

MORA COUNTY BOARD OF COMMISSION
FEBRUARY 22, 2023
SPECIAL MEETING

1. **Call to Order**

Commissioner Trujillo called the meeting to order at 9:02.

2. **Roll Call**

Deputy Clerk Duran polled the board:

Commissioner George Trujillo - Present

Commissioner John Trujillo – Present

Commissioner Serna – Present

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

All in attendance recited the Pledge and saluted the Flag of the State of New Mexico.

4. **Approval of Agenda**

Commissioner G. Trujillo stated he would like to move item #14 before item #6.

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

Commissioner J. Trujillo seconds the motion.

All in favor, motion carried.

5. **Public Comment**

Larry Garcia – Mr. Garcia stated he was here to update the Commission on the Veterans Memorial. He stated at their last meeting they discussed several items, including the drawing and specifications that they received from their architects, Amy and Ted. He stated they still need more discussion on that. He also stated the County architect is going to review those as well.

Temarah Barela stated for clarification, it is the County's Owner Rep that will be reviewing the plans. She stated he had a few questions and is waiting to hear back from Amy and Ted. Further discussion took place.

Shawn Sanchez – Mr. Sanchez stated he is here to introduce himself, he is the new Forest Supervisor at the Santa Fe National Forest. He stated he is looking forward to working with everyone in healing our community. He introduced his colleague, Paul Hancock, he stated he is the acting District Ranger in Las Vegas and Pecos and they hope to be a big part of the healing process in recovering, recuperating and restoring Mora back into what it was and what it can be.

Gilbert Quintana – Mr. Quintana stated he is calling on behalf of item #14. He stated he has been with the Planning and Zoning Committee on and off since 2020. He stated this topic has come up before and we again are approaching it with sincere desire and importance of the

issue. The Planning and Zoning has approved this process by a unanimous vote to bring in front of the Commission for approval. He stated it is important for the health and safety of our people and he urges the Commission to approve item #14.

(14.) Discussion/Action – Recommendation to Board of County Commission to Approve a \$15,000 expenditure to Ziegler Geological, LLC as recommended by the More County Planning and Zoning Committee for a comprehensive surface and subsurface water study throughout Mora County

Joseph Garcia presented to the Commission. See attached. Mr. Garcia stated they are asking the Commission to approve this expenditure. He stated Dr. Ziegler will be doing the study and she will start in July. He stated she should have extremely valuable data for the Commission by December.

Commissioner G. Trujillo asked why she is waiting until July to start.

Mr. Garcia stated she may have other projects but he will ask if she can start sooner.

Commissioner Serna asked if this would be a procurement violation to award a project to someone without a fair competitive solicitation.

Commissioner G. Trujillo stated if it is under the \$20,000 threshold it should not be a violation.

Attorney Cruz Stated her recommendation is to approve the \$15,000 expenditure and she will look at the procurement more closely to ensure there is no violation.

Manager Martinez stated he sees this as a good investment for our Community, water is essential. He stated this is urgent and if she can, move it up as soon as possible. Further discussion took place.

Manager Martinez recommended the Commission to approve this expenditure.

Commissioner J. Trujillo made a motion to approve.

Commissioner Serna seconds the motion.

For the record, Commissioner Serna stated as long as it is \$15,000 for the entire County for this year and they can renegotiate next year.

All in favor, Motion carried.

6. Discussion – Health Care Crisis Presentation

Dr. Neelagaru was unable to attend the meeting.

Commissioner Serna made a motion to table this item.

Commissioner J. Trujillo seconds the motion.

All in favor, Motion carried.

7. Discussion/Action – Historic Preservation Presentation

Karla McWilliams presented a slide show to the Commission, see attached.

Manager Martinez recommended the Commission to join forces with CCHP. He stated they have monthly meeting and Mr. Quintana will be more than happy to meet with us.

Commissioner J. Trujillo made motion to approve.

Commissioner Serna seconds the motion.

All in favor, motion carried.

