

MORA COUNTY BOARD OF COMMISSION
REGULAR MEETING
August 14, 2018

1) Call to Order

Commissioner Garcia called the meeting to order at 9:09 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

Commissioner Garcia requested to move item #17, Appointment of County Fire Administrator, to after Executive Session.

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

Commissioner Griego second the motion.

All in Favor. Motion Carried.

5) Approval of Minutes

a. July 10, 2018 – Regular Meeting

Commissioner Griego made a motion to approve as amended.

Commissioner Trujillo second the motion.

All in Favor. Motion Carried.

b. July 12, 2018 – Special Meeting

Commissioner Griego made a motion to approve as amended.

Commissioner Trujillo second the motion.

All in Favor. Motion Carried.

c. July 23, 2018 – Special Meeting

Commissioner Griego made a motion to approve as amended.

Commissioner Trujillo second the motion.

All in Favor. Motion Carried.

d. July 26, 2018 – Special Meeting

Commissioner Griego made a motion to approve as amended.

Commissioner Trujillo second the motion.

All in Favor. Motion Carried.

e. July 31, 2018 – Public Hearing

Commissioner Griego made a motion to approve as amended.

Commissioner Trujillo second the motion.

All in Favor. Motion Carried.

6) Public Comment

a. Mora Economic Development Report – Merle Witt

Merle Witt stated Former County Manager Elmer Martinez encouraged him to address the Commission and the public on the Mora County Economic Development Co-op. Mr. Witt stated late last year the EDC commissioned a grocery store requirements analysis. They are distributing copies of the analysis to anyone who is interested in running a grocery store in Mora County. Also, the EDC agreed to host a Vista Volunteer that was part of a group of ten such Volunteers that were under the North Central Economic Development District. They are distributing applications to fill that position and also trying to locate office space for that person. The focus of this volunteer would be to coordinate the volunteer activities of the various non-profits and community organizations. Mr. Witt also stated the EDC applied for and received a LEADS Grant in for \$6,000 on behalf of the Los de Mora Growers Coop. This grant money is to be applied to equipment and other requirements leading to a commercial kitchen certification at their facility. Also, EDC sponsored a student in the week long New Mexico Economic Development Course that was held in Silver City. Anita Moss was the attendee, she recommends we send more people. Mr. Witt also stated he is on the NETO Board. Each county government has room for three board members in NETO and Mora County is the only County that does not. Mr. Witt recommends the Commission apply someone to be on the NETO Board.

b. Arts and Cultural Compound – Anita Moss

Ms. Moss stated the Arts and Cultural Compound is officially State Certified, with this State Certification they can receive more help. Also, as part of the Arts and Cultural Compound, a Cultural Plan had to be done. One of the stipulations of becoming a Compound is hosting an event, which is the Fall Fest plus a few others. Ms. Moss stated when former County Manager Elmer Martinez was here they agreed the County would be partners in this and would like for that to be reflected in the minutes. Moss also stated she has contacted State Police and she believes they will be in Mora County for the Trunk or Treat, she has also left messages for Sheriff Laumbach to see if he can help with traffic. Ms. Moss stated all events have full coverage through ACC.

Commissioner Garcia made a suggestion for Fall Fest, she suggested to make a MOU to formalize the County's partnership and also to clarify the sheriffs' role and traffic control. Commissioner Garcia stated the Fall Fest is a great event and she encourages Ms. Moss to continue with the event.

Attorney Aragon stated it should be put in the MOU that the Arts and Cultural Compound has full coverage to help reduce the chances of the County getting sued.

c. Mickey Richardson

Mr. Richardson stated when former County Manager Elmer Martinez was still here he asked if the Fire Chiefs Association would work on a standardized pay scale for the Wildland Firefighters. There is a draft but it has not been finalized yet. He stated hopefully they will have the final one by next month.

Also, the Wildland Firefighters that have been attending fires are having their pay check held pending an investigation. He would like to ask if the people that are not subject to the investigation to be paid.

