

**MINUTES OF THE SPECIAL MEETING**  
**OF THE BOARD OF COUNTY COMMISSIONERS**  
**OF SAN MIGUEL COUNTY, NEW MEXICO**  
**HELD JANUARY 14, 2021**

**CALL TO ORDER AND ROLL CALL**

The San Miguel County Board of Commissioners held a special meeting on Thursday January 14, 2021. San Miguel County Chairman Harold Garcia called the meeting to order at 9:00 A.M., via remote live on San Miguel County website. Upon roll call by County Clerk Geraldine E. Gutierrez, Chairman Harold Garcia present, Madam Vice-Chair Janice Varela present, Commissioner Max Trujillo present, Commissioner Martin Sena present, and Commissioner Kenneth Medina present.

The record will show a quorum is present.

**PLEDGE OF ALLEGIANCE**

**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 Culture.** Commissioner Kenneth Medina led the Pledge of Allegiance and the Salutation to the New Mexico State Flag.

Madam Vice-Chair Janice Varela presented to the commission the question if public hearing would be available to the public on those items open for discussion.

Motion made by Commissioner Kenneth Medina to move item #3, County Manager Employment to item #7. Second by Madam Vice-Chair Janice Varela. Motion carried.

**NEW BUSINESS**

**1. FAIR MARKET RENTS 2021, UTILITY ALLOWANCES 2021**

San Miguel County Housing Authority Acting Director Betty Valdez informed the Commission on the Fair Market Rents and Utility Allowances for Calendar Year 2021. Madam Vice-Chair Janice Varela questioned the rapid deadline approval on this item. Ms. Valdez informed the

Commission in order for the participants to receive full funding the Commission must presently approve the Fair Market Rents and Utility Allowances.

Motion made by Madam Vice-Chair Janice Varela to approve the Fair Market Rents and Utility Allowances for Calendar Year 2021. Second by Commissioner Max Trujillo. Motion carried.

## **2. RESOLUTION URGING THE LEGISLATURE TO PASS THE HEALTH SECURITY ACT**

San Miguel County Chairman Harold Garcia informed the Commission on the Health Security Act, which will enable our state to create its own health plan that will cover most of all New Mexicans. Chairman Harold Garcia turned over the floor to presenter Ms. Pat Leahan.

**Ms. Pat Leahan-** Looking for support for the Health Act to make health benefits available to all New Mexicans.

**Francisco (Cisco) Rubio-** State President of New Mexico Health Insurance Writers introduced his fellow colleague Danine Baca who would present their presentation.

**Danine Baca-** Spoke of the cons in accepting this resolution stated that it has not been built yet and feels we should build on what we have.

San Miguel County Commissioner Max Trujillo informed the Commission that he supports the resolution because he would like to see how it's going to work.

San Miguel County Madam Vice-Chair Janice Varela informed the Commission that she too agrees with fellow Commissioner Max Trujillo but questions the Employers Tax and how it will affect the smaller local businesses. Guest speaker Danine Baca informed the Commission the smaller businesses would have no other choice but to follow this policy. They would not be given the choice to opt out.

**Damon Bower-** Fellow colleague of Cisco Rubio and Danine Baca also spoke of the cons of accepting this resolution.

Motion made by County Commissioner Max Trujillo to approve the resolution urging the legislature to pass the Health Security Act. Second by Madam Vice-Chair Janice Varela. Motion carried.

## **3. SAN MIGUEL COUNTY MANAGERS RECOMMENDATION FOR APPROVAL OF THE GOVERNING HOLIDAYS FOR THE CALENDAR YEAR 2021**

San Miguel County Human Resource Supervisor Eileen Sedillo presented to the Commission resolution number SMC-RES-01-14-2021 Governing Holidays for the calendar year 2021. Ms. Sedillo requested approval from the Commission for the Governing Holidays for the

calendar year 2021. Madam Vice-Chair Janice Varela informed the Commission that she had only one suggestion that Columbus Day would be changed over to Indigenous Day.

