



MINUTES of the REGULAR MEETING
of the BOARD of COUNTY COMMISSIONERS
of SAN MIGUEL COUNTY, NEW MEXICO
HELD TUESDAY, OCTOBER 12, 2021

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.

1. CALL TO ORDER

Chairman Harold Garcia called the meeting to order at 2:00 PM at the San Miguel County Administration Complex located at 500 West National Avenue, Suite 200, Las Vegas, New Mexico 87701. Zoom link is active.

2. ROLL CALL

Chairman Harold Garcia present, Vice-Chairman Janice Varela present, Commissioner Max Trujillo present, Commissioner Martin Sena present, and Commissioner Kenneth Medina present.

The record will show a quorum.

3. PLEDGE OF ALLEGIANCE

Vice-Chair Janice Varela led the Chambers in the Pledge and Salute to the NM flag,

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

Chairman Harold Garcia and County Manager Joy Ansley requested to remove item 'f. Proposed Property Lease for Transfer Station at Camp Luna-Las Vegas Land Grant.'

Motion made by Commissioner Max Trujillo to approve Agenda with the changes proposed by Chairman Harold Garcia and Manager Ansley. Second by Vice-Chair Janice Varela. Motion carried.



6. APPROVAL OF MINUTES

a. 9-14-2021-RM

Motion to Approve minutes of 9-14-2021-RM made by Commissioner Kenneth Medina. Second by Commissioner Martin Sena. Motion carried.

b. 9-15-2021-SM

Motion to approve minutes of 9-15-2021-SM made by Commissioner Max Trujillo. Second by Commissioner Kenneth Medina. Motion carried.

7. PUBLIC INPUT FORUM

One citizen signed up for Public Input:

Manuel Garcia spoke on on-going concern about Planning and Staffing. Small organizations need assistance in operations for equipment maintenance, and building a strong broadband presence in the County. He asked if the county was researching filtration needs in HVAC/HEPA to increase safety in County buildings. Mr. Garcia also spoke on staffing concerns and having full time grant writer and planning consultant that can help county better manage employee functions.

NEW BUSINESS

8. REGULAR BUSINESS

a. OATH OF OFFICE FOR DETENTION CENTER

Warden Antonio Padilla introduced Detention Officers who have been elevated from Cadet to Officer status and asked Chairman Harold Garcia to administer the Oath of Office for Detention Center Officer of San Miguel County Detention Center. The officers instated are:

Michael Martinez, Angelico Chavez, Robert Ortega, Donna Salas.

b. PROCLAIMING OCTOBER AS DOMESTIC VIOLENCE AWARENESS MONTH

Special Program Director of the 4th Judicial District Ashley Archuleta informed the Commission that October is National Domestic Violence Awareness Month. Ms. Archuleta manages the Victim Advocacy Program in the District Attorney's office. There will be a vigil in honor of the Survivors and Advocacy at Plaza Park on Thursday, October 21 at 6:00 PM.

Ms. Archuleta asked the Commission to Proclaim October as Domestic Violence Awareness Month. The Commission supports this advocacy by honoring the survivors and victims of this

crime, and hope that these efforts may help in reducing the level of Domestic Violence in our communities.

Motion made to Approve SMC Proclamation to name October as Domestic Violence Awareness Month by Commissioner Martin Sena. Second by Commissioner Kenneth Medina. Motion carried.

c. Presentation: INVENERGY TRANSMISSION LLC*

Alicia Rigler Project Manager of Invenergy presented to the Commission information on an upcoming renewable energy transmission project called New Mexico North Path whose transmission lines will cross areas of San Miguel County as energy is transmitted on these new lines from Union County to San Juan County. This project will encompass 400 miles of transmission lines. Eric Oboe of the New Mexico Renewable Energy Transmission Authority spoke on the role NM is playing in renewable energy transmission to other western states. Power Engineers is the consulting engineer group with Cindy Smith and Stacy Sanchez.

Ms. Rigler asked the Commission to recommend members to represent SMC to the Community Working Group, the group will assist in determining the line path with respect to community, social, environmental and constructability concerns. The economic factor is expected to increase tax base by \$10 million, with 3,500 part-time construction jobs created; and 100+ long-term electric and maintenance jobs. Invenergy investment is set at \$11 billion.

