

**County of Mora
Board of Commission
Regular Meeting
Tuesday, May 8, 2018**

1. Call to Order

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

2. Pledge of Allegiance and Salute to the Flag of the State of New Mexico

All in attendance recited the Pledge of Allegiance and Saluted to the flag of the state of New Mexico.

3. Roll Call

Commissioner Paula A. Garcia	-	Present
Commissioner George A. Trujillo	-	Present
Commissioner Alfonso J. Griego	-	Present

4. Approval of Agenda

County Attorney Michael Aragon requested Executive Session after Public Comment then item # 12 & 13 to follow. Commissioner Garcia requested Item #17, 19 & 20 follow item # 12 & 13. County Manager Elmer Martinez requested item # 16 be removed from the agenda.

Commissioner Trujillo *made a motion to approve as amended*. Commissioner Griego *second the motion*. *All in favor. Motion carried.*

5. Approval of Minutes

a. April 10, 2018 – Regular Meeting

Commissioner Griego *made a motion to approve as presented*. Commissioner Trujillo *second the motion*. *All in favor. Motion carried.*

6. Public Comment

1. Andrew Romero – Solid Waste Issues on His Property

Andrew Romero stated in or around the year 2003 land owners who were in close proximity of the transfer station on County Road A030, El Alto were given a waiver for trash fees. Mr. Romero stated that he has been getting billed for a while now and is inquiring as to why if he lives in that area he is still getting charged. Commissioner Garcia stated the waiver was lifted in 2010 and is no longer in place because the transfer station is now gated preventing most trash from blowing onto home owner's

property. There are no exemptions as of now. County Manager Elmer Martinez stated that he is asking residents, including County employees to pay as much as possible, as of now the County does not take action as far as liens for no payment. Mr. Romero asked if the information he is asking about is considered public record and if he can get that information. Commissioner Garcia stated that it is public record and staff will help him in getting that information. Attorney Michael Aragon requested that the usual fee for obtaining that information be waived for Mr. Romero. Commissioner Garcia asked if the Manager could look into preparing a policy for how the County handles situations like this.

2. **Ted Bustos – Canada del Carro (CR A023)**
Not present

7. **Executive Session**

Commissioner Griego *made a motion to convene into Executive Session.* Commissioner Trujillo *second the motion, all in favor on a roll call vote.*

<i>Commissioner Paula A. Garcia</i>	-	<i>yes</i>
<i>Commissioner George A. Trujillo</i>	-	<i>yes</i>
<i>Commissioner Alfonso J. Griego</i>	-	<i>yes</i>

Convene into Executive Session at 9:19 a.m.

Commissioner Griego *made a motion to reconvene into Regular Session.* Commissioner Trujillo *second the motion, all in favor on a roll call vote.*

<i>Commissioner Paula A. Garcia</i>	-	<i>yes</i>
<i>Commissioner George A. Trujillo</i>	-	<i>yes</i>
<i>Commissioner Alfonso J. Griego</i>	-	<i>yes</i>

No decisions were made, only discussion on personnel matters and pending or threatening litigation.
Reconvene into Regular Session at 10:10 a.m.

8. **(12) Discussion/Review/Action- Acceptance of Citizens Petition for General Bond Election Pursuant to Section 4-49-8 NMSA 1978- Elmer J. Martinez, County Manager**

Commissioner Garcia stated, a year and a half, to two years ago Mora County put a General Election Bond on the ballot to raise money for a phase of the Mora County Complex, that was narrowly defeated by about 30 votes,

shortly after that, the County appointed a citizens and staff advisory committee, over several months of meeting they asked a lot of questions and got a lot of clarification. In recent weeks, the advisory committee transitioned, and some of the members of the original advisory committee formed a separate committee from the County. There is a two year limitation on calling a new general election by the County. The only way another election can be called if it is citizen based. The group of citizens put together a petition and today's agenda item is a result of that initiative.

Commissioner Garcia stated she would like to acknowledge the work of Barbara Bradshaw, she kept notes of each meeting and facilitated the meetings. Commissioner Garcia requested a round of applause for Mrs. Bradshaw.

County Attorney Michael Aragon explained how the petition works. Mr. Aragon stated that his office was not involved in the collection and drafting of the Ordinance. The Ordinance was drafted through bond council, Daniel Allsup through the Madrall Law Firm. Mr. Aragon stated his concerns, first and foremost, Aragon questioned if the Commission's responsibility when a citizen's petition is presented is it a discretionary act or a mandatory act that the Commission needs to act upon. Attorney Aragon read the New Mexico statutes 4-49-8. The signatures that are on the petition were certified through the County Clerk's Office which met the 10% threshold requirement, therefore analysis number 1 is done.