Motion made by Madam Vice-Chair Janice Varela to approve the resolution Governing Holidays for the calendar year 2021. Second by Commissioner Martin Sena. Motion carried.

Commissioner Kenneth Medina sustained on voting on this resolution because he was not aware of the calendar.

Chairman Harold Garcia stated let the record reflect Commissioner Kenneth Medina sustained on voting for the resolution.

#### **4. PRESENTATION OF THE 2021 LEGISLATIVE CAPITAL OUTLAY REQUEST BY COMMISISON DISTRICT AND DEPARTMENTS FOR SAN MIGUEL COUNTY**

San Miguel County Planning and Zoning Supervisor Robert Archuleta presented to the Commission the 2021 Legislative Capital Outlay. Mr. Archuleta informed the Commission that San Miguel County has done really well with its Capital Outlay in the past and has already submitted 23 Capital Outlay Legislative Requests to the Legislative Council Services for this year 2021.

Commissioner Max Trujillo informed the Commission on the subject of Broad Band. Mr. Trujillo informed the Commission the subject of Broad Band had recently been brought to his attention by a lobbyist and a constituent and stated that a large sum of money for Broad Band had been extended. Mr. Trujillo said he would like to see this item added into the Capital Outlay in the future, but would like to further discuss this subject on next month's meeting. Chairman Harold Garcia questioned Mr. Archuleta if this item could be amended until next month's meeting so the Broad Band could be added to the Capital Outlay.

This item is for informational purposes only.

#### **5. SIGNATURE STAMP POLICY**

San Miguel County Finance Supervisor Melinda Gonzales presented to the Commission the signature stamp policy .Ms. Gonzales informed the Commission she was seeking approval of the use and authority of the Signature Stamp of Chairman Harold M. Garcia. Ms. Gonzales requested the Commission review and approve the request of the Signature Stamp Policy.

Motion made by Commissioner Max Trujillo to approve the Signature Stamp Policy. Second by Commission Kenneth Medina. Motion carried.

**6. ADDENDUM TO CONTRACT WITH MILLER ENGINEERING**

San Miguel County Finance Supervisor Melinda Gonzales informed the Commission that the County is seeking a one year extension of the contract with Miller Engineering. Ms. Gonzales informed the Commission this will be the County's fourth and final year extension contract. Ms. Gonzales requested the Commission review and approve the addendum to contract with Miller Engineering.

Motion made by Commissioner Kenneth Medina to approve the contract with Miller Engineering. Second by Commissioner Martin Sena. Motion carried.

**7. SAN MIGUEL COUNTY MANAGER EMPLOYMENT**

San Miguel County Attorney Dave Romero requested the Commission retire into executive session to further discuss the County Managers employment.

Motion made by Madam Vice-Chair Janice Varela at 10:00 a.m. to adjourn the meeting and enter into executive meeting. Second by Commissioner Max Trujillo. Motion carried.

**ROLL CALL VOTE**

Madam Vice-Chair Janice Varela – Yes

Commissioner Kenneth Medina – Yes

Commissioner Martin Sena – Yes

Commissioner Max Trujillo – Yes

Chairman Harold Garcia – Yes

**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: County Manager, Vidal Martinez

Certain Purchases, as permitted by NMSA 1978, Section 10-15-1(H)(6) (as amended) of the Open Meetings Act, and Section 13-1-116 of the procurement Code: Ambulance Services

San Miguel County Chairman Harold Garcia requested a motion be made to come out of executive session and to turn to regular session.

Motion made by Madam Vice-Chair Janice Varela at 12:27pm to move out of executive session and go back into regular session. Second by Commissioner Max Trujillo. Motion carried.

Chairman Harold Garcia stated for the record let the record reflect that at 12:28 pm we entered into regular session.