The Commission asked questions about the Ameren Project and if they are related. Mr. Oboe indicated they are not. The difference between Ameren is that Invenergy is a transmission line whereas Ameren is anchoring at Rio Arriba station in SMC. New and existing easements will be necessary. The Commission asked if there were going to be public hearing and Ms. Rigler said there will be and interested parties will be informed. Vice Chair Janice Varela asked for safety impact studies to be forwarded to the Commission.

*For Informational Purposes Only

d. COUNTY MANAGER'S REPORT

County Manager Joy Ansley informed the Commission there will be an Election Canvassing Special Meeting held on November 8, 2021 at 9:00 AM.

In budget allocations \$75K was awarded for repair work on the following roads: Blanchard, Sacatosa, La Lliendre, Chico and Harris, and Gallinas. Work and materials have been scheduled however, La Lliendre may not be completed by project end-date of end-of-year. Chip seal, overlay, milling and re-blading/re-shape and culvert maintenance are being scheduled.

Manager Ansley on being questioned by Chairman Harold Garcia indicated that weather freeze should not be a concern as long as the soil temperature is above/near 50 degrees F.

Hispano Chamber of Commerce will clean up additional property behind the cinder block wall at the 720th shooting range. The cost is \$2,000 with the county providing dumpsters and tipping fees. The \$2,000 is added to the existing contract as an Addendum.

John Martinez of the Extension Office met with Manager Ansley to request installing several raised beds for a community garden for the County – the land is owned by SMC. Water retention barrels and collection apparatus will be installed.

Manager Ansley indicated we are finalizing the ARC funding list which includes the Sheriff's Office extension, detention center security, UV light and other disinfectant measures in buildings; drive-through covered covid testing/vaccine centers, fire station/substation building or repairs, public safety fleet, hazard or stipend pay, incentives encouraging vaccination and testing and public safety and fire. Other requests received included East Pecos Wastewater Project and El Valle Community Center. Manager Ansley asked for direction in devising a project application and allocation of these funds. The estimated funding is about \$5.2 million. These funds need to be pandemic related.

Manager Ansley met with the Conchas Dam Water Board area regarding on-going projects and water/trash needs. Conchas has built a transfer station, billing services, organization of finalizing Fiscal Agent for their Water Board. There are 600+ accounts in the Conchas Area with over 250 full-time active accounts. Conchas has requested that we transfer their refuse from Conchas to the landfill in Tucumcari. Manager Ansley recommends having a Town Hall meeting with the Sheriffs, Public Works, Planning & Zoning in Conchas.

Manager Ansley sent a letter to the North Central Economic Development District supporting their grant request to increase broadband, remote work-hub and shared work space.

Commissioner Martin Sena asked when the Salary/Job Duty Study by the employment consultant would be complete. Manager Ansley stated we are awaiting word from the consultant as to availability

e. RATIFICATION OF RESOLUTION AUTHORIZING ICIP SUBMITTAL

County Manager Joy Ansley stated the list of ICIP priorities outlining the Top 10 was approved RM-9-14-2021 and today needs formal ratification from the Commission.

Motion to approve Ratification of Resolution Authorizing ICIP Submittal made by Commissioner Max Trujillo. Second by Commissioner Kenneth Medina. Motion carried

f. PROPOSED PROPERTY LEASE FOR TRANSFER STATION AT CAMP LUNA-LAS VEGAS LAND GRANT**

**Item removed from Agenda.

g. RESOLUTION REQUESTING CHANGE TO PERA REQUIREMENTS FOR EMPLOYEES

County Manager Joy Ansley stated that this particular resolution was first submitted by Curry County who distributed it to other counties to pass and forward the resolution to the Legislature and NM Association of Counties. This resolution allows for retirees to "double-dip;" thus allowing the retiree to earn income and draw retirement benefits. The resolution will allow for staffing issues to be resolved with qualified employees.

