

**MORA COUNTY BOARD OF COMMISSION
REGULAR MEETING
February 13, 2018**

1) Call to Order

Commissioner Garcia called the meeting to order at 9:03 a.m.

2) Pledge of Allegiance and Salute the Flag

All in attendance recited the Pledge of Allegiance and saluted the flag of the State of NM.

3) Roll Call

Commissioner Garcia – Present

Commissioner Trujillo – Present

Commissioner Griego – Present

4) Approval of Agenda

Attorney Aragon made a request to move item #19 to after executive session, it may involve a personal issue.

Commissioner Garcia made a request to move item #11 to after public comment.

Commissioner Griego made a motion to approve the agenda as amended.

Commissioner Trujillo second the motion.

All in favor. Motion carried.

5) Discussion/Review/Action – Meeting Minutes

a. January 9, 2018 – Regular Meeting

Commissioner Griego made a motion to approve.

Commissioner Trujillo second the motion.

All in favor. Motion carried.

b. January 24, 2018 – Special Meeting

Commissioner Griego made a motion to approve.

Commissioner Trujillo second the motion.

All in favor. Motion carried.

6) Public Comment

a. Anita Moss/Frank Maestas – ACC Update

Anita Moss updated the Commission on the Mora Arts & Cultural Compound. Ms. Moss stated the Fall Fest was a success, over 700 people attended. She thanked the Commission for allowing them to use the space by the Court House but for safety reasons they will need to find a different space to use for future events.

b. Theodore Bustos

Theodore Bustos stated he would like to talk to the Commission again about County Road A023. He is sharing his concerns about JJ Excavation doing work on the road. Mr. Bustos stated the County gave Mr. Jake Lovato authority to work on the road in a letter from the County to JJ Excavation signed by Attorney Aragon and Steve Archuleta on October 17, 2017.

c. Ernie Chavez

Ernie Chavez stated he would like to share information and pictures with the Commission on County Road A023. Mr. Chavez stated the work JJ Excavation did to the road was very good.

Attorney Aragon stated Jake Lovato owner of JJ Excavation had requested the County to provide him with the material to work on CR A023 but that request was denied. Mr. Lovato continued to do the road work at his own expense. Attorney Aragon stated the letter from the County to JJ Excavation states there is a hold harmless indemnification provision, if there is any damages Mr. Lovato is responsible. Attorney Aragon also stated he has seen the work Mr. Lovato has done himself and all the feedback he has received has been positive. Attorney Aragon strongly encourages anyone who feels their property has been damaged to seek redress through the courts.

(11) Discussion/Review/Action – FY 2017 Mora County Audit Report – Christopher Schmidt, Burt & Co. CPA, LLC

Christopher Schmidt gave a presentation on the County Audit. Mr. Schmidt stated Mora County received an “unmodified opinion”, which is the best opinion a County can receive. Mr. Schmidt stated they did have some findings. Of these findings were compliant, some were material weaknesses and some were carried forward from previous years. Some findings from previous years were corrected this year. Mr. Schmidt stated some of these finding will take time to correct. Mr. Schmidt presented other information to the Commission that was in the Audit book which was provided.

Manager Martinez asked if it is good policy for the County to write off some of the older bad debt in the receivables in Solid Waste Department after so many years.

His reply was: the County would have to be careful with the anti-donation clause because writing off debt would be considered a donation to an individual. The State standards say to leave it until there is nothing more to do to collect.

Commissioner Trujillo asked when the Audit was available to the Commission.

Mr. Schmidt stated he was not sure on the exact date but it was about 2-3 weeks ago.

Manager Martinez stated in the future the exit conference will be a meeting for the Commission, which would give the time to be more involved in the audit process.

Commissioner Trujillo made a motion to approve the Audit as presented with a comment. Commissioner Trujillo stated in the future he would like to be provided with the Audit report a few days prior to the meeting review it.

Commissioner Griego second the motion.

All in favor. Motion Carried.

7) Elected Official(s)/Department Report(s)

a. Elected Official(s) Report(s)

- i. County Clerk – Carlos Clerk, County Clerk – **No Report**
- ii. County Assessor – Paul Duran, County Assessor – **No Report**
- iii. County Treasurer – Florence Romero, County Treasurer – **No Report**
- iv. County Sheriff – Greg Laumbach, County Sheriff – **No Report**

b. Financial Report – Doris Casados, Finance Director

Manager Martinez stated in the future there will be a revenue summary sheet like the expenditure summary sheet. He and Ms. Casados will work with the Treasures office on that.

Commissioner Garcia stated that a revenue summary sheet is a great idea. Garcia also expressed her concern of the Safety Net Care Pool 1/12 GRT Tax.