Attorney Aragon read the Statute into the RECORD. *After the defeat of any proposition once voted for, a second special election upon any question of proposition under the provisions of Chapter 4, Article 49 NMSA 1978 shall not be held for a term of two years, unless a petition requesting another election, containing the names of qualified electors of the county equal to ten percent of the vote cast for governor in the last preceding election and otherwise conforming to the requirements of this section, shall be presented to the board of county commissioners; provided, however, that in no event shall more than two elections upon any proposition or question under Chapter 4, Article 49 NMSA 1978 be held in any term of two years. A bond election as provided in this section may also be called by the board of county commissioners, without any petition, after the board has adopted a resolution calling such an election, which resolution shall set forth the object of the election and the amount of bonds to be issued.*

Attorney Aragon stated there is a discrepancy in terms of when the election can be brought, he met with Mrs. Bradshaw and spoke to Daniel Allsup.

Attorney Michael Aragon read an email from Daniel Allsup in regards to the timing as well as the involvement of the County Commission, *Michael this is to confirm our discussion regarding the General Obligation bond petition and resolution on the agenda at this morning's County Commission meeting, my interpretation of section 4-49-8. The New Mexico statute annotated under which the bond is being submitted as well as that of my public finance partners is that a County Commission has no digression as to whether to call a bond election following a presentation of a petition that meets the requirements of this section, in other words, it is mandatory an analysis situation is an annual setting of property tax of DFA in the fall the Commission has a duty to adopt a resolution*

certifying the rates another question that may come up is the timing for holding the election, section 4-49-8 say. an election should occur within sixty days of adoption of the election resolution. The election code has been inconsistent and duplicative with time and notice for a long time. Our practice has been to provide the provisions in the most notice to the public that means the sixty day period reference in section 4-49-8 has not been met including the one November 2016 Mora County GO Bond election.

Attorney Aragon stated that he has some concerns, he wants to make sure that the process is done correctly, he has provided copies as well as the attorney general's opinion that was published in 1962. There was a house bill 98 that was enacted in 2008 by the New Mexico State Legislature. This provision has not been reviewed by County Attorney Aragon. It is Attorney Aragon's humble request that the matter be tabled so there is an opportunity to investigate and thoroughly lay out the time lines and review the applicable statutes, but with a caveat, Mora County cannot afford to miss the deadline. Aragon requested a Special Meeting to make sure the August 21, 2018 deadline is met. He does not want to expose the County to any liability or deadlines. In his opinion it is out of the hands of the Commission. If it is not acted upon he feels that the Commission will be going against the will of the citizen's petition process. The matter needs to be determined within a week.

Barbara Bradshaw stated that it need to be published three times at least 68 days prior to the election.

Commissioner Trujillo *made a motion to table items # 12 & 13 be tabled and a Special Meeting be scheduled for Monday. Commissioner Griego second the motion. All in favor. Motion carried.*

9. **(17) Discussion/Review/Action-Resolution Adopting the 2017-2018 Cultural Plan- Frank Maestas, ACC**
Frank Maestas, President of Mora ACC presented the Resolution adopting the 2017-2018 Cultural Plan, the cultural plan was conducted to support the LEDA ordinance and guide the Mora Arts & Cultural Compound Board & County in program development, funding, and support of creative economy, arts & cultural activities as well as youth development. Susan Guyette, Ph. D is the writer of the Cultural Plan. The plan needs to be finalized by June 1, 2018.

Commissioner Griego *made a motion to approve as presented. Commissioner Garcia second the motion. All in favor. Motion carried.*

10. **(19) Information- Report on Mora County Health Council Community Health Care Forum- Pamela Garcia, Mora County Health Council President**

Pamela Garcia, President of the Mora County Health Council spoke about their most recent health care forum. Ms. Garcia stated they are present to give a report to the Commission. Mora County Health Council held their Community Health Care Forum on Tuesday April 24, 2018. The topic was substance abuse, one of the main priorities of the Health Council has been substance abuse issues with in the County. They promoted the meetin on the radio that Monday, which she feels is a very effective way to get the word out about their services. Surveys were sent out to the Community, doing this gave the Health Council some insight as to what the Community is

interested in. Their deliverables will be presented at the end of May. Ms. Garcia will share that with the Commission.

