

MINUTES of the REGULAR MEETING
of the BOARD of COUNTY COMMISSIONERS
of SAN MIGUEL COUNTY, NEW MEXICO
HELD TUESDAY, OCTOBER 10, 2023 AT 2:00 PM

ZOOM LINK is active. At least 72 hours in advance of this meeting, the following agenda for today's meeting was posted and available for public inspection on the San Miguel County Website at www.co.sanmiguel.nm.us and available in hard copy at the office of the San Miguel County Manager. <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

Chief Deputy Clerk 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

Coach Larry Archuleta 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: table item "F".

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

6. APPROVAL OF MINUTES

Minutes for approval are RM-09-12-2023, and SM-09-21-2023-FEMA/HPCC.

Motion to approve minutes of RM-09-12-2023, and SM-09-21-2023-FEMA/HPCC made by Vice Chairman Martin Sena. Second by Commissioner Kenneth Medina. Motion carried.

7. PUBLIC INPUT FORUM

Mr. Francisco Padilla presented the Commission with a letter regarding his understanding of the property line between his lot of property and the County Annex lot. The Annex lot was sold to SMC and communications between the parties showed that the Padilla property would be given access to their lot and that when the County purchased the property it was indicated a fence would be constructed and that an access gate would be installed. Chairman Garcia asked Mr. Padilla to cease his public input as this is an administrative issue that is being reviewed to find a solution.

Mr. Manuel J. Garcia spoke on the undervaluation of properties in the county. FEMA is being sued by two SMC residents. FEMA guidelines do not allow for payment of attorney fees. Staffing continues to be a problem especially in Public Works as there are now only two graders for the 500+ miles of roads in SMC.

Mr. Arcenio Lujan and Ms. Pat Smith with the San Miguel-Mora County Fair Association thanked the Commission for the funding of placing awning at the Fairgrounds. The Association is going to present the Commission with a two and five year plan on the Fair Steering Committee. One of which is to extend the show-barn, enclose the pavilion and to install handicap accessible ramps for ADA compliance.

Mr. Larry Archuleta spoke to the same issue Mr. Padilla brought up in his Public Input. Mr. Archuleta said he understood the Commission/P&Z/Manager's office are discussing an administrative solution. He thanked the Commission for their work.

Ms. Sally Witters spoke on border safety and to remind Commissioners of their Oaths.

NEW BUSINESS

8. REGULAR ORDER

a. COUNTY & DEPUTY MANAGER REPORT(S)

County Manager Joy Ansley informed the Commission on the following matters:

County has been working with grant writers with NM Economic Development District to secure funding for the operational costs associated with operating the Addiction Center. The application amount is for a total of \$800K spread out over three years with the first year being granted \$500K for furniture, equipment and salaries; and \$150K/year subsequent two years. If funding is received the subsidy to operate the Center by the County will be reduced. ** The

second application is for additional funding for development of the Wood Business Park [leased to Old Wood] with purchase of additional equipment and to make an addition to the south side of the building. In the last renewal of the lease agreement SMC did agree to add bathrooms for Old Wood and this is allowed if funding is received. Funding request is for \$1M. ** NMDFA informed the county that it had received two appropriations from a 2023 Junior Funding Bill for \$75K El Valle Community Center; and \$37.5K for family support services living in the long-term fire recovery sites in Mora and SMC. Manager has sought direction from NMDFA. ** The County has not been issued 2023 grant agreements due to the fact that SMC is on the State Auditor's at-risk list because FY-2022 Audit has not been completed. The audit should be completed and submitted December 2023. The FY-2023 audit will be completed and submitted by February 2024. ** Local company has reached out to the SMC Manager's office inquiring about using property at Public Works to provide CDL certification. An offer meeting will be conducted and their request will be vetted. ** Clerk's Voting Machine Storage Facility is under construction the building is on-property and the foundation and its curing will then allow for the structure to be composed. ** Sheriff's Building is underway, a new handicap accessible ramp is being constructed. Completion around February. ** Gun Range construction bid has been received and is within parameters of the bid request. Construction will begin quickly; hopefully.