Motion made by Chairman Harold Garcia to Request Change to PERA requirements for Employees. Second by Commissioner Martin Sena. Motion carried.

h. AMENDED INDIGENT POLICY

County Manager Joy Ansley informed the Commission that a change was written into the Indigent Policy as directed by the Commission at Regular Meeting 9-14-2021. The language written into the policy now states: If the application is denied by either facility and the individual qualifies for assistance they may apply directly to the county.

Motion to approve Amended Indigent Policy made by Commissioner Martin Sena. Second by Commissioner Kenneth Medina. Motion carried.

i. PROPOSED MOU WITH MORA COUNTY FOR FISCAL AGENT SERVICES

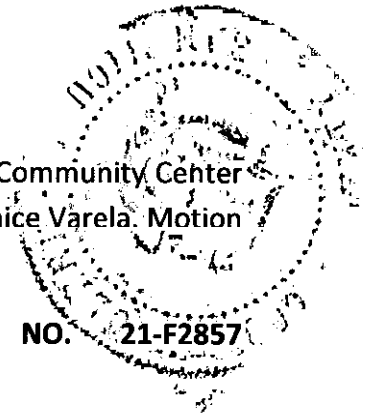
County Manager Joy Ansley informed the Commission that Mora County requested SMC act as Fiscal Agent for equipment purchases for three NM-DFA allotments of \$20K, \$145K, \$125K. The Commission expressed concern that future requests may be too time-consuming in the future. The Commission feels that future Fiscal Agent requests not be accommodated.

Motion made to approve MOU with Mora County for Fiscal Agent Services by Commissioner Max Trujillo. Second by Commissioner Martin Sena. Roll-call vote: All Commissioners voted in the affirmative - Motion carried.

j. CONSIDERATION OF AMENDED PROJECT PARTICIPATION AGREEMENT WITH EL VALLE COMMUNITY CENTER FOR LEDA FUNDS

County Manager Joy Ansley informed that the Amended PPA now includes language that coincides with the legislative language used in the Capital Outlay. A property lien was assessed for \$30,000, the same amount of the Capital Outlay.

Motion to approve Amended Project Participation Agreement with El Valle Community Center for LEDA funds made by Commissioner Martin Sena. Second by Vice-Chair Janice Varela. Motion carried.



**k. RATIFICATION OF CAPITAL APPROPRIATIONS PROJECT NO. 21-F2857
PURCHASE/INSTALLATION OF EQUIPMENT FOR FIRE DEPARTMENTS**

County Manager Joy Ansley informed the Commission that this has been approved on previous Regular Meeting. This agreement is for \$50,000 to purchase and install equipment for the Fire Departments in SMC. Manager Ansley is requesting that her signature on this Agreement be ratified; and asked for permission on future upcoming Agreements that come in for her to sign and then receive Commission ratification on following meeting.

Motion to approve Ratification of Capital Appropriations Project 21-F2857 Purchase/Installation of Equipment for Fire Departments made by Commissioner Max Trujillo. Second by Vice-Chair Janice Varela. Motion carried.

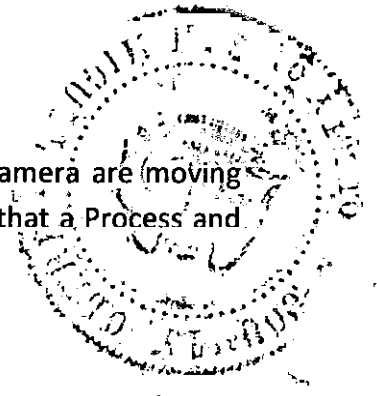
I. DEPARTMENT HEAD UPDATES*

Road Foreman Arnold Lopez informed the Commission of on-going blading throughout county roads in SMC. Mr. Lopez also informed that Public Works is preparing for winter and transporting salt and sand to various storage areas throughout SMC, and new tire chains have been purchased. Commissioner Max Trujillo asked about the status of the road in Canoncito regarding some bridges that need re-decking; Mr. Lopez indicated the funding allocated did not cover all the bridges that need re-decking, and the PWD recently received a shipment of bridge deck planks that are for repairs. The bridges that need a full re-decking are in Camp Blue Haven, Canoncito and Rociada and a contractor will need to be obtained.