Attorney Aragon responded stating there is an investigation and he has been directed by the commission to fully cooperate with the investigators. This is public record, he has been contacted by KOB, KRQE, the Governor's Office and the State Fire Marshal Investigative Division. There has been some findings based on the preliminary report and the investigation is still ongoing. Now specifically regarding the reimbursement of the Fire Fighters he empathizes with their situation but everyone needs to be aware that these are volunteer fire departments that are not meant for people to go out and make a living. Attorney Aragon stated in his opinion what is happening is the IMP which is the mobilization plan that is commandeering the Volunteer Fire Departments and making them State Employees with the

reimbursement for the equipment. The State of New Mexico will reimburse the County for the equipment that attends to fight Wild Land Fires. It does not reimburse salaries. Attorney Aragon also stated he wants to be very clear he has not found any type of abuses but the system that exists is ripe for abuse. Until the situation has been entirely investigated by his office and by any other investigative agency the County will do their best to make sure these individuals get paid. It is not being held up for malice or ill intent. Attorney Aragon stated there are two forms that need to be submitted, the Equipment Shit Ticket and the Crew Time Report. He is able to verify that the equipment was at the fires but was not able to verify how many individuals attended. Attorney Aragon also stated it seems like the County was issuing pay checks without complying with State Regulations. Attorney Aragon commends the Commission for giving his office free reign to make sure the County is complying with State, Federal, and Local Laws. Attorney Aragon asked Mr. Richardson if he can get him those reports they can be expedited and they can get those individuals paid.

Mr. Richardson stated he would like to meet with Attorney Aragon to see what is lacking and he will see what he can do to help.

7) Reports

a. Elected Officials

- County Clerk – Carlos J. Arellano
Clerk Arellano stated the Clerk's Office is getting ready for the General Election, everything is going smoothly.
- County Assessor, Paul M. Duran – *No Report*
- County Sheriff, Greg Laumbach – *No Report*

b. Financial Report – Doris Casados, Financial Director

Doris Casados presented the financial report to the Commission.

c. Receivable's Report – Florence Romero, County Treasurer

Florence Romero presented the receivable's report to the Commission.

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

Brenda Casados presented a report to the Commission stating there was an unannounced inspection on July 18 because of some complaints that were called into PRC. Ms. Casados stated she received notice that they are 100% compliant and there were no findings. Also, as a reminder to the Commission EMS is no longer under variance. In July \$13,089 was billed out in charges, so far \$2,527 has been received with a \$594 adjustment. Ms. Casados stated she is unsure if the Commission has decided if they can do write offs on the adjustments and if they are going to go to a collection agency for the outstanding's.

Commissioner Garcia stated after looking at the minutes from July former County Manager Elmer Martinez was going to work on a Policy on write offs, but he is not here anymore. That should get done because it has been on the audit for some time. Commissioner Garcia suggested to work with Frances Muniz to come up with a policy, maybe borrow one from another County. Also, she stated she got mixed messages from the auditors. First they said they need a write off policy to write off the people who are not paying for the service. Then they told her they could not write them off because it would be considered an anti-donation issue. Commissioner Garcia asked Attorney Aragon if he would consider that an issue. Attorney Aragon stated yes it would be an anti-donation issue.

Commissioner Trujillo asked Ms. Casados if he can have a copy of the complaints.

Ms. Casados stated the PRC office will not release them but they did tell her it was internal.

Attorney Aragon suggested to submit an IPRA Request to them.