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

Review of contract and technical specs of the Sanborn digital imagery system is being finalized and ready to become operational by end-of-fall for the spectrometry capture of the county. The resolution will be exceptional with a 3" resolution for congested areas and a 6" resolution for rural areas. ** The county has purchased a full-year of twice monthly segments for all items County related. Department heads and elected officials can reach out to Deputy Manager Romero for scheduling. ** SMC Fairgrounds – 80'x20' shade cover was installed at the SMC Fairgrounds. ** Re-paving of the SMC Detention Center parking lot is underway.

b. DEPARTMENT HEAD UPDATES

Public Works Construction Project Manager Martin Aguilar informed the Commission that blading has been done from Ojitos Frios towards Camp Blue Haven, as well as work in Ribera/Coruco area. Culverts on CR-22, cattle-guards in San Rafael, and a focus on finishing Maes Road. Rusty Reed project is complete. A blade operator has found employment with State of NM. Commissioner Varela requested blading be done in Pecos area, and to request a review meeting on the low-water crossing work to discuss engineering and public concerns.

Public Works Director Benito Romero informed the Commission that the chip-seal project for Harris Rd. is completed and so is Fox Hill; the Jones double chip-seal is completed; Country

Acres is 98% complete. La Lliendre/Cuesta project estimates are in and the budgeted amount for the 1.5 inch overlay is \$75K short. FEMA has approved a damage DI for San Rafael, and one for CR B27 which lost a low-water crossing. Adding approx. 30 culverts. CR A4A 16 culverts damaged; CR A3 = 12 damaged, CR A3A = 12 damaged and some low-water crossings lost. ** Blade training was conducted with Hermit's Peak Watershed Alliance on CR A3. ** FEMA approved a \$1.8M equipment purchase to assist in road repairs due to HPCC disasters. The equipment being sought is: water truck, a smaller loader (the 951 is too large in certain areas), transport truck and low-boy trailer, returning one blade and purchasing another one; a tandem and an excavator.

SMC Fire Chief Andrew Duran informed the Commission that his department received word from the State Fire Marshall that SMC is in-line to receive two grants: 1) Pecos Canyon VFD will receive a grant to assist in phase 2 construction of its fire station; 2) Sheridan VFD will receive a grant to assist in funding purchase of new communications equipment. ** Rowe VFD has increased its volunteer crew to 16. ** Chief Duran thanked Cabo Lucero Fire Chief Tim Nix (now resting in peace) for his shining dedication to reducing Cabo Lucero's ISO rating and his diligence proved worthwhile as the issued rating is ISO-5. Chief Nix reduced the ISO by 3 points. The county has four VFDs with ISO-6 and two VFDs with ISO-9. ** Sheridan VFD received a grant last year to install a 40K gallon storage tank, and Rowe is working on increasing their water transport rate. These efforts will increase chances of ISO rating being lowered at these stations.

SMCDC Warden Antonio Padilla informed the Commission that there were 37 incident reports in the last month at the Detention Center with fighting, suicide watch and disturbance being the top three offenses. ** 165 body scans were conducted with two positive scans (Suboxone and marijuana). ** 152 bookings in the last month with an average inmate population of 78. ** There are five employment vacancies. ** One grievance (re: detainee did not receive commissary order) = Resolved. ** NA and AA are being conducted once a week with religious services being made available to inmates. ** Still seeking a RISE program coordinator to utilize the grant. ** Officer Larissa Romero was given a certificate for her work ethic and dedication. ** Detention Center parking lot is being re-paved.

OEM Manager Dennis Esquibel informed the Commission about the tornado that occurred in La Tewa which was rated zero because the tornado was on the ground for a short time. SMC will experience climate anomalies due to the change in our micro-climate. ** Seven of eight INAS requests have been approved for a total of \$310K (\$142K has been paid by DHS-EM) and the remainder will be refunded to SMC. ** Covid-19 is still around – protect yourself, wear masks, be vaccinated, isolate when symptomatic and/or sick.

c. CONTRACT RENEWAL FOR H. CHICO GALLEGOS, COUNTY ATTORNEY

Consensus of the Commission is to discuss this item while in Executive Session. Discussion action will be noted on Minutes after exiting Executive Session.

d. ELITE PEST CONTROL CONTRACT

Maintenance Manager Pete Mares asked for the Contract to be awarded to Elite for pest control at county buildings & facilities.

