

**MORA COUNTY BOARD OF COMMISSION
AUGUST 2, 2023
SPECIAL MEETING**

1. Call to Order

Commissioner G. Trujillo called the meeting to order at 4:32 pm.

2. Roll Call

Deputy Clerk Duran polled the board:

Commissioner George Trujillo - Present

Commissioner Johnny Trujillo – Present

Commissioner Veronica Serna – Present

Majority are present. Quorum has been met.

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

Commissioner G. Trujillo led the audience and Board in the Pledge. All in attendance recited the Pledge and saluted the Flag of the State of New Mexico.

4. Approval of Agenda

Commissioner G. Trujillo asked if they need to specify that they will be doing interviews for the County Manager position in executive session.

Attorney Cruz stated item 14 should have read “Personnel matter to include interviews of candidates for County Manager position and pending threatened litigation” and item 13 should read “Offer of Employment and Appointment of County Manager.”

Commissioner Serna asked if they could make an appointment before the background checks. **Attorney Cruz** stated her recommendation for the Commission is that it be a conditional offer of employment contingent on the additional background checks that need to take place and the appointment would be conditional as well. The items can read “Conditional offer and conditional appointment of County Manager position.”

Commissioner V. Serna made a motion to approve the recommended amendments to the agenda.

Commissioner J. Trujillo seconds the motion.

All in favor, motion carried.

G. Trujillo welcomes the people from Tramperos.

Manager Montoya recognized the Employees of the Month of July. He stated these Employees do an outstanding job with everything they do. The two Employees of the Month of July are Sandra Romero for the Administrative side and Andrew Apodaca from the Operational side. He also introduced the new HR Employee Desmarie Romero; he thanked her for coming in on her first day and working so hard. He stated finally, we wouldn't be where we are in the County if it wasn't for this Employee, he presented an Employee of the Quarter award to Clarity Collins from North Central Council of Governments. **Manager Montoya** stated she has been a huge part of our recovery process.

5. Public Comment*

- **Rebecca Martinez** – Ms. Martinez stated she is here to speak about maternity leave, she stated it would help to have even just a few more weeks paid leave. She stated she has her own time but we don't know how long recovery will be and she also has to use her own time for appointments and for her other children. She asked if they could consider giving more than one-week paid leave.

Commissioner J. Trujillo stated he agrees with Ms. Martinez, and he will support any recommendation to help them out.

- **Gilbert Quintana** – Mr. Quintana stated he is here to speak about the update for the construction on the Tramperos road.

Manager Montoya stated there are two things that are happening on Tramperos road, we have awarded a contract for the repair of the road to GM Emulsion. He stated this project will be pointless if they don't figure out the flooding issue.

Commissioner Serna stated she needs all the names of property owners to ask them to apply for the EWP Program so NRCS can go assess the damages. The landowners will have to agree to sign a "right of entry" agreement.

Santiago Olivas stated when it floods some people get trapped on the Tramperos road, there is no way in or out.

Further discussion took place.

Sheriff Padilla stated his number one priority is the safety of the people, he believes they need to have a meeting to address all the safety issues.

Commissioner G. Trujillo stated he agrees with Sheriff Padilla we should have a meeting with all the people to come up with a plan.

Commissioner Serna asked the constituents of Tramperos if they get any kind of warning or alert before it floods on their phone.

The people stated no.

Further discussion took place.

Gilbert Quintana stated he has two concerns; number one a good evacuation plan for the people of the Tramperos road and number two they have no warning system in place to protect the people.

6. Discussion/Action - Approval of Opioids Settlement with Walgreens, Amneal, KVK-Tech and Hikma

Attorney Cruz stated this item relates to the ongoing opioid settlements that are taking place. She stated we have been talking about this for two years. Mora County's outside council located in New York contacted us and the AG's Office to advise that those settlements that have been proposed by the AG's office should be approved by Mora County. The total amount that will be disbursed to Mora County is \$288,583.73.

Further discussion took place.

Attorney Cruz stated the outside council and herself both recommend the Commission approve this item.

Commissioner V. Serna made a motion to approve.

Commissioner J. Trujillo seconds the motion.

All in favor, motion carried.

7. Discussion/Action - Approval of Sheppler Commercial Leasing Agent Contract

Manager Montoya presented to the Commission. He recommended the Commission approve this item.

Attorney Cruz stated there is a sentence that could create a procurement issue currently, it indicated that the fees during the term of this agreement would be capped at \$49,000.00. If the fees are projected to go over this amount, then a new listing would need to be put in place. She stated her recommendation is to be very clear there is a cap, so they know what they will be incurring over a period of time. Also, this agreement is currently drafted that it will be in effect through June 30, 2026. She stated she recommends they first start off with a term of one year so they can determine whether this is something that benefits the County and if it's not they can get out of this agreement in a year instead of three. She recommends the Commission authorize the County Manager move forward with negotiations with Sheppler and that a final agreement be presented at the regular meeting in August for their approval.

Manager Montoya recommends they table this item.

Commissioner J. Trujillo made a motion to table.

Commissioner V. Serna seconds the motion.

All in favor, motion carried.

8. Discussion/Action - Approval of Sub Grant Agreement #DR 4652 with Department of Homeland Security Emergency Management

Manager Montoya stated he did not submit this as an agenda item, the Commission can table.

Commissioner J. Trujillo made a motion to table.

Commissioner V. Serna seconds the motion.

All in favor, motion carried.