Ms. Casados responded it is not in the expenditure report but she will look into the matter.

c. County Manager’s Report

Manager Elmer Martinez stated the Commission had requested for him to work on Policies and Procedures for the County. Manager Martinez stated he is using the Administrative Regulation Procedure in order to develop a process. After speaking with the County Attorney one problem the County was

facing was with the Inspection of Public Records requests. If a request is missed and not provided within three days it can become very expensive for the County. A process has now been made for anyone who would like to request public records.

Frances Muniz and Rinaldo Pino have been working on the Oil & Gas Ordinance. The Commission is being asked to participate, two meetings will be held one on the 20th and the other on the 21st.

The annual ambulance site visit was done by inspector with PRC. One deficiency was found, the deficiency was addressed and corrected the following week. Overall, the ambulance had a good inspection.

The job descriptions prepared by Christine Barela have been amended and implemented.

A status letter for the 2016 Audit Findings has been submitted to Rebecca Martinez of Aging and Long Term Services were accepted. The scope of work has been provided and they will release the grant agreement for the Senior Center projects. Doris Casados has worked on the responses and revenues and has submitted them to NMFA, now the County can move forward with Phase one. Manager Martinez thanked Ms. Casados.

Also, regular staff/team meetings will take place to identify problems throughout the County.

Manager Martinez stated the County is in need for a new road mapping system. The last time it was updated was in 2008. He has been working with Larry Rose and Rinaldo Pino. Manager Martinez is also talking to Special Data Research, he would like to get the County into a Geographic Information System (GIS) not only for maps but also for accurate addresses to help both Fire and Ambulance Services. The County will apply for a grant to develop a comprehensive plan for GIS. It is important to pass the Comp Land Use Plan in order to apply for a planning grant from a Local Government to plan GIS. Manager Martinez stated he had a meeting with the San Miguel County Manager and to address a road maintenance issue. The issue was Mora County had been maintaining a road that was in San Miguel County over a verbal agreement the County made years ago. That issue was taken care of. Commissioner Trujillo stated there is a similar issue with Colfax County. Manager Martinez stated there are liabilities for working on a road outside out jurisdiction without an agreement.

Commissioner Garcia asked which roads the County was maintaining for San Miguel County.

Commissioner Griego stated the County was working on 20 miles in Wagon Mound and San Miguel was working on one mile in Mora County. Manager Martinez stated that one mile San Miguel was working on had been locked off by the land owner a number of years ago.

Johnny Espinoza and Frances Muniz have been working and updating the grant to obtain a tire cutter, this allows the Road Department to cut tires and send them through the Land Fill. Manager Martinez stated the Road Department Manager was not at the meeting but he asked Mr. Espinoza to prepare a list of roads that have been maintained through today:

- Encinal Rd.
- Tramperos Rd.
- Monte Aplanado Rd.
- El Alto Rd.
- Camino del Medio Rd.
- El Oro Rd.
- El Aguila Rd.
- Quintana Rd.
- Los Alamos Rd.
- Quemado Rd.
- Pine Tree Rd.

Commissioner Trujillo asked if there was money in the Road Department budget for overtime.

Doris Casados stated yes there is money in the budget.

Commissioner Trujillo stated they needed to let Mr. Espinoza know they can work overtime.

Commissioner Griego asked Manager Martinez if everyone in the Ambulance staff is doing what their job description required.

Manager Martinez stated yes, he has been working closely with the EMS Director to ensure she has a clear chain of command. There is a schedule posted for the employees.

Commission Griego asked for a report on all the certifications and licenses for all EMS employees.

Manager Martinez stated he would work on one and submit it to all the Commissioners.

d. Department Report(s)

i. Road Department/Solid Waste Department – Johnny Espinoza, Superintendent – Manager Martinez gave the report for Johnny Espinoza, who was not in attendance, in the manager report.

ii. Planning and Zoning – Rumaldo Pino III, Director – *No Report*

iii. EMS/Ambulance – Brenda Casados, Director –

Brenda Casados stated the monthly reports requested by PRC were sent in by February 1st. The Annual inspection was on February 2nd, there was one deficiency found that was corrected by February 7th. All documentation was sent in which should give them 100% compliance.

Ms. Casados stated three employees left the service and there were three new hires. One student, Adrian Sherrod who took the EMT class last summer had recently passed both State and National Licensing. He is now a licensed EMT. To date there is a crew of 11, including herself.

iv. Fire Administration – Peter Martinez, Fire Administrator –

Peter Martinez stated he has placed the whole County of Mora on a fire restriction. He has scheduled two refresher courses on February 28 and March 10 at 8 a.m. at the Buena Vista Fire Department.

He attended the Association of Counties and at the emergency Fire affiliate they discussed the fire fund situation. PRC is doing four distributions for the Fire Service, the next distribution will be March 15th. The State Fire Marshal's Office needs to be informed if any of the Fire Departments do not receive any funds. It has been a real problem getting money and paying off loans the Fire Departments have with NMFA, DFA, State Fire Marshal and PRC.

