of \$656,250 over three years. It is to be used for advertising and individual salaries for three years.

Chairman Harold Garcia asked if this grant obligates SMC for additional positions after the three years.

Warden Padilla stated that there are no additional positions listed on this grant.

Motion to approve the Resolution for Corrections Officer Recruitment Funds made by Commissioner Max Trujillo. Second by Commissioner Bernadette Baca. Motion carried.

**e. RATIFICATION OF CONTRACT AMENDMENT TO MEDICAL CONTRACT WITH ROAD RUNNER HEALTH FOR THE SAN MIGUEL COUNTY DETENTION CENTER**

Warden Antonio Padilla stated that last month this contract was approved. However, there was incorrect language upon submission. He requested approval to ratify the contract with the amendment.

Chairman Harold Garcia stated that during a New Mexico Counties Board Meeting last week, a course or video was mentioned that is available to health providers. He asked if Road Runner Health will be utilizing that resource.

Warden Padilla stated that there are only two contract medical services in New Mexico. They have several meetings with the New Mexico County Association to discuss facility issues. Warden is not aware of that particular course or video but will be in contact to confirm with Road Runner Health.

Motion to ratify the Contract Amendment to Medical Contract with Roadrunner Health for the San Miguel County Detention Center made by Commissioner Kenneth Medina. Second by Vice Chairman Martin Sena. Motion carried.

**f. CONSIDERATION OF SAN MIGUEL COUNTY DETENTION CENTER ADVISORY BOARD RULES AND PROCEDURES**

Warden Antonio Padilla requested approval for the rules and procedures for the Citizen's Advisory Board.

Chairman Harold Garcia asked for County Manager Joy Ansley's recommendation.

County Manager Joy Ansley stated that she recommends approval of these procedures. Warden brought a draft that she and Counselor Gallegos were able to review and make appropriate amendments. Adjustments to procedures can be made after a board is appointed, if necessary.

Commissioner Max Trujillo advised that once the board is appointed to use the first meetings for information only.

County Manager Joy Ansley stated that this board is a subsidiary of SMC that will need to comply with the Open Meetings Act.

Motion to approve the Consideration of San Miguel County Detention Center Advisory Board Rules and Procedures made by Commissioner Max Trujillo. Second by Chairman Harold Garcia. Motion carried.

**g. CONSIDERATION OF RECOMMENDATION FOR DETAINEE MEAL & COMMISSARY SERVICES**

Warden Antonio Padilla stated that an RFP was published several months ago to provide inmate meals and commissary services. Two companies submitted bids. The committee recommended remaining with Summit Food Services.

Motion to approve Summit Services for Detainee Meal & Commissary Services made by Commissioner Kenneth Medina. Second by Commissioner Vice Chairman Martin Sena. Motion carried.

**h. CONSIDERATION OF RECOMMENDATION FOR INMATE TELECOMMUNICATIONS SYSTEMS**

Warden Antonio Padilla stated that an RFP was published for inmate telephone services at the Detention Center. Five companies submitted bids. The committee recommended NCIC Inmate Telephone Services which is a different provider.

Chairman Harold Garcia asked about the differences between the current provider and NCIC.

Warden stated that it will be upgraded technology and lower cost for inmate telephone use for the detainees. Education services will be available to detainees via tablets. Inmates will be able to communicate with family through telephone, video communication or text messaging. All of these services will be monitored with the ability to retain phone calls for investigative purposes.



Approved individuals can monitor phone calls, video visitation and any communication for criminal justice issues. Certification programs will be available with the tablets. A new jail management system is in progress as well.

Chairman Harold Garcia asked about the transition and what that process would entail.

Warden Padilla stated that the contract with the current provider ends on October 24<sup>th</sup>. The conversion should be a smooth process.

Motion to approve the Recommendation for Inmate Telecommunications made by Commissioner Bernadette Baca. Second by Commissioner Kenneth Medina. Motion carried.

