

**MORA COUNTY BOARD OF COMMISSION
SPECIAL MEETING
November 14, 2018**

1. Call to Order
Commissioner Garcia called the meeting to order at 9:21 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 the flag of the State of NM.
3. Roll Call
Commissioner Garcia – Present
Commissioner Trujillo – Present
Commissioner Griego – Excused
4. Approval of Agenda
Commissioner Garcia stated item #6 will be after Public Comment, then a brief executive session, then item #17, also a discussion item will be added at the end about the different land use ordinances and items #14 and #15 will be after the last executive session.
Commissioner Trujillo made a motion to approve agenda as amended.
Commissioner Griego second the motion.
All in favor. Motion carried.
5. Discussion/Review/Action – **Meeting Minutes**
 - a. September 11, 2018 – Regular Meeting Adjournment Error
October 9, 2018 – Regular Meeting Adjournment Error
Commissioner Garcia stated action will be taken for both Sept. 11th and Oct. 9th together.
Commissioner Trujillo made a motion to approve both September 11th and October 9th minutes.
Commissioner Garcia second the motion.
All in favor. Motion carried.
 - b. October 9, 2018 – Regular Meeting
Commissioner Trujillo made a motion to approve.
Commissioner Garcia second the motion.
All in favor. Motion carried.
 - c. October 23, 2018 – Special Meeting
Commissioner Trujillo made a motion to approve.
Commissioner Garcia second the motion.
All in favor. Motion carried.
 - d. October 29, 2018 – Special Meeting
Commissioner Trujillo made a motion to approve.
Commissioner Garcia second the motion.
All in favor. Motion carried.
6. (7.) Presentation/Information - TrueConnect Loan Benefit Loan Program – Susan Mayes, NM Counties
Ms. Mayes presented some information on the TrueConnect Loan Benefit Program to the Commission. Ms. Mayes stated this is an Employee Voluntary Loan Program. Fourteen other Counties have approved the program

and five of those fourteen counties have implemented the program. It is a good program for employees who have little to no credit. With the counties already using the program, on average 12-14% of their employees have used the program. Ms. Mayes presented further information about the program to the Commission
Commissioner Garcia recommends to put this on the agenda for December to take action

7. (6.) Public Comment

Jake Regensberg stated he noticed the agenda heading states “special meeting”, in the handbook by the AOC a Special Meeting is to have only three action items on the agenda and this agenda has many action items. Mr. Regensberg stated if these action items are approved they can be challenged in court.

Commissioner Garcia stated the Commission followed the Open Meetings Act. This meeting is called a “special meeting” because they deviated by one day from the normal day.

Mr. Regensberg stated he would like Commissioner Garcia as Chairman to explain to the public the difference between the Warrant System and a Checking Account. Mr. Regensberg stated Mora County is the only county in New Mexico to operate under a Warrant System. He stated when he saw Commissioner Garcia and Attorney Aragon on the news discussing the fire departments but they failed to recognize the Warrant System.

Commissioner Garcia stated that will be done at a later time because it is not on the agenda. She stated Mr. Regensberg is there for Public Comment and he can make his comment on the matter.

Mr. Regensberg stated lastly that the Contract for the Lobbyist was never put up for bid and it should have been.

Sophia Martinez stated she is the President of the Concerned Citizens of Wagon Mound in Mora County. She stated they have been very influential at the legal level of affirming Wagon Mounds Water Rights. That was affirmed all the way to the State Supreme Court, which refused to take on the lower courts decisions. The other struggle has been with North Easter NM Land Fill. In 2015 they received a Special Waste Permit, which means they can accept special waste from around the United States. Wagon Mound is part of the transportation routes for hazardous waste from around the US. Ms. Martinez also stated in the last eight years they have been in collaboration with the WM schools and have done a Community Garden and a Farm to Table Project. They provide some of the jobs for the kids. Also, she would like to speak about the Oil and Gas Ordinance. Ms. Martinez stated that she and the Mayor of WM want a 15 mile set back or barrier around Wagon Mound, they have water rights that need to be protected. A letter from the Mayor will follow if necessary. Another message from the Mayor to the Commission, he would like to restart having meeting in Wagon Mound and Watrous. Commissioner Garcia stated a letter from the mayor would be helpful.