8. Discussion/Action – Amendment to Project Agreement between Mora County Commission and Mora Valley Community Health Services

Temarah Barela stated the former DWI Coordinator Yolanda Medina brought to her attention that the date within the document is incorrect. Ms. Barela stated she is here to recommend that we make an amendment, which is outlined on page t3 section 11. See attached. She stated the document should read, “For the purpose of fiscal year July 1, 2022 through June 30, 2023, this agreement becomes effective December 1, 2022 and terminates on June 30, 2023.”

Manager Martinez recommends the Commission approve the amendment.

Commissioner Serna made motion to approve.

Commissioner J. Trujillo seconds the motion.

All in favor, motion carried.

9. Discussion/Action – RESOLUTION – Support of 100% Community Ensuring Health Care and Related Vital Services

Sheriff Padilla presented the resolution to the Commission, see attached. He stated there are 10 key points on there, 5 for surviving and 5 for thriving. He also stated this is great for our youth.

Manager Martinez recommends the Commission approve this resolution.

Commissioner Serna made motion to approve.

Commissioner J. Trujillo seconds the motion.

All in favor, motion carried.

10. Discussion/Action – RESOLUTION – Supporting City of Las Vegas be funded to construct a regional fire training facility and wildland fire rapid response facility in San Miguel County to respond and protect lands

Councilman Romero and Councilman Montoya presented a resolution to the Commission, see attached. Councilman Romero stated they are asking the Commission to support the City of Las Vegas and their Capital Outlay Request to the Governor’s Office. They requested a regional fire training facility and a rapid response center. Discussion took place.

Manager Martinez highly recommends the Commission join forces with San Miguel by approving this resolution.

Commissioner Serna made motion to approve.

Commissioner J. Trujillo seconds the motion.

All in favor, motion carried.

For the record, Manager Martinez will be stepping out of the meeting for a short time; Temarah Barela will step in for him while he is out.

11. Discussion/Action – RESOLUTION URGING THE UNITED STATES DEPARTMENT OF AGRICULTURE FOREST SERVICE (“USFS”) TO PREPARE AN ENVIRONMENTAL IMPACT STATEMENT IN ACCORDANCE WITH THE NATIONAL ENVIRONMENTAL POLICY ACT ON THE PROPOSED MORA COUNTY RESILIENCY PROJECT; TO REQUEST NEW RISK, COST AND BENEFITS ASSESSMENT OF USFS FOREST FUEL TREATMENTS ON THE CARSON & SANTA FE NATIONAL FORESTS INCLUDING

**THEIR RISK TO NEW MEXICO HEALTH, WATER SUPPLIES AND ECONOMICS;
TO PUBLICLY ASSESS USE OF ALTERNATIVE TREATMENTS UNDER
ACCELERATING CLIMATE CHANGE; AND TO REQUEST THAT THE
USFS CEASE INTENTIONAL (PRESCRIBED) BURNS IN MORA COUNTY
UNTIL THESE PUBLIC REVIEWS ARE COMPLETE**

Commissioner Serna presented the resolution to the Commission. See attached.

Shawn Sanchez stated many of the people in Mora County lost homes, their lively hood and their sense of comfort so he understands the sentiment and intent behind the resolution. He stated after reviewing the resolution he hears loud and clear that the Community wants to be part of the project.

The Commission thanked Mr. Sanchez for all he is doing for Mora County.

Paul Hancock apologized for not reviewing the resolution sooner; he understands the intent of the resolution. The resolution that Santa Fe County passed is regard the Santa Fe Mountains. He stated in the resolution that is drafted states "Mora Mountain Landscape" and there is not a project defined as that. He stated there are a couple of options to clarify the resolution and he is happy to help adjust it however the Commission sees fit.

Commissioner Serna stated the intent is to get it out sooner rather than later so we can start working on a resilience program for Mora County. She has also been working with USGS so they can assess our water shed and the damage.

Mr. Sanchez stated they could change the language to say, "To establish a Mora County resilience project". It is not a specific project but we want to establish something. Further discussion took place.