**i. HPCC FIRE/FLOOD RECOVERY ACTIVITY\***

Ms. Deb Sulzer from the Sulzer Group presented an update on recovery activity to the Commission. Sulzer Group is working on road projects and infrastructure. All road surveys are complete. Approximately 1,200 culverts, damages to roads and water crossings have been captured. \*H&H study is about 50 percent complete. Close to 70 percent of the culverts identified need to be upsized. Some may need to be converted to low water crossings or bridges. \*Ms. Sulzer spoke with the Regional Administrator for Region 6 about a process to move forward on claims; some will need to be processed at the claims office and others at the public assistance office. Before the Sulzer Group, there were road projects that were obligated. No culverts are included in those projects. Sulzer Group is working on incorporating adopted road standards to those claims. The projects that have been obligated will need to be reviewed to include the new road standards. \*The temporary bridge project has been moved forward with funding from FEMA Public Assistance which is a cumbersome process. Sulzer Group plans to address these processes with FEMA management soon. FEMA has not decided if the claims office or public assistance will be paying for the equipment project. \*Sulzer Group is processing an amendment to the Emergency Protective Measures project that has been obligated and paid to SMC for any work that was done in response to the events in June 2024. Any overtime for temporary repairs get paid by FEMA public assistance. Straight time costs can be submitted to the FEMA claims office. \*Sulzer Group is working on certain claims to submit to FEMA including a reserve for SMC to use for any costs necessary for the cascading events like the flooding that took place in June. They are developing a request to address debris costs in the future. \*Claims are being developed to address the capacity within SMC and the financial impact of increased County services. \*A claim for lost tax revenue has been discussed but progress has not started yet. Sulzer Group has been working with the Procurement Department to on a debris contractor and an RFP for debris monitoring that was published. \*A Master Service Agreement for the Emergency Contract Services that complies with FEMA regulations

and SMC requirements has been finalized. \*Sulzer Group is working with Public Works on the temporary bridges.

Commissioner Max Trujillo asked if help from NM delegations is necessary when it comes to the FEMA processes.

Ms. Sulzer stated that delegation is a powerful tool but used sparingly. There are some process problems that Sulzer Group will try to work through first. The New Mexico disaster is unique in that it has cascading impacts. Normally, a new disaster is declared and is paid through FEMA Public Assistance.

Chairman Harold Garcia asked when construction will start on the 70 percent infrastructure damaged.

Ms. Sulzer stated there are a few projects that have been approved. Sulzer Group is trying to get SMC funded for temporary projects. The funding for permanent projects has not been delegated yet as damage needs to be assessed not only for current damage but for future disaster events as well.

Counselor Gallegos stated that needs to be communicated to constituents. A permanent solution may incur damages from cascading flood events and FEMA will not pay for those costs twice.

Chairman Harold Garcia asked about the H&H Study and whether that will calculate the future costs of the cascading events.

Ms. Sulzer stated that the H&H study divided the County by small watersheds that feed into the larger watershed. It will serve as a guide when paired with the data on culverts captured by the Sulzer Group.

Public Works Director Benito Romero stated the funding received from FEMA will likely grow as these cascading damage claims are filed. The damage is extensive. The initial funding for 16 roads was approximately \$28M from FEMA. Sulzer Group has worked with SMC to capture an additional 128 roads. There is no projected number from FEMA Public Assistance yet.

Ms. Sulzer stated that the first step was identification of the damage. Step two is identifying the scope of work to fix the damage. Then, they can begin estimating costs.

Public Works Director Benito Romero stated that there were unexpected areas that flooded that need to be included in those studies.

Ms. Sulzer stated that the original H&H study two years ago included 37 culverts. Those have not been obligated.

Chairman Harold Garcia thanked Ms. Sulzer for her report.

Counselor Gallegos stated that SMC needs a holistic approach to mitigate losses and damage over both a short and long term.

Ms. Sulzer stated that Sulzer Group is advocating for SMC to design the roads, culverts and bridges according to a new standard to mitigate future losses from disasters.

Commissioner Max Trujillo stated that the water shed has changed vastly.

Ms. Sulzer stated that the aerial views from drones show how the water flows directly onto the roads due to disaster.

\*For Informational Purposes Only

**j. CONSIDERATION OF AWARD OF BRIDGE CONTRACT'S FOR FLOOD DAMAGED BRIDGES**

Public Works Director Benito Romero stated bids were requested from the emergency contractors as well as contractor that the Sulzer Group contacted for the temporary bridge structures on CR A3 and CR C23. Two contractors bid with no monthly costs and two contractors bid with a monthly cost. Carubba Engineering's bid was \$1,464,987.46 yearly. Magnum Construction's bid is \$1,095,983.70 with no yearly rental. Hay Plumbing's bid is \$1,039,187.18 yearly. North Eastern Construction's bid is \$1,381,319.57 with no yearly rental. There may be additional engineering and mitigation after the H&H study is complete.

Chairman Harold Garcia asked if these structures are using current uniform bridge standards.

Director Romero stated that Magnum Construction sent a stamped set of plans with their recommendation from the bridge manufacturer.

Ms. Sulzer stated that they have an engineer that can be a resource to review those plans.

Director Romero stated that these are two lane bridges with 80,000 lb. capacity that can accommodate commercial vehicles.

Chairman Harold Garcia stated that there have been contracts in the past that were meant to be completed in one year that ended up taking three years. He asked how that will be avoided.