**ROLL CALL VOTE**

Chairman Harold Garcia – Yes

Madam Vice-Chair Janice Varela – Yes

Commissioner Max Trujillo – Yes

Commissioner Martin Sena – Yes

Commissioner Kenneth Medina – Yes

Chairman Harold Garcia now turned the meeting over to Attorney Dave Romero to discuss matters brought up in executive session.

San Miguel County Dave Romero informed the Commission those items discussed under executive session were the items on the agenda and no decisions were made. Mr. Romero stated item #3 discussed the determination whether to renew or terminate the County Managers contract. Chairman Harold Garcia requested a motion whether to allow the County Managers contract to be renewed or expired.

Motion made by Madam Vice-Chair Janice Varela to allow County Managers contract to expire. Second by Commissioner Max Trujillo. Motion carried.

**ROLL CALL VOTE**

Chairman Harold Garcia – Yes

Madam Vice-Chair Janice Varela – Yes

Commissioner Max Trujillo – Yes

Commissioner Martin Sena – Yes

Commissioner Kenneth Medina – Yes

Chairman Harold Garcia stated for the record let it reflect that there was a unanimous vote. San Miguel County Attorney Dave Romero presented to the Commission the County Manager's position would be put into administrative leave affectively and running through March 15<sup>th</sup> 2021 when his contract will expire, with his current pay.

Motion made by Commissioner Max Trujillo to approve the administrative leave for County Manager Vidal Martinez. Second by Madam Vice-Chair Janice Varela. Motion carried.

**ROLL CALL VOTE**

Chairman Harold Garcia – Yes

Madam Vice-Chair Janice Varela – Yes

Commissioner Max Trujillo – Yes

Commissioner Martin Sena – Yes

Commissioner Kenneth Medina – Yes

County Attorney Dave Romero stated let the record reflect that there was a unanimous vote.

Motion made by Madam Vice-Chair Janice Varela to appoint Ms. Melinda Gonzales as Acting County Manager. Second by Commissioner Kenneth Medina. Motion carried.

**ROLL CALL VOTE**

Chairman Harold Garcia – Yes

Madam Vice-Chair Janice Varela – Yes

Commissioner Max Trujillo – Yes

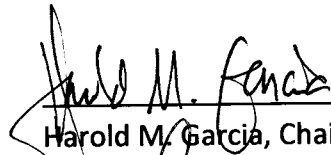
Commissioner Martin Sena - Yes

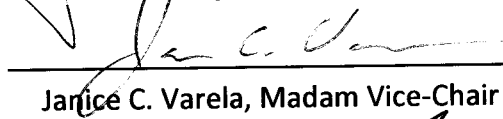
Commissioner Kenneth Medina – Yes

**Adjournment**

Motion made by Kenneth Medina to adjourn the meeting at 12:37pm. Second by Madam Vice-Chair Janice Varela. Motion carried.

Approved this 9<sup>th</sup> day of February, 2020 as the Official Minutes of the Board of County Commissioners of San Miguel County New Mexico of its Special Meeting held January 14, 2021.

  
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Harold M. Garcia, Chairman District 1


  
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Janice C. Varela, Madam Vice-Chair District 2

  
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Max O. Trujillo, Commissioner District 3

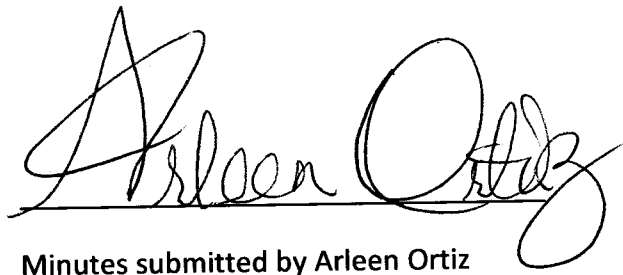
  
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Martin Sena, Commissioner District 4

  
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Kenneth C. Medina, Commissioner District 5

ATTEST:

  
Geraldine Gutierrez  
San Miguel County Clerk



  
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Minutes submitted by Arleen Ortiz