11. (20) Information- Dream Tree Project & Mora County Health Council- Irene Loy

Irene Loy, outreach coordinator presented on the outreach flyer she provided, a lot of the work they do is through their outreach program. Dream Tree Project is located in Taos, being 1 of 9 youth shelters in the State of New Mexico. In their emergency youth shelter their capacity is for 8 ages 12 to 17 who can be housed for up to 90 days for any reason. The shelter is 60% federally funded which helps provide the services for free. Dream Tree Project also provides a transitional housing program for 16 to 24 year olds. The five Counties for outreach are Taos, Mora, Rio Arriba, Colfax and Union County. They want to get the information out to those in need.

12. (7) Reports

a. Elected Officials Report

1. County Clerk – Carlos Arellano

Bureau of Election, Vivian Gurule-Trujillo presented County Clerk report. Mrs. Gurule-Trujillo stated Early and Absentee Voting began today, May 8, 2018 and runs until June 1, 2018 Monday through Friday from 8:00 a.m. to 5:00 p.m. and open during the lunch hour. June 2, 2018 will be the only Saturday and last day for early and absentee voting from 10:00 a.m. to 6:00 p.m. June 5, 2018 will be the Primary Election, held at the designated precincts 7:00 a.m. to 7:00 p.m. Mrs. Gurule-Trujillo is requesting a Special Meeting for canvassing on June 7, 2018 so she can report the election results to the Secretary of State's Office.

13. Discussion/Review/Action-Request to Reinstate 4/10's Work Week-Vivian Trujillo/Denise Duran

Vivian Trujillo stated the employees are requesting the reinstatement of the 4/10's work week for the summer. They are requesting it start on June 2, 2018 and end that week of Labor Day. A petition was given to the employees and the majority of them voted yes to returning to 4/10's work week.

County Manager Elmer Martinez addressed the Commission on the matter. Martinez stated he feels he has been inclusive with staff since he has been here. He stated that he spoke to Solid Waste and they were not included in how they felt about going to 4/10's. Mr. Martinez stated he thinks the entire County should have been made aware through all departments. The group didn't go to him and discuss how all departments can be involved. He signed and approved the matter so the commission could review it but there wasn't a high level of discussion between staff and himself. Manager Martinez is asking the Commission to give it back to him so he can meet with staff and revisit the topic with all County departments and staff.

Commissioner Griego *made a motion to send the request back to Manager Martinez.* Commissioner Trujillo *second the motion. All in favor. Motion carried.*

3. **County Assessor – Paul M. Duran**

No report

4. **County Sheriff – Greg Laumbach**

County Sherriff, Greg Laumbach gave his report, Sheriff Laumbach stated the Sherriff's Office did an MOU with Wagon Mound and the JPA a minimum of \$20,000 a year for LEPA funding, one of the biggest things his department is working toward is getting more service. Mr. Laumbach is looking for more help with dispatching calls, he is working with State Police Dispatch to help when Mora County Dispatch is gone. Currently his department has two dispatchers, which poses a problem when there are emergencies and both dispatcher are gone, the office has to be closed. He is requesting more dispatchers as well as more deputies. There computers are updated now and they are trying to get onboard internet service. They have been patrolling the Wagon Mound area. They are starting a rotation on the deputy patrol so there is a continuity of presence. More staff is a high priority right now.

Commissioner Trujillo stated he would like to look into the possibility of hiring a resource officer to patrol Mora Independent Schools. Sheriff Laumbach will meet with the Superintendent to go over that possibility.

b. **Financial Report – Doris Casados, Finance Director**

Finance Director, Doris Casados presented the finance report for May 2, 2018. In June there will be a budget increase through GRT's for Ambulance/EMS, but she doesn't think that will be enough, they will have to take from General Fund. The timeline to adopt the new budget is June 1, 2018. It's on the agenda for review.

c. **Revenue Report – Florence Romero, County Treasurer**

County Treasurer, Florence Romero presented the revenue report as of April.

d. **EMS/Ambulance Revenue Report – Brenda Casados, Director**

EMS/Ambulance director, Brenda presented the EMS/Ambulance revenue report for the Month of April there was a total of 19 ambulance responses, including I-25 and Wagon Mound. There have been two new hires, Bernadette Chavez and Krystal Garcia both EMT-B they are currently in training for the next three weeks. Ms. Casados spoke on First Responder Day being sponsored by Fire, EMS, Mora Valley Community Health Services, Sheriff's Department and State Police there will be guest speakers on May 15, 2018 from 9:00 a.m. – 2:00p.m at the Mora Independent School Gymnasium. There will be a door poster contest, the best poster will get a pizza party and swag bags for all the students. They will be focusing on opiate abuse.

e. **Department Reports**

1. Fire Administration – Peter Martinez, County Fire Administrator

Fire Administrator, Peter Martinez gave his report, Mr. Martinez stated this month they received 19 calls, not all were because of fire. Some being good intent calls or false alarm calls. There was one major fire in Rainsville that burned about 52 acres. He presented a booklet “Living with Fire” He mentioned at the last meeting that he was working with the Water/Soil Conservation District in preparing the book. There was a total of 2,500 purchased and each department received 250 to disburse individually to each household to explain the dangers of fire. Commissioner Trujillo suggested making Peter Martinez a full time employee. On June 16, 2018 from 9:00 a.m. - 2:00 p.m. there will be a Community Awareness day to help with recruitment.