Executive Session

Commissioner Trujillo made a motion to go into executive session to discuss personnel issues and pending or threatening litigation at 9:58 a.m. No decisions will be made, only discussion.

Commissioner Garcia second the motion.

All in favor on a roll call vote

Commissioner Garcia – Yes

Commissioner Trujillo – Yes

Commissioner Griego – Excused

Commissioner Trujillo made a motion to reconvene into regular session at 10:18 a.m.

Commissioner Garcia second the motion

All in favor on a roll call vote

Commissioner Garcia – Yes

Commissioner Trujillo – Yes

Commissioner Griego – Excused

8. (17) Discussion/Review/Action – Follow up - **Contract** for Lobbyist – Frances Muniz, Interim County Manager
Commissioner Trujillo made a motion to table this item.

Commissioner Garcia second the motion.

All in favor. Motion carried.

9. Elected Official(s)/Department Report(s)

a. Elected Official Report

1. County Clerk – Carlos Arellano

Clerk Arellano stated two of his staff members will be attending an election training on December 17, 2018 in Belen. The office will remain open. Also, the clerk's office is in the process of switching over to the Triadic System. Clerk Arellano also stated he would like to let his staff know they did a great job with the General Election.

2. County Assessor – Paul Duran – *No Report.*

3. County Sheriff – Greg Laumbach – *No Report.*

b. Department Head/Reports

1. Road/Solid Waste Department – Johnny Espinoza

Mr. Espinoza stated snow removal started Monday. School bus routes are being done first, and then the rest of the public roads will be done after. Mr. Espinoza stated he would like to discuss the grader, he stated he checked the status of the grader with John Deere and they still have not found the problem with it. Also, they are looking into leasing a grader.

Attorney Aragon stated on October 25 he sent a letter to the Customer Service Advisor for Four Rivers Equipment, where the John Deere Grader is being serviced. The letter indicated that it was his recommendation to withhold payment until the grader is satisfactory complete. Aragon stated he would follow up on that letter.

Commissioner Garcia suggested to proceed with the new purchase and wait a couple of months to see if the old grader gets fixed.

Mr. Espinoza stated the new one is ready to be delivered it just needs approval.

Commissioner Garcia stated *for the record* both commissioners are for purchasing a new grader, it will be a manager's decision.

Interim Manager Frances Muniz stated since there is only one payment left on the old grader, they should wait to see how it works before committing to getting into debt with the purchase of a new one.

Mr. Espinoza stated the old grader has been sent to Albuquerque six times to be fixed.

Commissioner Trujillo stated he understated where Manager Muniz is coming from but a new grader is needed.

Commissioner Garcia asked Doris Casados if it is in the budget to lease the new grader.

Doris stated the loan will have to be paid off first.

Commissioner Garcia asked why they have a NMFA loan on the two graders.

Doris stated she was not sure, it was done in 2010. She also stated there is enough in the reserve account to pay off the loan.

Commissioner Garcia stated after Doris and Frances check with NMFA, he can continue with leasing the new grader. Also, see how the old grader holds up after it gets fixed.

Mr. Espinoza stated to the Commission if he would like to be part of executive session to discuss some issues.

2. Planning & Zoning/Emergency Management – Rumaldo Pino Director

3. Ambulance/EMS Report – Brenda Casados, Director – *On a call.*

4. Receivables Report – Florence Romero, County Treasurer

Ms. Romero stated she sent out the 2018 tax bills. The first half is due on December 10, 2018 and the second half is due on May 10, 2019. She stated she scheduled a day to go to Wagon Mound to collect on November 27, 2018 from 9-3 at the City Hall.