Director Romero stated that the contract will include clauses for liquidated damages and time frame. North Eastern Construction's time frame is 7-10 months before their bridges are available. Hay's Plumbing did not submit a timeline. Magnum Construction's timeline is 60-70 days for C23. A3 Bridge is estimated at an additional 30 days.

Chairman Harold Garcia asked if the engineering for these bridges will come from the contractor or will be separately appointed by SMC. He asked if they are separately appointed if that is included in the cost.

Director Romero stated that Magnum Construction is the only contractor with an engineer.

Chairman Harold Garcia asked for the percentage of contingency in case there are unforeseen circumstances that could stop construction.

Director Romero stated that there will be a contingency that could be ten percent or more.

Commissioner Kenneth Medina asked if these will be prefabricated bridges.

Director Romero stated they are prefabricated bridges that are bulked together. They are free span bridges with no pillars. One set will come from Colorado and another set will come from New Jersey.

Motion to accept the recommendation to award Magnum Construction the Bridge Contract's for Flood Damaged Bridges made by Commissioner Kenneth Medina. Second by Commissioner Max Trujillo. Motion carried.

#### **k. 2024-25 TPF AGREEMENT\***

Public Works Director Benito Romero stated that this project was approved for 2024-25 for \$714,108.11 for Dora Celeste Road and Williams Drive for repaving.

Commissioner Max Trujillo asked if it was overlay or repaving.

Director Romero stated that it will be a ground mill and overlay. The contractor will grind down half of the existing road and then complete an overlay on top and will include striping.

Chairman Harold Garcia stated that part of this project is in City Limits. He asked if SMC will take care of City's portion as well.

Director Romero stated that TPF guidelines are stringent and they must stay in SMC boundaries. City will need to address their portion. The City drainage issue is a concern.

\*For Informational Purposes Only

#### **I. TPF PARTICIPATION RESOLUTION 2024-25 WILLIAMS DR & DORA CELESTE RD**

Public Works Director Benito Romero presented Resolution SMC-10-08-2024-LP40064 for participation in 2024-25 TPF project for Dora Celeste and Williams.

Chairman Harold Garcia asked if the resolution allows 25 percent hardship.

Director Romero stated that Commission had approved that resolution prior to last month's meeting. SMC submitted the max waiver.

Motion to approve the TPF Participation Resolution 2024-25 for Williams & Dora Celeste made by Vice Chairman Martin Sena. Second by Commissioner Max Trujillo. Motion carried.

**m. RATIFICATION OF RESOLUTION APPROVING 2026-2030 INFRASTRUCTURE CAPITAL IMPROVEMENT PLAN**

County Manager Joy Ansley brought the new summary for the ICIP before the Commission. It was submitted to meet the deadline from DFA after the last regular meeting. She asked for approval to ratify the resolution.

Motion to approve the Ratification of Resolution Approving 2026-2030 Infrastructure Capital Improvement Plan made by Commissioner Max Trujillo. Second by Commissioner Bernadette Baca. Motion carried.

**n. REVIEW OF ANNUAL PROPERTY TAX DIVISION AUDIT\***

County Assessor Dorene Garcia-Lujan presented the NM Property Tax Division Evaluation that is completed by the State of NM.

Chairman Harold Garcia stated that the deadline was September 30<sup>th</sup>. He asked if the response was included.

Ms. Garcia-Lujan stated the response should be included in the packet. Abstract was completed. This is the first year that Assessor's Office did not need to request an extension. There were no negative numbers.

Chairman Harold Garcia asked if there is any obligation from the Commission in the response to PTD's report.

Ms. Garcia-Lujan stated that there is no obligation at this point.

Commissioner Kenneth Medina, Vice Chairman Martin Sena and Chairman Harold Garcia thanked Ms. Garcia-Lujan and her staff for the work they have done so far.

\*For Informational Purposes Only

**o. FINANCIAL ADVISOR SERVICES\***

County Manager Joy Ansley stated that Commission directed her to get a financial advisor on contract. SMC has RVC on contract until April 2025. They will start working on preliminary assessments regarding gross receipt tax, property tax and bonding capacity. They should be

ready to present to the Commission in November. She asked if they could help with investment strategy and possible collaboration between the Finance and Treasurer Office. RVC does not provide those services. There was a meeting between the Finance and Treasurer that was cancelled. A new meeting will need to be set up to strategize on accounting cash reserve over projected expenditures.

\*For Informational Purposes Only

**p. REQUEST FOR FUNDING BY CENTER FOR SOUTHWEST CULTURE**

County Manager Joy Ansley stated this group requested funding at the last regular meeting. She was given direction from the Commission to research how SMC could work with their non-profit status and if SMC has the funding. She asked the group to send the contracts that they have with Bernalillo County. Bernalillo County Commissioners have individual small budgets that they can appropriate through. If this had been done with general funds, it would have needed an RFP. If the Commission chooses to allocate those funds, County Manager will need to further research on how to appropriate without violating anti-donation laws.