2. Planning & Zoning – Rumaldo Pino, Director

Planning & Zoning director, Rumaldo Pino discussed the EOP, emergency operation plan, what is current is in the process of being updated to the needs of Mora County. There will be an Oil & Gas meeting at CHET Fire Department on May 10, 2018 at 6:00 p.m. for recommendation, review and approval of submittal of the Oil & Gas Ordinance that will then be presented to the Commission. Commissioner Garcia stated she wants a more formalized application for land use change.

3. EMS/Ambulance Receivables – Brenda Casados, Director

No report

5. Road/Solid Waste Department – Johnny Espinoza, Superintendent

Road/Solid Waste Department Superintendent, Johnny Espinoza gave his report. Mr. Espinoza stated his crew is currently working on Monte Aplanado Road. Mr. Espinoza expressed the struggle they are having with completing projects due to lack of drivers. The biggest issue the Road Department is facing is “washboard” roads. They are now having to use water trucks to help when they blade the roads but that makes it hard for the only driver they have.

Solid Waste has to get certified with the environmental department, any uncertified worker can accrue fines for the solid waste department.

Commissioner Trujillo requested speed limit signs for Rio de la Casa road.

Mr. Espinoza stated the tire cutter broke and has been sent out to get fixed. He is requested the amount for tire disposal be changed from \$4 to \$2, the change would have to be done through an Ordinance.

f. County Manager’s Report – Elmer J. Martinez, County Manger

County Manager, Elmer Martinez gave his report, Manager Martinez stated on April 21, 2018 Solid Waste along with the Road department participated in clean-up day, they had a good turnout of volunteers. 7.64 tons of trash was collected that day. The RFP for the Senior Center is out. There was a meeting for the EOP and Fire Departments that will develop into public meeting. A letter of support was submitted consistant with the comp

plan, which was approved through the commission, for support for a grocery store for Mora County. Safety Committee has a safety policy they are looking at one from Luna County they are looking to adopt.

14. Expenditure Report – April 2018

Finance Director, Doris Casados sent the Expenditure Report for April 2018 by email.

Commissioner Trujillo *made a motion to approve as presented.* Commissioner Griego *second the motion. All in favor. Motion carried.*

15. Resolutions – Doris Casados, Finance Director

a. Budget Increases

1. 1010440 – Bureau of Elections \$896.00

Commissioner Griego *made a motion to approve as presented.* Commissioner Trujillo *second the motion. All in favor. Motion carried.*

2. 2220275 – County Fire Excise \$25,892.00

Commissioner Griego *made a motion to approve as presented.* Commissioner Trujillo *second the motion. All in favor. Motion carried.*

3. 2990274 – Road Department \$786.00

Commissioner Griego *made a motion to approve as presented.* Commissioner Trujillo *second the motion. All in favor. Motion carried.*

b. Budget Transfers

1. 1010400 – County Commission \$16,000.00

Commissioner Griego *made a motion to approve as presented.* Commissioner Trujillo *second the motion. All in favor. Motion carried.*

2. 1010450 – Property Assessor \$2,134.00

Commissioner Griego *made a motion to approve as presented.* Commissioner Trujillo *second the motion. All in favor. Motion carried.*

3. 1010470 – Law Enforcement \$600.00

Commissioner Griego *made a motion to approve as presented.* Commissioner Trujillo *second the motion. All in favor. Motion carried.*

4. 2040204 – Road \$2,200.00

Commissioner Griego *made a motion to approve as presented.* Commissioner Trujillo *second the motion. All in favor. Motion carried.*

5. 2060206 – EMS \$307.00

Commissioner Griego *made a motion to approve as presented.* Commissioner Trujillo *second the motion. All in favor. Motion carried.*

6. 4030404 – Debt Service (principal) \$67,910.00

Commissioner Griego *made a motion to approve as presented.* Commissioner Trujillo *second the motion. All in favor. Motion carried.*

7. 4030404 – Debt Service (interest) \$8,565.00

Commissioner Griego *made a motion to approve as presented.* Commissioner Trujillo *second the motion. All in favor. Motion carried.*

8. 5000504 – Solid Waste - \$82.00

Commissioner Griego *made a motion to approve as presented.* Commissioner Trujillo *second the motion. All in favor. Motion carried.*

16. Discuss/Review/Action – FY 2019 County Budget – Doris Casados, Finance Director

Finance Director, Doris Casados present the FY 2019 County Budget that needs approval by June 1, 2018. No department is in the red.