Department Reports

- **Road Department – Johnny Espinoza, Road Superintendent**
Johnny Espinoza stated the Road Department has completed all the Co-op Agreements, all the roads are finished. With the Hardship Program they purchased three vehicles a Suburban, a service truck and a small car the County can use when needed. Also, he, Commissioner Trujillo and Attorney Aragon met with the contractors that are going to be working on the Morphy Lake dam. Attorney Aragon is working on an MOU with them.
Attorney Aragon stated The Contractors made it a point to approach the County to let us know they will be hauling heavy equipment and there will be damage to the roads. They would like to get ahead of the situation and figure out what they can do to fix the damages. Attorney Aragon suggested as a starting point use the bus route formula to calculate and send them an invoice, the Contractor also offered to do the repairs to the roads themselves since they will have the equipment. Attorney Aragon stated he needs to meet with Edna Sena to work on the formula.
- **Planning and Zoning – Rumaldo Pino III**
Rumaldo Pino stated the last few meetings that were held with the Planning and Zoning Commission only 2 of the 5 members attended. Mr. Pino asked the Commission if they would like to appoint and replace those 3 members to get a 5 member Commission back.
Commissioner Garcia asked if Mr. Pino can send an email to Frances Muniz and CC the Commission with the terms and what their dates are.
Also, Mr. Pino stated he and Ms. Muniz are going to set a date to figure out how to get the LAPC up and running again. He stated he has been trying for about eight years now.
Mr. Pino asked if the new Fire Administrator was going to be assigned to the Emergency Operation Plan. He stated since the Planning and Zoning Commission does not have so much going on with the County as far as land, could they try to review that.
Commissioner Garcia stated Emergency Management and Operations is really different from Planning and Zoning. She thinks the EOP should be coordinated in Mr. Pinos Office.
Commissioner Garcia also stated the clinic has done some work on the EOP.
Mr. Pino stated the Clinic has not provided him with anything.
Frances Muniz stated there is a binder in her office but it is incomplete. She thinks they should meet with the Clinic to figure it out.
Mr. Pino stated he has not seen the binder yet and he will meet with Ms. Muniz to look it over.
Commissioner Garcia stated the old EOP is outdated and lacks a lot of detail. The County needs something up-to-date with the Incident Command System, also involve all the principle players like the Fire Chiefs, Law Enforcement, the Planning and Zoning office and also the volunteer organizations such as the Red Cross.
Also, Commissioner Garcia asked if Mr. Pino and Attorney Aragon can get together and develop an application system for the Planning and Zoning Office.
- **Fire Administration**
Commissioner Garcia asked if anyone from the Fire Departments would like to make any comments.
Mr. Richardson stated in Resolution 10-54 it states the Commission is supposed to get input from the Fire Chiefs Association to recommend an Interim Fire Administrator. Mr. Richardson stated they recommend Mr. Ed Littleton.
Commissioner Garcia would like the record to reflect that Mr. Richardson the President of the Mora Fire Chiefs Association has recommended Ed Littleton for the Interim Fire Administrator.

e. Managers' Report- Frances Muniz

Ms. Frances Muniz stated at the last meeting she was asked to get some costs of using wireless telephones in the new building. Ms. Muniz found out that the County's current phone system can do regular phone lines and is internet accessible. That is a cost the County will not have to incur. She will find someone to get some estimates. Ms. Muniz also stated the time clock was finally installed and is running well.

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

Commissioner Garcia stated For the Record the Commission did not approve the Expenditure Report for June because there was questions. Also, she would like to bring to the attention of the Commission, some administrative changes have been made. Now, she and County Clerk Arellano sign each check individually. As far as the Wildland Fire Fighters payments, they are waiting for additional documentation such as the Equipment Shift Tickets and the Crew Time Reports.

Lillian Maestas stated in type one and two incidents which are typically Federal incidents they are requested to do CRTs (Crew Time Reports) and for smaller incidents, when they are called out by State Forestry they are not required to do CRTs. Mrs. Maestas asked if they would take into consideration if CRTs are wanted every time if it can be put into Policy. For prior fires this is not something that was ever done.

Attorney Aragon stated he is confused because pursuant to the resource publicization it appears that weather it is a type one or two or State Incident these are forms that you must have with you prior to you leaving the site.

Mrs. Maestas stated typically for Mora County that has not been a process or procedure they have done. It is something they are open to doing.

Further discussion took place between Mrs. Maestas, Mr. Richardson, Attorney Aragon and Commission Garcia about the Wildland Fire Fighters.

Commissioner Trujillo made a motion to approve the expenditure report with conditions.

Commissioner Griego second the motion.

All in favor. Motion Carried.

Commissioner Garcia asked Attorney Aragon to call Association of Counties to see the practices of other counties.

9) Discussion/Review/Action - Mora County Health Council FY 2019 Budget - Pamela Garcia

See Attached.

Commissioner Garcia stated this item is not for approval it is an information item.

10) Discussion/Review/Action – Mora Health Council Coordinator Contract FY 2019 – Pamela Garcia

See Attached.

Attorney Aragon recommended to change the effective date.

Commissioner Trujillo made a motion to approve.

Commissioner Griego second the motion.

All in favor. Motion Carried.

11) Information – County Complex Report – Paula Garcia, Commission Chair

Commissioner Garcia stated a design team meeting that takes place in Albuquerque to work on the design for the County Courthouse. Also, once a week there is a construction team meeting on the GRT phase. Commissioner Garcia stated she has been attending those meetings. The Courthouse phase has reached 100% design development.