Mr. Lopez also stated that the San Ysidro road will need additional funding through LGRF. This road will require additional funding on top of the current funding as there are about 2 miles that need paving. Vice-Chair Janice Varela asked about B65A – the road will require a lot of work and cost is on the higher-end informed Mr. Lopez.

Commissioner Martin Sena asked how it's determined where trash dumpsters are placed as citizens of Ojitos Frios have requested one. Commissioner Sena also asked about the cattle-guard situation in Geronimo. Mr. Lopez asked a committee member, Sally Witters, to speak on the issue: the main concern is the width of the cattle guard and whether it allows clearance for mobile home and other large loads to go through. Mr. Lopez stated these cattle guards are 14" but can accommodate clearance up to 16".

Fire Chief Andrew Duran informed that tech upgrades of microwave and camera are moving along slowly. 90% of the equipment is in-house. Chief Duran also informed that a Process and Training Manual is nearly complete for the Volunteer Fire Departments.



*For Informational Purposes Only.

m. REVISED JOB DESCRIPTIONS: Treasurer's Office TAX PROCESSOR II and TAX PROCESSOR III; Sheriff's Office NARCOTICS SERGEANT; Planning and Zoning ADMINISTRATIVE ASSISTANT; DWI Compliance Monitor and Tracker/Screeener/Prevention Specialist; Finance Director; and Public Works Crusher Plant Operator II

Human Resources Director Eileen Sedillo informed the Commission that these job descriptions include a greater description of the responsibilities for these listed positions. Many of the job descriptions were written in 1999 and include a revised and more thorough description of employment requirements. Ms. Sedillo requested the Commission approve these Job Descriptions.

Motion to approve REVISED JOB DESCRIPTIONS: Treasurer's Office TAX PROCESSOR II and TAX PROCESSOR III; Sheriff's Office NARCOTICS SERGEANT; Planning and Zoning ADMINISTRATIVE ASSISTANT; DWI Compliance Monitor and Tracker/Screeener/Prevention Specialist; Finance Director; and Public Works Crusher Plant Operator II made by Commissioner Kenneth Medina. Second by Vice-Chair Janice Varela. Motion carried.

n. RATIFICATION OF RESOLUTIONS REQUESTING MATCH WAIVER FOR NMDOT CALL FOR SPECIAL PROJECTS

Public Works Director Gerald Garcia asked the Commission for Ratification for the approved and granted NMDOT match waiver. The project cost on Resolution SMC-2021-HW2LP40011 totals \$1,395,183.75 with San Miguel County 5% cost being \$69,759.19. The project cost on Resolution SMC-2021-HW2LP40016 totals \$3,316,734.85 with San Miguel County 5% cost being \$165,836.74.

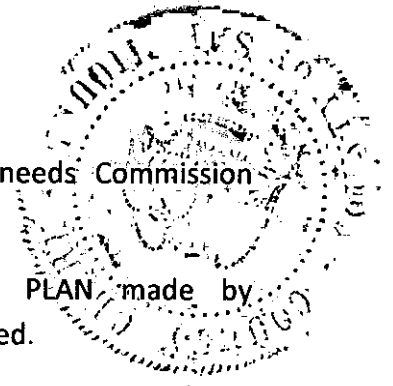
Motion to Ratify Resolutions Requesting Match Waiver for NMDOT call for Special Projects made by Commissioner Martin Sena. Second by Commissioner Kenneth Medina. Motion carried.

o. ADOPTION OF RESOLUTION 10-12-21-OEM UPDATE MITIGATION PLAN

Emergency Manager Dennis Esquibel asked for approval of the resolution which allows participation in the all hazards update jurisdictional mitigation planning process and adoption

of the all hazards multi-jurisdictional mitigation plan. The Resolution needs Commission approval and adoption so FEMA may move forward with the process.

Motion to Approve Resolution 10-12-21-OEM UPDATE MITIGATION PLAN made by Commissioner Max Trujillo. Second by Chairman Harold Garcia. Motion carried.



p. RESOLUTION NO. 010-14-21-RA01; ADDITION OF SHILO ROAD, A NEWLY NAMED PRIVATE ROAD TO BE ADDED TO THE OFFICAL E-9-1-1 ROAD LIST OF SAN MIGUEL COUNTY, NEW MEXICO

Information Technology Specialist Eugene Gonzales asked the Commission to approve the addition of this road to the official E-9-1-1 road list as it has been properly vetted to meet the process to be listed.