Attorney Cruz stated the Commission could vote on the Resolution with the amended language that she will be cleaning up throughout the meeting.

Temarah Barela recommends the Commission approve the resolution with the amended language.

Commissioner J. Trujillo made motion to approve with amendments.

Commissioner Serna seconds the motion.

All in favor, motion carried

12. Discussion/Action - RESOLUTION - Participation in Transportation Project Road Fund Program Administered by NM DOT - Agreement Project Number L40037 - A-030 El Alto & A031 Camino del Medio

John Romero presented the resolution to the Commission. He stated they are ready to finish all the projects on Tramperos road. They are getting ready to put it out to bid. He stated A-030 and A031 projects are also ready to go to bid. Discussion took place.

Temarah Barela recommends the Commission approve the resolution

Commissioner J. Trujillo made motion to approve the resolution.

Commissioner Serna seconds the motion.

All in favor, motion carried

13. Discussion/Action - Recommendation to Board of County Commission to Approve the new

Dollar General Store as recommended by the Mora County Planning & Zoning Committee

Brad Sena presented to the Commission. He stated the Planning and Zoning Committee had several meetings regarding the dollar general. They held a Public Hearing and there were some concerns, all concerns were looked into and taken care of. Discussion took place. Mr. Sena stated at this time on behalf of Planning and Zoning Committee he recommends the Commission approve the new dollar general.

Temarah Barela stated with her time as Interim County Manager she had the opportunity to attend some of the Planning and Zoning meetings and based off the recommendation from the P&Z committee she recommends the Commission moves forward with construction of the dollar general.

Commissioner J. Trujillo made a motion to approve the resolution.

Commissioner Serna stated she would not second the motion because she has some concerns.

Commissioner G. Trujillo seconds the motion.

Two Commissioners in favor, motion carried.

Commissioner Serna asked if she can express her concerns.

Commissioner Trujillo stated no.

For the record, let the votes show, Commissioner G. Trujillo –Yes

Commissioner J. Trujillo – Yes

Commissioner Serna – No

14. Discussion/Action - Recommendation to Board of County Commission to Approve a \$15,000 expenditure to Ziegler Geological, LLC as recommended by the Mora County Planning & Zoning Committee for a comprehensive surface and subsurface water study throughout Mora County

Done before item #6 at the beginning of the agenda.

15. Discussion/Action – Minutes

a. January 30, 2023 - Special Meeting

Commissioner Serna made motion to approve.

Commissioner J. Trujillo seconds the motion.

All in favor, motion carried.

b. January 31, 2023 - Special Meeting

Commissioner Serna made motion to table.

Commissioner J. Trujillo seconds the motion.

All in favor, motion carried.

c. February 9, 2023 - Special Meeting

Commissioner Serna made motion to approve.

Commissioner J. Trujillo seconds the motion.

All in favor, motion carried.

16. Department Head/Elected Official Report(s)

a. Elected Official(s)

Sheriff – Sheriff Padilla stated we are expecting up to 80 mile per hour winds in the County so we want to have a plan in place before a disaster hits. With winds of that speed we can experience down power lines and other concerning things. He stated for the individuals that are in need of propane or wood within the next 24-48 hours, there was a phone number put out that they can contact and they will be provided with the proper services necessary. Further discussion took place.

Commissioner G. Trujillo stated he commends the Sheriff's office for what they do.

Commissioner Serna thanked Sheriff Padilla for being proactive. This also prepares us for future disasters. She stated we should put our Fire Departments on alert in case something happens.

Commissioner G. Trujillo stated they discussed that in yesterday's meeting, they also decided the incident command center would be at the Sheriff's office if something happens. Further discussion took place.

Sheriff Padilla stated he would like to thank his Undersheriff and deputies for all their hard work; they have stepped up while he has been busy at the Legislatures trying to bring more funding into Mora County. He also stated all of his deputies are now Crisis Intervention Training certified. They have been seeing a lot more mental illness arising and now they now can help in any mental illness situation. Further discussion took place.