Mr. Martinez stated he has been working with the Mora schools on a mock evacuation drill, which will be held on March 12th. Two mock drills a year are required by law, Mora has not had a one in 3-4 years. He is also working with the security gate and code three to get the Mora school linked up with the Holman School.

He is working with the auditor doing visual audits for all the departments. The Fire Marshal's Office is wanting to rotate representatives every six months, which isn't going to work out too well.

The Mora Fire Department is trying to purchase land for a training center. If the same representative isn't there it is going to make the purchase difficult.

There has been two fires to date: one in Holman and one in Guadalupita. Mr. Martinez stated he is going to Santa Fe to speak with the Federal and State Forestry to try and prepare a Community Wildfire Protection Plan (CWPP). There is some money in the budget for Title 3, it is \$105,000 dollars. He stated that money has been in the budget since 2008; it may be lost because it has not been committed and the last reauthorization for this money was done last week.

Further discussion took place between Fire Administrator Peter Martinez and the Commission about the Fire Service.

8) Discussion/Review/Action – Expenditure Report January 2018 – Doris Casados, Finance Director

Commissioner Trujillo made a motion to approve as presented.

Commissioner Griego second the motion.

All in favor. Motion carried.

9) Discussion/Review/Action – Resolutions – Doris Casados, Finance Director

- a. Budget Increase to 1010400- \$1000,000.00
Commissioner Griego made a motion to approve.
Commissioner Trujillo second the motion.
All in favor. Motion carried.
- b. Budget Increase to 1010400 - \$985.00
Commissioner Griego made a motion to approve.
Commissioner Trujillo second the motion.
All in favor. Motion carried.
- c. Budget Increase to 1010470 - \$5,490.00
Commissioner Griego made a motion to approve.
Commissioner Trujillo second the motion.
All in favor. Motion carried.
- d. Budget Increase to 2220249 - \$45,332.00
Commissioner Griego made a motion to approve.
Commissioner Trujillo second the motion.
All in favor. Motion carried.
- e. Budget Increase to 2230295 - \$7,107.00
Commissioner Griego made a motion to approve.
Commissioner Trujillo second the motion.
All in favor. Motion carried.

10) Discussion/Review/Action – December 2017 Quarterly Report – Doris Casados, Finance Director

Doris Casados presented the Quarterly Report to the Commission.
Ms. Casados stated on the budget as of today, a transfer is going to have to be made to the Ambulance Service because it is in the red at almost \$10,000 dollars.
Commissioner Garcia asked if the last transfer was made from the indigent fund.
Ms. Casados responded stating yes and it had been approved.
Commissioner Garcia asked to keep the Commission informed on when that transfer needs to be made.
Manager Martinez stated they are working closely with the Ambulance. They are trying to keep overtime down.
Three more staff members have been hired.
Commissioner Trujillo made a motion to approve.
Commissioner Griego second the motion.
All in favor. Motion carried.

11) Discussion/Review/Action – FY 2017 Mora County Audit Report – Christopher Schmidt, Burt & Co. CPA, LLC - ***This item was discussed after public comment.***

12) County Complex Report – Commissioner Paula Garcia

Commissioner Garcia stated the most important thing that's happened since January is getting the \$245,000 dollars in Capital Outlay for the Courts portion of the complex. Doris finished the paper work and DFA approved the Notice of Obligation. The money is going to be used for the design phase of the Courts, the money has to be spent by June 30th. The architect will be starting work this week.
A meeting to look at the 100% design milestone and will be held on 2/14/18. The County is scheduled for the New Mexico Finance Authority to present the County's request for a loan. If the County cannot get NMFA Financing, Paul Cassidy has identified private investors.

What needs to be done between now and March is work with HB Construction on the pricing, when an agreement is made on a GMP and it is approved then it will be put out to bid. The current timeline for starting construction is April or May.

The County Commission has appointed an advisory committee to look into raising additional revenue from a GO Bond for more office space, there is a lot of discussion that is still taking place on that issue.

- 13) Discussion/Review/Action – Mutual Aid Agreement between Fire Districts of Mora and Taos Counties – Peter Martinez, Fire Administrator

Fire Administrator Peter Martinez stated this is a Mutual Aid Agreement between Taos and Mora County. This is the first of three MOUs for Mora and the three surrounding Counties. When Mora Fire Services were called out to the ice storm in Romeroville, Taos County was put on stand by for Mora County. The Taos Fire Chief has wanted to put this MOU in place for over a year now and Mr. Martinez sees the need for it.

Commissioner Trujillo made a motion to approve.

Commissioner Griego second the motion.

All in favor. Motion carried.