Motion to approve Resolution 010-14-21-RA01 addition of Shilo Road to county e-9-1-1 road list made by Vice Chair Janice Varela. Second by Commissioner Martin Sena. Motion carried.

q. RESOLUTION NO. 010-12-21-RO2; ADDITION OF BRISTLE CONE ROAD, A NEWLY NAMED PRIVATE ROAD THAT WILL BE ADDED TO THE OFFICIAL E-9-1-1 ROAD LIST OF SAN MIGUEL COUNTY, NEW MEXICO

Information Technology Specialist Eugene Gonzales asked the Commission to approve the addition of this road to the official E-9-1-1 road list as it has been properly vetted to meet the process to be listed.

Motion to approve Resolution 010-12-21-R02 addition of Bristle Cone Road to county E-9-1-1 road list made by Commissioner Max Trujillo. Second by Commissioner Martin Sena. Motion carried.

9. BOARD OF FINANCE MEETING

a. BANK TRANSFERS FOR THE MONTHS OF JULY, AUGUST & SEPTEMBER 2021*

County Treasurer Jennifer LaFebre informed the Commission on transfers:

Internal:	JULY \$878,560.80	AUGUST \$614,375.00	SEPT \$660,539.50
	TOTAL \$2,153,475.30		
WireTr:	JULY \$2,259,261.71	AUGUST \$51,934.96	SEPT \$52,251.26
	TOTAL \$2,363,447.93		
Payroll:	JULY \$725,801.79	AUGUST \$502,907.70	SEPT \$538,825.23
	TOTAL \$1,767,534.72	GRAND TOTAL: \$6,284.457.95	

Wire transfer numbers were higher than normal as SMC paid off some bonds.

*For Informational Purposes Only



b. RESOLUTION 2021-10-12-F1

Finance Director Melinda Gonzales informed the Commission this includes budget adjustments. The first adjustment is maintaining a minimum balance of \$750 for several of the Counties Bank Accounts; in order to meet these requirements for Property Tax Protest Fund and Writ of Execution Fund, a total of \$250 needs to be transferred from the General Fund to each of these accounts.

The second adjustment relates to House Bill #6 which is the tax revenue from online sales. The House recently changed its system in disbursing the tax revenue. In establishing the FY22 budget, Finance Department budget the same allocations as FY21. In FY22 Gross Receipt Taxes will not be posted at net value but rather the full value and administrative fees will be recognized. Budget adjustments in Funds 101, 704, 705, 706 & 996 are needed.

The third adjustment refers to Fund 221 Detention Center, the legislative reimbursements did not account for \$13,078.84 and adjustment is needed for both revenues and expenditures.

Fourth adjustment relates to Fund 332 FEMA project on the Tecolote Creek Bridge has been adjusted by Homeland Security for increased scope of work. Budget adjustment accounts for the revised agreement.

Fifth adjustment, the State allotted \$89,918 for the Pecos Canyon Volunteer Fire Department rather than the inadvertently listed total of \$151,585. The original allotment was to be \$61,667 which was then added to the final allotment of \$151,585. This adjustment will reflect \$89,918 for the budgeted distribution.

Sixth adjustment reflects the County received \$23,000 from the Dep't of Health EMS Bureau as a grant for medial and rescue service assistance to local EMS.

Seventh adjustment reflects the Counties approval to expend the carry over balance of the Cabo Lucero EMS Fund.

And last adjustment is breaking down accounts in Fiduciary Funds as either custodial or special revenue. The Property Tax Account will remain as custodial; and the Inmate and Employee Funds now be categorized as Special Revenue. The adjustment reflects incoming funds as revenue; and outgoing of funds as expenditures.

