

**MORA COUNTY BOARD OF COMMISSION
SEPTEMBER 5, 2023
SPECIAL MEETING**

1. Call to Order

Commissioner George Trujillo called the meeting to order at 4:31 pm.

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

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

Commissioner G. Trujillo requested a moment of silence for former Governor Bill Richardson who was an excellent governor for Mora County.

3. Roll Call

Deputy Clerk Garcia polled the board:

Commissioner George Trujillo - Present

Commissioner Johnny Trujillo - Present

Commissioner Veronica Serna - Present

Majority are present. Quorum has been met.

4. Approval of Agenda

Interim Manager Montoya recommends to approve the agenda. Commissioner V. Serna asked if we could change the spelling on Item #10 from Paternity to Parental, resolution title will need to be changed to reflect the change.

Commissioner J. Trujillo made motion to approve agenda with amendment.

Commissioner V. Serna seconds the motion.

All in favor, motion carried.

5. Discussion – Update regarding Proposed Local Government Road Fund School Bus Route Contracts (LGRF SBR)

Interim Manager Montoya presented, stated this is time critical, the money goes away at the end of the calendar year. There are 3 separate projects that are upgrading the road with chip seal, which will be procured with CES, we're just waiting for a bid back from GM Emulsion.

Commissioner G. Trujillo asked how many bids he asked for, Interim Manager Montoya stated he asked Ted to find us some folks and he stated there were only 3 companies in the state that can do chip seal. Because GM Emulsion was here, he asked them for a bid. Attorney Tina Cruz stated it would be wise of the County to solicit bids on a wider basis. Commissioner G. Trujillo asked what roads were going to be worked on; Interim Manager Montoya stated Santa Gertrudis Road and 2 others. Commissioner G. Trujillo suggested to Interim Manager Montoya that this goes up for bid, this is what he was advised by Secretary Ricky Serna would be the best practice.

Commissioner V. Serna asked if this item can be added to the next agenda for approval. Attorney Cruz stated that Mrs. Sandra Romero, Procurement, can come up with a plan to submit bids to present to the Commission for approval.

6. Discussion – Update regarding Proposed Culvert Cleaning Contract

Interim Manager Montoya presented, stated we have 2 interested parties in cleaning our culverts. Interim Manager Montoya stated we should just multiple award this through CES since we have plenty of culverts to clear. Commissioner G. Trujillo stated, here we go again with CES, this is a county project, correct. Interim Manager Montoya stated yes, the county is going to pay for it, then stated it could be reimbursable through FEMA CAT A because it is debris removal. Commissioner G. Trujillo stated that will have to be put out to bid as well, Attorney Tina Cruz agreed. Commissioner G. Trujillo asked if this bidding process can be expedited, Attorney Cruz stated we can look into it, we just need to make sure we are following procurement process.

7. Discussion/Action – Approval of John Deere Lease(s) of Heavy Equipment

Interim Manager Montoya presented. See attached. Attorney Tina Cruz stated that the United Rental lease agreement was not identified on the agenda so it will have to wait. Interim Manager Montoya recommends that the Commission approve the John Deere Lease agreement.

Commissioner V. Serna made motion to approve.

Commissioner J. Trujillo seconds the motion.

All in favor, motion carried.

8. Discussion – Possible Lease to establish Wood Lot at 61 El Alto Road

Attorney Tina Cruz presented, stated she will soon have a recommendation for the Manager as to how the Commission, and the county, might be able to proceed with this. Attorney Cruz stated there is additional research and potential concern that needs to be addressed. She will be engaging with the manager in further discussion soon. No further questions.

9. Discussion/Action – Approval of Managed IT Services Agreement with Zitro Technology Solutions for 180 days

Interim Manager Montoya presented, stated normally this is a year contract, this contract is being drawn up for 6 months. Interim Manager Montoya stated he spoke with Commissioner V. Serna who talked about maybe hiring a full-time IT person so this would give us time to look into this.

Commissioner V. Serna made motion to approve.

Commissioner J. Trujillo seconds the motion.

All in favor, motion carried.

10. Discussion/Action – Approval of Amended Resolution updating the Current Parental Leave Policy

Interim Manager Montoya presented, he stated he changed the parental leave from 40 hours to 80 hours. Attorney Tina Cruz apologized for the spelling error in the title of the item and resolution, should be changed from Paternity to Parental. Commissioner V. Serna asked why it was changed from 6 weeks to 2 weeks, did he meet with the directors and elected officials on this; also, maybe we could create an emergency pool for people that have other issues to deal with, just so were not focusing on parental incentives. Interim Manager Montoya stated there is something in the employee handbook that address this called Leave Donation Program.