County Manager Elmer Martinez stated raises for employees was implemented in this budget. Based on the study that was done by Human Resource Consultant, Christine Barela last fall, they identified a number of employees that were not at the salaries' they should be at. He looked at the consumer price index. The employees that were highly recommended will receive up to a 4.5% increase and others a 4 %, 3.5 % and 3% increase. If the budget is approved they would be approving the specified raises for the employees.

Financial Director, Doris Casados stated, EMS was added to the Commission Budget because there was nowhere else to budget for them. Mrs. Casados stated they need to look into the utilities for the Complex, as of now the budget only reflects utilities for the portables.

Commissioner Garcia asked if there will be a construction monitor for this phase of the Complex and if that will be reflected in the budget.

A Special Meeting will be held to make a motion on the budget in late May.

17. Report – Mora County Complex – Commissioner Paula A. Garcia

Commissioner Garcia stated construction is underway with the Complex. They started about a week ago. The GRT Phase is happening, there is no stopping it now. When the GRT Phase is complete there will be 5,000 square feet built, between August and September. There is a foreman, Mr. Leslie, who is on site. There was a preconstruction meeting that Manager Martinez attended. Ropers Plumbing from Mora is there. The heating units have been removed and are property of Mora County to dispose of as desired. Manager Sanchez asked Johnny Espinoza to pick up the metal and copper and salvage the material. There is a lot of concrete cutting to change the

plumbing. They found an elevator that will fit in the existing space. The Complex meeting for the second phase is next week for the Court section. They are at 100% design development.

18. Discussion/Review/Action – Approval to Proceed with Publishing RFP CWPP/WUI – Peter Martinez, Fire Administrator

Fire Administrator, Peter Martinez stated after Publishing RFP CWPP/WUI, there was one response after the second time it was advertised, that was from Forrest Guild. Forrest Guild met all the necessary criteria, upon approval they will start in May. They will have the CWPP/WUI done by December. The total price for Forrest Guild came out to \$16,327.86 which is a good deal considering they are doing all of Mora County. Peter Martinez recommends Forrest Guild be the Vendor for RFP CWPP/WUI.

Commissioner Trujillo *made a motion to approve as recommended.* Commissioner Griego *second the motion.* *All in favor. Motion carried.*

19. Discuss/Review/Action – 2018 Pit Run Material RFQ Recommendation - Edna Sena, Procurement Officer

After discussion, any recommendations for pit run material was rejected. The Commission gave a directive to County Manager, Elmer Martinez, Road Secretary, Edna Sena, Road Department Superintendent, Johnny Espinoza, and County Attorney Michael Aragon to revisit the specifications and put it up for bid again.

Commissioner Trujillo *made a motion to reject the bid and authorize the directive.* Commissioner Griego *second the motion.* *All in favor. Motion carried.*

20. Discussion/Review/Action – Approval to Proceed with Request for Proposals (RFP) for Architectural Design Services for the Senior Center – Elmer J. Martinez, County Manager

County Manager Elmer Martinez stated they need approval to proceed with request for proposals for architectural design services for the senior center. There is \$20,000 for architecture for the senior center and \$550,000 for construction. Manager Martinez stated *for the record*, the bid has to go out to a new architect, they cannot use the existing under contract for the complex

Commissioner Trujillo *made a motion to approve as presented.* Commissioner Griego *second the motion.* *All in favor. Motion carried.*

21. Next County Commission Meeting

The next County Commission Meeting will be held on June 12, 2018 in Wagon Mound. Commissioner Garcia suggested reaching out to the Mayor of Wagon Mound as well as the Sheriff to attend the meeting.

22. **Signing of Approved Documents**

All documents were signed.

23. **Adjournment**

Commissioner Griego made a motion to adjourn. Commissioner Trujillo second the motion. All in favor. Motion carried.

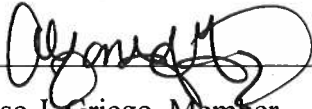
Meeting adjourn at 1:17 p.m.

MORA COUNTY BOARD OF COUNTY COMMISSIONERS



Paula A. Garcia, Chairman

George A. Trujillo, Vice Chair



Alfonso J. Griego, Member

ATTEST:



County Clerk