Ms. Romero then presented the receivable report to the Commission. See attached.

5. Financial Report – Doris Casados, Finance Director

Doris Casados presented the financial report to the Commission. See attached.

Commissioner Garcia asked if EMS is over budget because of overtime.

Doris stated yes.

Commissioner Garcia asked if they were trying to hire more staff.

Frances stated yes, it is posted on the website and on the bulletin. It has not been posted in the Newspaper.

6. Interim County Manager – Frances Muniz, Interim County Manager

Interim County Manager Frances Muniz, stated there are a few things she will need to discuss with the Commission in executive session. Also, the CHET Fire Department would like to know if they can donate \$400 worth of bottled water to the people in Holman that are facing the water problem.

Attorney Aragon stated he does not see a problem with this but it would be best to check with Derrick Rodriguez or John Kondratik from the State Fire Marshal's Office.

Ms. Muniz also stated she will be out of the office, she will be attending the Local Government Budget Training.

10. Discussion/Review/Action – **Expenditure Report** October 2018

Doris Casados presented the expenditure report to the Commission. See attached.

Commissioner Trujillo made a motion to approve.

Commissioner Garcia second the motion.

All in favor. Motion carried.

11. Discussion/Review/Action – **Resolutions** – Doris Casados, Finance Director

Budget Increase:

1. 22200-3002 – County Fire GRT - \$70,000.00

Commissioner Trujillo made a motion to approve.

Commissioner Garcia second the motion.

All in favor. Motion carried.

2. 29900-2002 – Other Special Revenue - \$11,707.00

Commissioner Trujillo made a motion to approve.

Commissioner Garcia second the motion.

All in favor. Motion carried.

Budget Transfer:

1. 20300-1003 – County Property Valuation - \$376.00

Commissioner Trujillo made a motion to approve.

Commissioner Garcia second the motion.

All in favor. Motion carried.

2. 20600-3003 – EMS - \$600.00

Commissioner Trujillo made a motion to approve.

Commissioner Garcia second the motion.

All in favor. Motion carried.

3. 20900-3002 – Fire Protection - \$2,390.00

Commissioner Trujillo made a motion to approve.

Commissioner Garcia second the motion.
All in favor. Motion carried.

4. 22500-1004 – Clerk Recording & Filing - \$1,745.00
Commissioner Trujillo made a motion to approve.
Commissioner Garcia second the motion.
All in favor. Motion carried.

5. 22000-4001 – Indigent - \$4,738.00
Commissioner Trujillo made a motion to approve.
Commissioner Garcia second the motion.
All in favor. Motion carried.

6. 22300-3006 – DWI - \$500.00
Commissioner Trujillo made a motion to approve.
Commissioner Garcia second the motion.
All in favor. Motion carried.

7. 50500-2002 – Ambulance - \$5,000.00
Commissioner Trujillo made a motion to approve.
Commissioner Garcia second the motion.
All in favor. Motion carried.

12. Information – County Complex Report – Commissioner Paula Garcia

Commissioner Garcia stated she has a very positive report for the complex. The GRT Phase, which are the County offices at the bottom, are proceeding as planned and the work on the Court Phase is also proceeding. There was two meetings last week, one for the GRT Phase, and one for the Court Phase to review budgets.

Commissioner Garcia stated she took the Elected Officials to look at the complex, they asked to look into using some of the undeveloped area for a staff breakroom/conference room. Garcia asked the design and finance team for a budget summary, if it all goes according to plan it will be \$181,000 under budget. Based on it being under budget they can consider the breakroom/conference room. Also, as of last week they have installed carpet, walls are painted, and the tile in the bathroom was replaced.

Commissioner Garcia stated they are hoping for a completion date in November but the fire marshal wants both phases to be operational at the same time. The projected date for completion is January 15, 2019.