Chairman Harold Garcia stated that Arturo Sandoval asked for \$6K at the last meeting. He asked for the Commissions wishes on the matter.

Commissioner Max Trujillo stated that he supports that initiative because it benefits the community.

Motion to approve the Request for \$6K Funding for Center for Southwest Culture and for County Manager find a financial resource to fund made by Commissioner Max Trujillo. Second by Commissioner Bernadette Baca. Motion carried.

**r. CONSIDERATION OF CONTRACT RENEWAL FOR LEGAL SERVICES**

\*moved to last item after Executive Session.

**s. CONSIDERATION OF RECOMMENDATION FOR PROFESSIONAL DESIGN SERVICES**

County Manager Joy Ansley stated that they have been searching for a new architectural fund. An RFP has been published previously twice with no responses. It was published a third time and received two response. Responses are from NCR Architects and Planners and Vigil & Associates Architectural Group. She recommended Vigil & Associates Architectural Group based on the committee's evaluation.

Commissioner Max Trujillo asked if Vigil & Associates have worked locally.

County Manager Joy Ansley stated that Miller Engineering is their civil engineer. Both parties have done significant work here. Vigil is currently working here on several projects for the City and other entities. The proposals include the work they have done.

Motion to accept the recommendation to award to Vigil & Associates for Professional Design Services made by Commissioner Bernadette Baca. Second by Commissioner Max Trujillo. Motion carried.

**t. ARPA UPDATE\***

County Manager Joy Ansley stated that SMC has until the end of December 2024 to encumber funds and the end of December 2025 to expend them. Projects with no requisition include San Isidro Road. SMC has a preconstruction meeting next week; \$100K will be added to that contract. SMC has been trying to get a response from the City of LV on the San Miguel County Senior Center. The City of LV operates the center. The Commission allocated funding to the center for infrastructure and entertainment. The Rociada Fire Department was allocated \$10K that will be used for equipment. Currently, SMC is over expending by \$12K out of \$5.2M that needed to be encumbered.

\*For Informational Purposes Only

**9. BOARD OF FINANCE MEETING**

**a. CHECK REPORT FOR SEPTEMBER 2024**

SMC Finance Directory Katherine Sanchez presented the Commission with the September 2024 check report.

Motion to approve the September 2024 check report made by Commissioner Kenneth Medina. Second by Vice Chairman Martin Sena. Motion carried.

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

SMC Finance Director Katherine Sanchez presented the Pooled Cash Report for September 2024.

\*For Information Purposes Only

Motion to adjourn into Executive Session made by Commissioner Kenneth Medina. Second by Chairman Harold Garcia. Executive Session entered at 3:13 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.

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

Regular Meeting resumed at 4:03 PM.

Chairman Harold Garcia stated only the items listed on the agenda were discussed and no actions or decisions were made in executive session.

### **r. CONSIDERATION OF CONTRACT RENEWAL FOR LEGAL SERVICES**

County Manager Joy Ansley stated Counselor H. Chico Gallegos contract is up for renewal. She recommended approving a one year extension on the contract.

Motion to approve Counselor Gallegos's contract for a one year extension made by Commissioner Max Trujillo. Motion denied for failure to secure a second.

Motion to not renew Counselor Gallegos's contract made by Chairman Harold Garcia. Second by Commissioner Kenneth Medina.

#### **Roll Call Vote:**

**AYES: H Garcia M Sena B Baca K Medina Motion passes: 4-1**

**NAYS: M Trujillo**

### **10. ADJOURNMENT**

Motion to adjourn the Regular session of the RM-10-08-2024 made by Commissioner Kenneth Medina. Second by Vice Chairman Martin Sena. Motion carried.

Adjournment at 4:07 PM.



Approved the 12<sup>th</sup> of November 2024 as the Official Minutes of the Board of County Commissioners of San Miguel County New Mexico of its Regular Meeting held the 8<sup>th</sup> of October 2024 at 1:00 PM in Suite 201 of the San Miguel County Administration Complex, 500 W. National Ave.

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Harold M. Garcia, Chairman - District 1

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Martin Sena, Vice-Chairman - District 4

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Bernadette Baca, Commissioner - District 2

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Max Trujillo, Commissioner - District 3

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Kenneth C. Medina, Commissioner District 5

ATTEST:

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Louanna G. Ortega, San Miguel County Clerk

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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 Manger'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: | [jgonzales@co.sanmiguel.nm.us](mailto:jgonzales@co.sanmiguel.nm.us)