Motion to approve Elite contract for pest control made by Commissioner Max Trujillo. Second by Vice Chairman Martin Sena. Motion carried.

e. RESOLUTION FOR PARTICIPATION IN TPF MATCH WAIVER

PW Director Benito Romero asked for approval of TPF Participation Resolution SMC 10-10-2023-LP40050 San Ysidro and SMC 10-10-2023-LP40051 Sheridan. The county is responsible for 5%.

Motion to approve SMC 10-10-2023-LP40050 San Ysidro and SMC 10-10-2023-LP40051 Sheridan made by Commissioner Janice Varela. Second by Vice Chairman Martin Sena. Motion carried.

f. CHAMBER OF COMMERCE UPDATE

Manager Joy Ansley asked for a motion to table item "f" as Ms. Lyster and Mr. Martinez are unable to attend.

Motion to approve the tabling of Chamber of Commerce update made by Vice Chairman Martin Sena. Second by Commissioner Max Trujillo. Motion carried.

g. RFP FOR LEGAL SERVICES FOR FIRE DISASTER

Consensus of the Commission is to discuss this item while in Executive Session. Discussion action will be noted on Minutes after exiting Executive Session.

h. PROPOSED MOU WITH SAN MIGUEL COUNTY FAMILY AND COMMUNITY HEALTH COUNCIL

Dr. Carol Linder, Chair of SMCFCHC and Meghan Errig Project Manager, asked for approval of the MOU with SMCFCHC and to act as fiscal agent.

Motion to approve MOU – SMC/San Miguel County Family-Community Health Council made by Commissioner Janice Varela. Second by Commissioner Max Trujillo. Motion carried.

i. REQUEST TO APPOINT VIDAL CRESPIN, DWI DIRECTOR, TO THE SAN MIGUEL COUNTY FAMILY & COMMUNITY HEALTH COUNCIL

Dr. Carol Linder, Chair of SMCFCHC, asked for approval to appoint Mr. Vidal Crespin, SMC DWI Coordinator, to the board of the Health Council.

Motion to approve appointment of Vidal Crespin to SMCFCHC made by Commissioner Janice Varela. Second by Commissioner Max Trujillo. Motion carried.

j. RATIFICATION OF LETTER OF SUPPORT TO THE RURAL SURGICAL ASSOCIATES FOR RURAL HEALTHCARE DELIVERY FUND APPLICATION

Chairman Harold Garcia informed the Commission that the Rural Surgical Associates has applied for a grant to provide Urgent Care Services after-hours for the Citizens of San Miguel County (and, by extension Mora County).

Motion to Ratify Letter of Support of the Rural Surgical Associates for Rural Healthcare Delivery Fund Application made by Commissioner Janice Varela. Second by Commissioner Max Trujillo. Motion carried.

k. ANIMAL SHELTER NEEDS IN SAN MIGUEL COUNTY

Manager Ansley informed the Commission about the possibility of a shared-responsibility agreement for the Animal Shelter between SMC/City of Las Vegas. There is a concern that pet owners are being incompetent in caring for their animals – abuse & negligence, lack of spaying/neutering, strays, etc. The Animal Shelter has been placed on the ICIP list. Sheriff Lopez stated there are no consequences for irresponsible pet owners. The solution is multi-tiered.

This item called for Discussion/Action and will be further discussed in Executive Session – discussion/action will be noted on Minutes after exiting Executive Session.

Chairman Garcia and Manager Ansley addressed Ms. Pat Smith, Mora/SMC Fairgrounds Committee, to schedule a meeting with the Manager’s office to discuss other points and ideas from the Committee for the fairgrounds upkeep/maintenance. The meeting will be scheduled within the week.

l. RESOLUTION SUPPORTING NM COUNTIES LEGISLATIVE PRIORITIES FOR THE 2024 LEGISLATIVE SESSION

Chairman Harold Garcia informed the Commission on the following priorities determined by NM Association of Counties to be presented to the Legislature in the upcoming 2024 session. Priorities determined are: 1) HB2 Appropriations – County Detention Centers ought to be reimbursed for housing costs associated with detention of state prisoners and recruit and retention of corrections officers, compensate costs associated with prisoner transport and extradition, continued RISE funding, Emergency Medical services, and courthouse funding; 2) Statewide elected official salary increase; 3) Fire fighter recruitment and retention funding and policies.