Let the record reflect, Commissioner Griego is now present for the meeting. @ 11:10 a.m.

13. Discussion/Review/Action – Amend Solid Waste Ordinance – ***No action taken. See Attached.***

Frances Muniz stated a few changes were made to the Solid Waste Ordinance. One is they are changing the Churches and Cemeteries are being changed from a Class A to a Class D, which is changing their monthly payment from \$20 a month to \$10 a month.

Doris stated the Limited Construction Debris will start taking a max of two tons of construction debris a month. Commissioner Garcia suggested doing this ordinance in resolution form. Garcia asked Attorney Aragon to work on the language for this.

14. Discussion/Review/Action – Post Publication Approval of **Ordinance** - “Employee Policy Manual Ordinance” – Michael Aragon, County Attorney

Frances Muniz stated asked the Commission if they would want the Ordinance to go into effect today or January 1, 2019.

Commissioner Trujillo suggested it go into effect today.

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

Executive Session

Commissioner Trujillo made a motion to go into executive session to discuss personnel issues and pending or threatening litigation at 11:38 a.m. No decisions will be made, only discussion.
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 1:05 p.m.
Commissioner Garcia second the motion

All in favor on a roll call vote
Commissioner Garcia – Yes
Commissioner Trujillo – Yes
Commissioner Griego – Yes

15. Discussion/Review/Action – Appointment to County Planning and Zoning Committee –Paula Garcia, Commission Chair
Commissioner Trujillo made a motion to table this item.
Commissioner Griego second the motion.
All in favor. Motion Carried.
16. Discussion/Review/Action – Appointment of a Fire Administrator – Frances Muniz, Interim County Manager
Commissioner Garcia stated the Commission is directing Interim Manager France Muniz to act on this item administratively. No action needed.
17. Discussion/Review/Action – **Resolution** Recognizing Mutual Domestic Water Consumer Associations as Political Subdivisions of the State of New Mexico for the Purpose of receiving Public Funds – Michael Aragon, County Attorney – Michael Aragon, County Attorney
Commissioner Garcia stated the Commission is directing Attorney Aragon to work on this item for the Commission to take action on for the next meeting.
18. Discussion/Information – Follow up with Lawsuit against TRD – Michael Aragon, County Attorney
Commissioner Garcia stated no action needed.
19. Information: Oil and Gas Ordinance.
Commissioner Garcia stated the Oil and Gas Ordinance was approved in July of this year. The County needed something in place. There were a few loose ends in the Ordinance because the DGS had low standards for setbacks. Also, some changes to the ordinance are needed for setbacks.

Commissioner Garcia stated they will need to have at least two special meetings next month for this.

20. Information: Buy Local Campaign.

Commissioner Garcia stated she would like to do a buy local campaign for the local business, it is something she has wanted to do for years. She has spoken with JD Weathers with the Chamber of Commerce about the County promoting the campaign. Garcia stated the money can be collected from the old loans and put into a LETA fund. That money will be used to run ads in the paper, announce ads on the radio and to create gift certificates for the local business.

Rumaldo Pino stated France and himself set up a LEPC meeting in the evening and no one showed up. They decided to attempt to have a meeting during working hours to see if they get a better turn out. Commissioner Garcia stated she would like to be invited to that meeting.

21. Executive Session

22. Next County Commission Meeting

To be determined.

23. Signing of Approved Documents

All documents signed.

24. Adjournment

Commissioner Trujillo made a motion to adjourn at 1:25 p.m.

Commissioner Griego second the motion.

All in favor. Motion carried.

MORA COUNTY BOARD OF COMMISSION

X *Paula A. Garcia*

Paula A. Garcia
Chairman

X

George A. Trujillo
Vice-Chairman

X *Alfonso J. Griego*

Alfonso J. Griego
Member



X *Carlos J. Arellano*

Carlos J. Arellano
County Clerk