9. Discussion/Action - Approval of Budget Adjustment Resolution \$100,000.00 for FEMA Road Maintenance.

Manager Montoya stated he worked with Edna to move \$100,000 from the roads account to create another account for FEMA related road repair. He stated there is a budget adjustment resolution, see attached. Discussion took place.

Manager Montoya recommends the Commission approve this resolution.

Commissioner J. Trujillo made a motion to approve.

Commissioner V. Serna seconds the motion.

All in favor, motion carried.

10. Discussion/Action - Utilization of CES for general road contract Task Order #1 Unclogging of Culverts County Wide

Manager Montoya presented to the Commission; he recommends the Commission approve this item.

Commissioner J. Trujillo made a motion to approve.

Commissioner V. Serna seconds the motion.

All in favor, motion carried.

Attorney Cruz asked **Manager Montoya** to explain to the public what CES is and what a Vector Truck is and why it is beneficial to the County.

Commissioner G. Trujillo asked him to also explain what Cat A, B and C is.

Manager Montoya stated Cat A is removal of debris for life and safety, Cat B is emergency repairs, it is repaired to a standard to where emergency vehicles can respond if there is an emergency and Cat C is permanent repairs which includes mitigation.

Commissioner Serna stated Cat B can be done multiple times and Cat C cannot.

Manager Montoya stated a Vactor Truck is what they need to clear culverts it's a truck that uses high pressure water to push out debris from the clogged culverts. Lastly, CES are pre-competed contracts that can be borrowed. He stated the government puts together contracts that are pre-competed. The Government will have a competition for construction companies and asks them to give all their rates. It is called a Multiple Award Contract where multiple companies win the contract. These contracts can be borrowed so we don't have to do the competition ourselves.

Commissioner Serna stated this can only be used for Cat A and B not C.

Attorney Cruz stated Manager Montoya referred to the fact that the County is accruing interest on the four loans. She asked him to explain what the Treasures Office has advised him how the funds that are being derived from interest can be utilized at the County Level.

Manager Montoya stated the first thing he did when he became interim manager was put any FEMA money the County received to the State Treasurer Laura Montoya. He stated she protects that money for the County, and we have access to it whenever we need. She holds it in a local government investment fund which is a checking account for Local Governments across the State, it has 17 billion dollars in it from different counties, we put our 30 million dollars and it earns 5-6% interest every month. He stated he asked the State Treasurer's Office to put the interest that is earned in a separate account that also earns the same amount of interest. As of today, we have accrued \$141,568.97. He stated the County is free to do what they want with this money to help our people.

11. Discussion/Action - Parental Leave Policy

Manager Montoya stated we give mothers one week after giving birth to a child to return to work, which leaves them having to use their own time and FMLA. He stated he is proposing to amend the resolution to read six weeks of paid parental leave. He recommends the Commission amend the resolution.

Attorney Cruz recommends tabling this item and make a final decision at Monday's meeting.

Manager Montoya also recommends tabling this item.

Commissioner V. Serna made a motion to table.

Commissioner J. Trujillo seconds the motion.

All in favor, motion carried.

12. Discussion - Domestic Partnerships

Manager Montoya stated he believed we should adopt a policy that recognizes domestic partnerships for benefits such as bereavement leave. He recommends we have a discussion about this and possibly put it on the agenda for the next meeting.

Deana Fresquez stated a domestic partnership must be created between the partners, you cannot just say you are in a domestic partnership.

Further discussion took place.

13. Discussion/Action - County Manager Position

Commissioner V. Serna made a motion to table.

Commissioner J. Trujillo seconds the motion.

All in favor, motion carried.

Attorney Cruz stated the Commission will have a meeting on Monday morning to extend the Interim Manager Contract and item 13 will be considered by the Commission at the regular meeting on August 17, because Commission J. Trujillo will not be in town until then and all three Commissioners should be involved in this decision.

14. Executive Session

Commissioner V. Serna made motion to convene into executive session at 5:51 pm. to conduct three interviews for the County Manager position and to discuss pending litigation and personnel matters.

Commissioner J. Trujillo seconds the motion.

All in favor, motion carried.

Deputy Clerk Duran polled the board:

Commissioner George Trujillo - Yes

Commissioner Johnny Trujillo - Yes

Commissioner Veronica Serna - Yes

Commissioner V. Serna made motion to reconvene from executive session at 9:22 pm.

Commissioner J. Trujillo seconds the motion.

All in favor, motion carried.

Deputy Clerk Duran polled the board:

Commissioner George Trujillo - Yes

Commissioner Johnny Trujillo - Yes

Commissioner Veronica Serna - Yes

Commissioner G. Trujillo advised no decisions were made and no action was taken while in executive session.


15. Adjournment

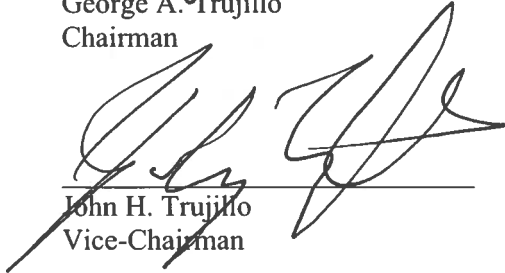
Commissioner V. Serna made motion to adjourn meeting at 9:26 pm


Commissioner J. Trujillo seconds the motion.

All in favor, motion carried.


MORA COUNTY BOARD OF COMMISSION


George A. Trujillo
Chairman


John H. Trujillo
Vice-Chairman


Veronica M. Serna
Member




Carlos J. Arellano
County Clerk