Commissioner J. Trujillo made motion to approve.

Commissioner V. Serna seconds the motion.

All in favor, motion carried.

11. Discussion/Action – Approval of Resolution Authorizing Purchase of Property for the Use and Benefit of the C.H.E.T. Volunteer Fire Department in Mora County, New Mexico and Authorizing Signatory of Requisite Closing Documents

Attorney Tina Cruz presented, stated this is a document that has been requested by NM Title, who has been working with CHET FD, along with council for the Sanchez family, and Attorney Tina Cruz for Mora County. Attorney Cruz stated Chairman Trujillo would be authorized to sign any of the requisite documents. Interim Manager Montoya recommends we approve.

Commissioner V. Serna made motion to approve.

Commissioner J. Trujillo seconds the motion.

All in favor, motion carried.

12. Discussion/Action – Approval of Contract Extension for David Montoya, Fire Administrator/Emergency Management Director

Interim Manager Montoya presented, recommended to approve, stated our HR Coordinator is working quickly to try and get candidates, however, it is necessary to extend our current Emergency Management Director. Attorney Cruz stated to be clear this item does not refer to the current Interim Manager David M. Montoya. Commissioner V. Serna asked if this new position is going to be for a full-time Fire Administrator and also a full-time Emergency Management Director, Interim Manager Montoya confirmed that is correct.

Commissioner J. Trujillo made motion to approve.

Commissioner V. Serna seconds the motion.

All in favor, motion carried.

13. Discussion/Action – Approval of Inter-Government Service Agreement Between New Mexico Department of Public Safety and The Board of County Commissioners for the County of Mora

Interim Manager Montoya presented, indicated the cost went up unexpectedly. Sheriff Americk Padilla stated this contract is between the Sheriff's Office and their communications specialist, Norcomm out of Las Vegas, NM. Sheriff Padilla stated, to be clear, the cost did not go up but there has been deliberation between the Sheriff's Office, EMS, and the Fire Departments and how the cost is being split between the 3 services. Sheriff Padilla stated this would not be split equally since the Sheriff's Office utilizes the service more than the other two services. The Sheriff's Office will cover 50% of the cost, the Fire Department will cover 25% of the cost, and EMS will cover 25% of the cost to cover the \$30,000 fee for this service. Sheriff Padilla stated maybe this could be something that could be worked into the budget for next year. This is a vital service and is essential for all 3 departments to operate. Sheriff Padilla stated that EMS expressed that they would only be able to cover 12%, Sheriff Padilla stated the Sheriff's Office will cover the difference. Commissioner V. Serna thanked Sheriff Padilla for being assertive in coming up with these solutions. Attorney Tina Cruz commented, she read the DPS document attached, stated this service is of benefit to not only the Sheriff's Office but also Mora County Fire and Mora County EMS. Attorney Cruz stated she thinks the cost share is a way to harmonize the interests of all 3 entities who benefit from this, she recommends the Commission approve this agreement.

Commissioner V. Serna made motion to approve.

Commissioner J. Trujillo seconds the motion.

All in favor, motion carried.

- Commissioner G. Trujillo introduced Ms. Ally, Deputy Cabinet Secretary for the Governor of NM, he asked if she wanted to address the Commission. Ms. Ally stated she was having an acequia task force meeting with Ms. Paula Garcia. Ms. Ally stated the only thing she has is to confirm that they are still set for the Procurement Training on Thursday, Commissioner G. Trujillo confirmed. Sheriff Padilla thanked her and her team for all their hard work and the assistance they offered to the county.

14. Discussion/Action – Approval of Resolution Authorizing Pay Increase for Certain Mora County Sheriff’s Office Law Enforcement Personnel

Interim Manager Montoya stated this item is very necessary for us to be competitive out there in the workforce. Sheriff Padilla presented, see attached. Sheriff Padilla stated he wants to keep our trained workers here in Mora County. He stated we spend hundreds of thousands of dollars on training deputies to end up losing them to higher paying agencies nearby, in the long run we end up paying more when we lose an employee to another agency. Commissioner G. Trujillo stated he agrees with this but that everyone in the county should get a raise as well. Interim Manager Montoya stated this is the first step towards that, the HR Coordinator is doing a county wide salary survey, looking at things like job responsibility and where they’re topped off at and to bring them up to market value with comparable counties. Commissioner V. Serna said she appreciates that and would request to prioritize EMS and Road Department and then the rest of the staff up to par. She stated she would like to see an annual increase because cost of living goes up every year. Attorney Tina Cruz commented, stated this action item has been a topic of discussion to varying degrees for the past several years for Sheriff Padilla to address the concern that the Sheriff’s Office has had a revolving door. Attorney Cruz stated, as the Interim Manager indicated, the intend would be to set this up to that it is bridge funding until the Sheriff can secure grant funding. She stated that until the audit issues are resolved there won’t be any grant funding so there is not a timeline specified on this resolution as they cannot place a timeline when those issues will be resolved. Commissioner G. Trujillo stated the resolution states, ‘certain employees,’ and is asking what this means. Attorney Cruz stated the School Resource Office is not included in this proposal, the funding for the SRO comes from the Mora Independent School; in addition to that elected officials cannot have any increase in pay except as set in state statutes. **Commissioner V. Serna** made motion to approve.