The last few meetings at HB Construction had to do with negotiation over the price of the Courthouse phase. AOC is the fiscal agent and the project manager for the entire project. Louis Campos, who is a Facilities Manager for AOC, took the lead in negotiating with the numbers and the GMP with HB Construction. The GMP is guaranteed maximum price. The way the contact works with the architect and the contractor is they agreed to the GMP up front and it is a fixed price, it cannot be changed. The GMP is approved and we have to stay within that price. As far as the GRT Phase, we expected the project to be done by August but there was some scope of work shuffles that moved some of the work out of the Courthouse phase into the GRT phase. One was the drainage, which was in the Courthouse phase but has been moved to the first phase. The other is the Fire Suppression, which is being installed in this phase instead of the next one.

12) Discussion/Review/Action – Mora County Complex Guaranteed Maximum Price (GMP) #4 for Magistrate Court – Paula Garcia, Commission Chair

See Attached.

Commissioner Trujillo made a motion to approve.

Commissioner Griego second the motion.

All in favor. Motion Carried.

13) Information – Mora County Oil & Gas Ordinance Final Approval and Publication

Frances Muniz stated at the last meeting the Commission approved the Oil and Gas Ordinance. It had to be published twice and after the second publication we had to wait 15 days. Ms. Muniz stated we have an approved Ordinance.

14) Information – Safety Net Care Pool Approval and Publication

Ms. Muniz stated the same things that had to be done with the Oil and Gas Ordinance had to be done with the Safety Net Care Pool Ordinance. We have an approved ordinance.

Commissioner Garcia stated For the Record both items #13 and 14 have been reported to the Commission that all statutory procedures were followed to make both of these lawful ordinances.

15) Discussion/Review/Action – Award of RFP Architect, Mora Senior Citizen Remodeling Project – Edna Sena, Procurement Manager

Ms. Sena stated the evaluation committee sat through three oral presentations. After review and discussion there was a unanimous decision to go with Lee Gamelsky Architects.

Commissioner Trujillo asked who the lowest bid was.

Ms. Sena stated they do not go by cost they go by qualifications and when they chose the final one they request them to submit a fee proposal.

Attorney Aragon suggested to the Commission to have this item tabled.

Commissioner Trujillo made a motion to table this item.

Commissioner Griego second the motion.

All in favor. Motion Carried.

16) Discussion/Review/Action – Recommendation for PIT Run Material RFQ – Edna Sena, Procurement Manager

Ms. Sena stated Oak Valley had the lowest bid.

Commissioner Trujillo made a motion to approve till the end of December.

Commissioner Griego second the motion.

All in favor. Motion Carried.

17) Executive Session

Commissioner Trujillo made a motion to go into executive session to discuss personal issues and pending or threatening litigation at 11:41 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 Trujillo made a motion to reconvene into regular session at 12:47 p.m.

Commissioner Griego second the motion

Commissioner Garcia stated no action was taken only discussion on personal issues and pending or threatening litigation

All in favor on a roll call vote

Commissioner Garcia	–	Yes
Commissioner Trujillo	–	Yes
Commissioner Griego	–	Yes

Attorney Aragon stated for the record he has collected all documents from the packets regarding the Mora Ambulance Service and will destroy them accordingly.

18) Discussion/Review/Action – Appointment of County Fire Administrator

Attorney Aragon recommends that he develops the job description to include the development how the County is going to address recourse mobilization plan and the VFF being dispatched to out of district fires and to also include some type of accountability that the Fire Administrator would be responsible for administering.

Also recommends that this matter be advertised pursuant to board policy.

Commissioner Trujillo made a motion to approve.

Commissioner Griego second the motion.

All in favor. Motion Carried.

Public Comment: Sophia stated the County Road going South East of Wagon Mound is not being maintained and her family's property is at the end of that road. It has always been maintained by Mora County. She spoke to Elmer Martinez and he informed her they are waiting for some kind of equal exchange with San Miguel County.

Commissioner Garcia stated there was a verbal agreement done many years ago that San Miguel will maintain some of our roads and Mora County would maintain some of their roads. It seemed like San Miguel didn't hold up their end of the agreement. Elmer Martinez was going to make an MOU with San Miguel but it never got done.

19) Next County Commission Meeting

20) Signing of Approved Documents

All approved documents were signed.

21) Adjournment

Commissioner Griego made a motion to adjourn at 1:14 p.m.

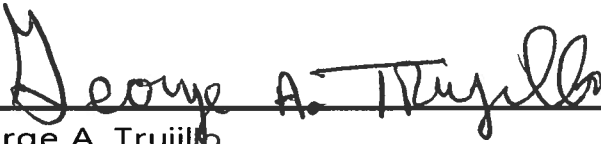
Commissioner Trujillo second the motion.

All in Favor. Motion Carried. Received

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