Motion to approve Resolution 2021-10-12-F1 made by Commissioner Kenneth Medina. Second by Vice-Chair Janice Varela. Motion carried.



c. RATIFICATION OF INDIGENT CLAIMS

Finance Director Melinda Gonzales asked for approval of Indigent Claims at the Detention Center and medical claims from Detention Center and El Centro and others if an invoice is submitted.

Motion to approve Ratification of Indigent Claims made by Commissioner Martin Sena. Second by Commissioner Kenneth Medina. Motion carried.

d. ACCOUNTS PAYABLE FOR THE MONTHS OF JULY AND AUGUST 2021

Finance Director Melinda Gonzales presented the Commission a listing of payments processed by the finance office and Bernalillo County on behalf of San Miguel. Finance Director Gonzales requested the Commission review and approval of the accounts payable report for the months of July and August 2021.

Motion to approve Accounts Payable for the month of July and August 2021 by Commissioner Max Trujillo. Second by Vice-Chair Janice Varela. Motion carried.

e. RECEIPT REPORT FOR THE MONTHS OF JULY AND AUGUST 2021*

Finance Director Melinda Gonzales presented the Commission with a Receipt Detail Report processed by the Treasurer's office for the month of July and August 2021.

*For Informational Purposes Only.

f. JOURNAL ENTRY REPORT FOR THE MONTH OF JULY AND AUGUST 2021*

Finance Director Melinda Gonzales presented the Commission the Journal Entry Report of receipts physically entered in the system for the months of July and August 2021 regardless of when they posted in the system.

*For Informational Purposes Only

g. CASH BALANCE REPORT FOR THE MONTH OF JULY AND AUGUST 2021*

Finance Director Melinda Gonzales provided the Commission with a listing of all funds cash balances.

Beginning in September Finance Department will include Inmate Account and Property Tax Account in the Cash Balance Report. The Property Tax Account Protest is currently listed.

Cash Reconciliations for August was not completed. There will be a variance after these items are entered.

*For Informational Purposes Only.

h. BUDGET REPORT FOR THE PERIOD OF JULY 1, 2020 THROUGH AUGUST 31, 2021*

Finance Director Melinda Gonzales provided a Budget Report from beginning of Fiscal Year through end-of-August.

*For Informational Purposes Only

Chairman Harold Garcia asked for a motion to Adjourn Regular Meeting Session and enter Executive Session.

Motion to enter Executive Session made by Commissioner Max Trujillo. Second by Commissioner Kenneth Medina. Motion carried. Executive Session was entered into at 4:19 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:

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. More specifically:

- a. AVRH vs. San Miguel County
- b. Opioid Litigation Update

RESUME REGULAR COMMISSION MEETING

10. ADJOURNMENT

Motion to exit Executive Session and re-enter Regular Meeting made by Commissioner Kenneth Medina. Second by Commissioner Max Trujillo. Motion carried.

Motion to adjourn Regular Meeting made by Commissioner Max Trujillo. Second by Commissioner Martin Sena. Motion carried. Regular Meeting adjourned at 5:18 PM.

Approved this 9th day of November, 2021 as the Official Minutes of the Board of County Commissioners of San Miguel County New Mexico, of its Regular Meeting held October 12, 2021.

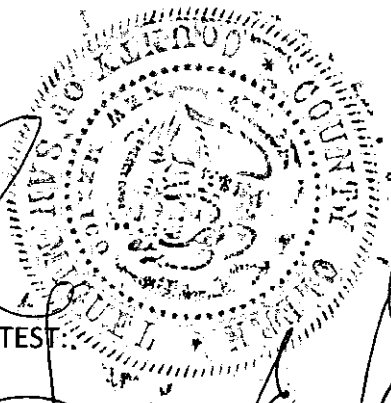
Harold M. Garcia
Harold M. Garcia, Chairman District 1

Janice C. Varela
Janice C. Varela, Vice-Chairman District 2

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

Martin M. Sena
Martin M. Sena, Commissioner District 4

Kenneth M. Medina
Kenneth M. Medina, Commissioner District 5



ATTEST:

Geraldine E. Gutierrez
Geraldine E. Gutierrez, San Miguel County Clerk

(S E A L)

Jacob P. Gonzales
Minutes submitted, Jacob P. Gonzales, Deputy Clerk



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