Treasure – Treasurer Pino stated they are getting people paying their taxes early, the second half is not due until May. Also, Conrad from Taxation and Revenue is here and has been sending out letters on delinquent properties. The auction will take place either late June or early July. Further discussion took place.

b. Department Head(s)

c. County Manager

Temarah Barela presented for the County Manager, they are in the transition process. Manager Martinez started on the sixth so he is going on week 3 with the County. Also, we have signed a lease with FEMA for the space they are using in the County Complex. It is a one-year lease and is roughly around \$1600 a month for a 372 sq. ft. area. She also stated they are working on DWI Coordinator interviews. They have interviewed four candidates, one of those has pulled their application, and they have two more interviews tomorrow. She stated it is imperative they hire a coordinator soon because they have a DFA application deadline on March 3rd. Former Coordinator Yolanda Medina has been helping them with that process. Further discussion took place.

d. County Commission

Commissioner G. Trujillo stated he would like to commend all County Employees, especially the Sheriff's Department; everyone is doing a great job. He stated the Road Department does a good job but a little issue like not cleaning where the buses turn gives them a big negative. He stated John Romero needs to have a meeting with his employees and advise them what needs

to be done. Also, the grounds here at the County need to be first priority and should be cleaned right away.

Commissioner J. Trujillo agrees with Commissioner G. Trujillo, he stated this is a place where people come for business and it needs to be safe for staff and the public. Further discussion took place.

17. Discussion/Action - Expenditure Report/Budget Report

a. Expenditure Report - January 2023

Edna Sena presented to the Commission. See attached. Ms. Sena recommends the Commission approve the Expenditure report.

Temarah Barela also recommends the Commission approve the Expenditure report.

Commissioner J. Trujillo made motion to approve.

Commissioner Serna seconds the motion.

All in favor, motion carried

b. Budget Report - January 2023

Edna Sena presented to the Commission. See attached. Ms. Sena recommends the Commission approve the Budget report.

Temarah Barela also recommends the Commission approve the Budget report.

Commissioner J. Trujillo made motion to approve.

Commissioner Serna seconds the motion.

All in favor, motion carried

18. Discussion/Action - RESOLUTION - Budget Adjustment Request

Commissioner Serna presented to the Commission. See attached. Both Commissioner Serna and Temarah Barela recommend this resolution gets approved.

Commissioner Serna made motion to approve.

Commissioner J. Trujillo seconds the motion.

All in favor, motion carried.

19. Executive Session - Pending Litigation

a. John Paul Vigil v. Mora County

b. Isaac Martinez v. Mora County

c. Jennings Estate v. Mora County

d. Franken Construction Litigation Update

e. Opioid Litigation Update involving Retail Pharmacies

Commissioner Serna made motion to convene into executive session at 11:54 a.m.

Commissioner J. Trujillo seconds the motion.

All in favor, motion carried.

Deputy Clerk Duran polled the board:

Commissioner George Trujillo - Yes

Commissioner John Trujillo - Yes

Commissioner Veronica Serna - Yes

Commissioner Serna made motion to reconvene from executive session.

Commissioner J. Trujillo seconds the motion.

All in favor, motion carried.

Roll Call:

Commissioner George Trujillo - Yes

Commissioner John Trujillo - Yes

Commissioner Veronica Serna - Yes

Commissioner G. Trujillo advised decisions were not made while in executive session.

20. Discussion/Action: Approval of Settlement Involving Retail Pharmacies in on-going Opioid Litigation

Attorney Cruz recommended approving the settlement and authorizing the County Manager to implement the next steps.

Commissioner Serna made motion to approve.

Commissioner J. Trujillo seconds the motion.

All in favor, motion carried.

21. Adjournment

Commissioner Serna made motion to adjourn at 3:18 p.m.

Commissioner J. Trujillo seconds the motion.

All in favor, motion carried.

MORA COUNTY BOARD OF COMMISSION

X

George A. Trujillo
Chairman

X

John H. Trujillo
Vice-Chairman

X

Veronica M. Serna
Member

ATTEST:



X

Carlos J. Arellano
County Clerk