Commissioner J. Trujillo seconds the motion.

All in favor, motion carried.

15. Executive Session – Limited Personnel Matter involving the Hiring Process of the County Manager, to include discussion of background investigation by the County and W. Dennis Maez, the interview process, termination of Scott Aaron’s role as counsel due to conflict arising post-approval of the fee agreement, and Jesus Lopez’s proposed role in the interview and hiring process -AND- Threatened/Pending Litigation: John Paul Vigil v. Mora County, Isaac Martinez v. Mora County, and HPCC RFP Process (to be discussed with counsel, Steve Kopelman)

Commissioner J. Trujillo made motion to convene into executive session at 5:31 pm.

Commissioner V. Serna seconds the motion.

Deputy Clerk Garcia polled the board:
Commissioner George Trujillo - Present
Commissioner Johnny Trujillo - Present
Commissioner Veronica Serna – Present
All in favor, motion carried.

Commissioner V. Serna made motion to reconvene from executive session at 7:10 pm.
Commissioner J. Trujillo seconds the motion.
All in favor, motion carried.

Deputy Clerk Garcia polled the board:
Commissioner George Trujillo - Present
Commissioner Johnny Trujillo - Present
Commissioner Veronica Serna - Present
Commissioner G. Trujillo advised decisions were not made while in executive session, personnel matters and potential & pending litigation were discussed.

16. Discussion/Action – Rescinding approval of Fee Agreement with Scott Aaron related to County Manager Applicant Interview Process and Manager Hiring due to potential implied conflict of interest

Attorney Tina Cruz presented, recommends to rescind the agreement, she stated there was a potential implied conflict of interest that arose and as a consequence the Commission now needs to rescind the agreement that was previously approved.

Commissioner V. Serna made motion to accept the recommendation as presented by Attorney Cruz.

Commissioner J. Trujillo seconds the motion.

All in favor, motion carried.

17. Discussion/Action – Approval of Fee Agreement with Jesus Lopez related to County Manager Applicant Interview Process and Manager Hiring

Commissioner G. Trujillo asked for a motion to not act on this item, discussed during Executive Session in today's meeting.

Commissioner V. Serna made motion to take no action.

Commissioner J. Trujillo seconds the motion.

All in favor, motion carried.

18. Discussion/Action – Addendum to Professional Services Agreement Between W. Dennis Maez and Mora County for Background and Reference Checks for County Manager Position

Attorney Tina Cruz presented, recommended to approve the addendum with modified language so we are not specifying Mr. Lopez's name, but alternate counsel and she can make that slight revision to that agreement.

Commissioner V. Serna made motion to accept the recommendation with the changes that Attorney Tina Cruz recommended.

Commissioner J. Trujillo seconds the motion.

All in favor, motion carried.


19. Adjournment


Commissioner V. Serna made motion to adjourn meeting at 7:15 pm

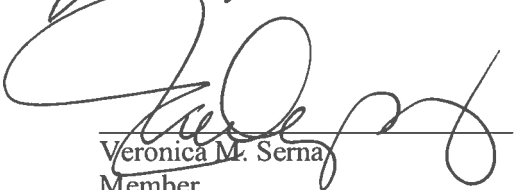
Commissioner J. Trujillo seconds the motion.

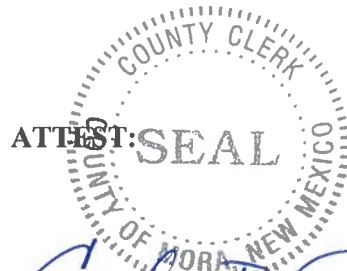
All in favor, motion carried.


MORA COUNTY BOARD OF COMMISSION


George A. Trujillo
Chairman


John H. Trujillo
Vice Chairman


Veronica M. Serna
Member




Carlos J. Arellano
County Clerk