- 14) Discussion/Review/Action – Authorizing Staff to proceed with Request for Quotes for Pit Run Material for Mora County Road Department – Edna Sena, Procurement Officer/Road Secretary

Edna Sena stated this request is for approval to advertise for material. Nothing has changed since the last time. Commissioner Garcia stated she spoke with Road Manager Johnny Espinoza and he stated he does not like the material that has been purchased. Is something different going to be done.

Attorney Aragon stated if the County wants better material the County can spec it out. The material can be tailored to the County's needs. The prices will increase because it is more labor intense.

Commissioner Griego shared his concerns on the A-24 material and the testing that has to be done on the material. He suggested to omit the material and testing all together. At which the County Attorney states the testing should be done to avoid problems with the vendors.

Further discussion took place between Attorney Aragon, Ms. Sena and the Commission about the material and testing.

Attorney Aragon recommended to change the Analysis report being dated no less than 30 days from being submitted to RFQ to up to two years.

Commissioner Trujillo suggested to change the A-24 material to 3-6 material.

Commissioner Trujillo made a motion to approve with changes.

Commissioner Griego second the motion.

All in favor. Motion carried.

- 15) Discussion/Review/Action – Authorizing Staff to Proceed with Request for Bids for Propane for the Mora County Fire Districts – Edna Sena, Procurement Officer

Edna Sena stated the agreement was done in 2014 and has now expired, a new bid has to be submitted.

Commissioner Trujillo made a motion to approve.

Commissioner Griego second the motion.

All in favor. Motion carried.

- 16) Discussion – Administrative Regulation 18-01 “Administrative Regulation Setting Forth Procedures for the Preparation and Submittal of Agenda Items for Presentation before the Mora County Commission – Elmer J. Martinez, County Manger

County Manager Elmer Martinez presented a new format to the Commissioners on how items will be put onto the agenda for the Commission meetings.

Commissioner Garcia stated she is in full support of the new format.

- 17) Discussion/Review/Action – Draft Mora County Comprehensive Land Use Plan Update 2017 – Elmer J. Martinez, County Manager
Manager Martinez stated he was expecting to receive the Final Draft of the Comp plan since last week but did not receive it until this morning. Some changes were made to the comp plan after he reviewed it and spoke with staff and Elizabeth Suina. Three things that will be done before adoption of the Comp Plan are to provide an electronic communication to the public, print two hard copies and post one in the Library and one in the Managers office; and lastly have a public input meeting.

No action taken.

- 18) Discussion/Review/Action – Resolution Authorizing Mora County to Submit an Application to DFA/LGD to Participate in the Local DWI Grant and Distribution Program – Yolanda Medina, DWI Coordinator
Yolanda Medina presented a Resolution that is needed to submit an application for grant funding. Commissioner Trujillo made a motion to approve.

Commissioner Griego second the motion.

All in favor. Motion carried.

Commissioner Trujillo made a motion to go into executive session to discuss personal issues and pending or threatening litigation at 11:40 a.m.

Commissioner Griego second the motion.

All in favor on a roll call vote

Commissioner Garcia – Yes

Commissioner Trujillo – Yes

Commissioner Griego – Yes

Commissioner Griego made a motion to reconvene into regular session at 12:17 p.m.

Commissioner Trujillo second the motion

All in favor on a roll call vote

Commissioner Garcia – Yes

Commissioner Trujillo – Yes

Commissioner Griego – Yes

- 19) Discussion/Review/Action – Amendment to the Mora County Personnel Policy Manual (Ordinance 93-03) Section VI Conditions of Employment; 6.3 Nepotism Prohibited; Prohibited Practices – Elmer J. Manager, County Manager

Commissioner Trujillo made a motion to table item #19.

Commissioner Griego second the motion.

All in favor. Motion carried.

20) Executive Session

21) Next County Commission Meeting

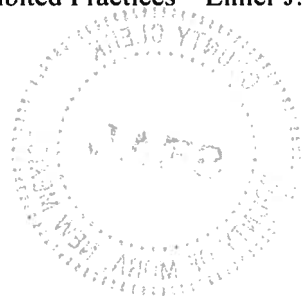
22) Signing of Approved Documents

23) Adjournment

Commissioner Trujillo made a motion to adjourn at 12:24 p.m.

Commissioner Griego second the motion.


All in favor. Motion carried.



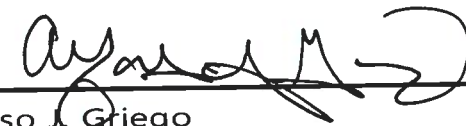
MORA COUNTY BOARD OF COMMISSION

X 

Paula A. Garcia
Chairman

X 

George A. Trujillo
Vice-Chairman

X 

Alfonso J. Griego
Member

Attest:



X 

Carlos J. Arellano
County Clerk