Motion to approve Resolution - NM Counties 2024 Legislative Priorities made by Vice Chairman Martin Sena. Second by Commissioner Janice Varela. Motion carried.

9. BOARD OF FINANCE MEETING

a. BUDGET ADJUSTMENT RESOLUTION

Ms. Katherine Sanchez, SMC Finance Manager, asked for approval of the mid-year Budget Adjustment of \$225,000 for Law Enforcement Retention-Recruitment: SMC account 101 501 00500 Sheriff's Department Fund.

Motion to approve Sheriff's Department Law Enforcement Retention Fund Budget Adjustment made by Commissioner Janice Varela. Second by Commissioner Max Trujillo. Motion carried.

b. ACCOUNTS PAYABLE FOR JULY, AUGUST, SEPTEMBER 2023

Ms. Katherine Sanchez, SMC Finance Manager, asked for approval of accounts payable for 2023 July, August & September. These documents were presented to the Commission before as Information Only, however, an approval by motion is required for NMDFA.

Motion to approve Accounts Payable Reports for July/August/September 2023 made by Chairman Harold Garcia. Second by Vice Chairman Martin Sena. Motion carried.

c. CASH BALANCE REPORT FOR MONTH OF SEPTEMBER 2023*

Finance Director Katherine Sanchez presented the Commission with the September 2023 Cash Balance Report, and stated they are available to interested parties in the County Clerk's office.

*For Informational Purposes Only

Manager Ansley asked Finance Manager Sanchez to explain the county receiving a loan for \$25M which has been added into the State Investment Council Pool to earn interest. The State Investment Pool has interest rates greater than local banks and the NM Investment Pool does not penalize for early withdrawal whereas banks require 3-6-9+ months investment with penalization for withdrawal.

Motion to adjourn Regular Session and convene Executive Session made by Commissioner Kenneth Medina. Second by Vice Chairman Martin Sena. Motion carried. Executive Session entered into at 3:41 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 exit Executive Session and re-adjourn the regular session made by Commissioner Kenneth Medina. Second by Vice Chairman Martin Sena. Motion carried.

c. Contract Renewal – County Attorney H. Chico Gallegos

Manager Ansley recommended contract renewal for one year at a rate of \$120,000/year.

Motion to approve Contract Renewal – County Attorney H. Chico Gallegos made by Commissioner Janice Varela. 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

g. RFP for Legal Services – HPCC

Motion made to prepare a Request of Qualifications for Legal Services made by Commissioner Max Trujillo. Second by Commissioner Janice Varela. Motion carried.

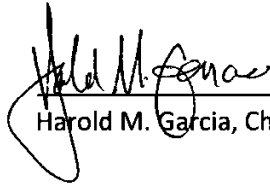
I. Animal Shelter needs in SMC

Motion to table Animal Shelter needs in SMC made by Vice Chairman Martin Sena. Second by Chairman Harold Garcia. Motion carried.

10. ADJOURNMENT

Motion to adjourn the Regular Session of RM-10-10-2023 made by Commissioner Kenneth Medina. Second by Commissioner Janice Varela. Motion carried. Adjournment at 6:52 PM.

Approved this 14th day of November 2023 as the Official Minutes of the Board of County Commissioners of San Miguel County New Mexico, of its Regular Meeting held the 10th of October 2023 at 2:00 PM.


Harold M. Garcia, Chairman - District 1

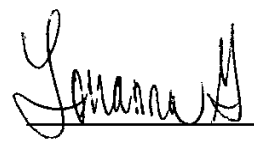

Martin Sena, Vice-Chairman - District 4

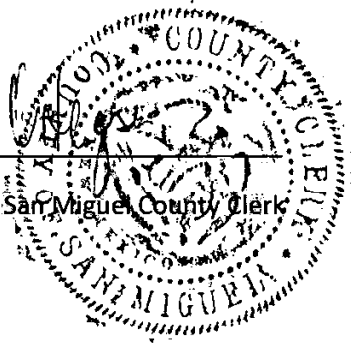

Janice C. Varela, Commissioner - District 2


absent
Max Trujillo, Commissioner - District 3


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