

## Special Meeting December 19, 2023

### 1. Call to Order

**Commissioner George Trujillo** called the meeting to order at 4:09 p.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 New Mexico.

### 3. Roll Call

*Deputy Clerk Trujillo polled the board:*

Commissioner George Trujillo	-	Present
Commissioner John Trujillo	-	Present
Commissioner Veronica Serna	-	Absent

### 4. Approval of Agenda

**County Manager Joseph Garcia** stated I recommend that we table item 12 and 13 and enter Executive Session after item number six.

**Commissioner George Trujillo** stated you heard the recommendation by manager Garcia. Is there a motion?

**County Attorney, Ernestina Cruz** stated, Mr. Chairman, if item number eight can be struck because it's a duplicate item, it's going to be considered in the budget adjustment. That's the resolution to draw down general funds for insurance. It's addressed in a separate resolution.

**Manager Garcia** stated items 12 and 13 are tabled until the meeting on the 27<sup>th</sup> and I recommend we go to the Executive Session, after item six and striking item 8.

**Commissioner John Trujillo** made a motion to approve.

**Commissioner George Trujillo** seconded the motion.

*All in favor. motion carried.*

### 5. Discussion: Update regarding the Recovery Effort following the Winter Storm of December 12-15, 2023

**Manager Joseph Garcia** presented the update regarding the recovery effort following the winter storm. Mr. Garcia stated that we were able to mobilize about 15 private contractors, and I believe we were highly successful at it, along with our road crew. So,

we got, I'd say maybe 90- 98% of our constituents taken care of. We answered a lot of emergency calls. I personally received over 200 phone calls and maybe 100 texts. Easily we worked till maybe 12, one o'clock in the morning receiving calls from different people that were stranded, they needed oxygen. They ran out of medicine, et cetera, et cetera, and our attorney, Tina Cruz, as well as John Romero, our foreman, and we also called Sandra Romero, she was able to get in, as well as Geraldine Vigil, and I'm probably missing somebody.

The sheriff was instrumental. I mean, he was crucial to getting all this done. It was a team effort. I think it was successful. Deputy, Joey Romero, all of them were just incredible. We had several emergencies, but took care of our people in a timely fashion, and after, I think it was two and a half days of the private contractors that you know, were really nice and accommodating and we regrouped, we had some meetings at the sheriff's office, that was a command center, and a lot of these contractors agreed to help out at a low rate of \$150 an hour. They had bulldozers, big loaders, big tractors, of course, skid steer loaders, which was unheard of normally, a bulldozer costs \$300 or \$400 an hour off the top. So, I think it was a success. A lot of happy people. So that's about all I have to report on that. I'm sure I'm missing some things. But thank you, Chairman, Vice Chair for your leadership.

**Commissioner George Trujillo** thanked everyone involved for their efforts.

**Commissioner George Trujillo** stated we got to, in my view, we have to set a plan. There was on Thursday, when I got here early in the morning, nobody was around, there was no plan for anything, and I had to rescue the people that work with EMS, they were stuck in their trailer here without access to the outside, and then I got to the Sheriff's and me and the Sheriff started coordinating some efforts to try and help the people, and without no phone service without no communication. It was hard. Let me tell you, it was really hard. Good thing Mr. Garcia had service at his house and Americk had to get the generator going. So, we're going to have to have a work session and have a plan.

**Manager Garcia** stated, Mr. Chairman, I had a brief conversation with our new Fire Administrator and David Montoya, asking them if they have like an SOP, a standard operating procedure, and I told them, you know, this taught us a valuable lesson, we have to be prepared, and that's something that I'm going to do is initiate that effort. I think that if all the key people have standard operating procedure, a binder, you know, there's an active shooter turn to page seven, whatever, a flood page 10, and we know who to call and that way we're not scrambling around and looking for answers and trying to communicate. The biggest problem was communication. So, I think we need to maybe get radios or satellite phones as crews are recommended satellite phones, which is probably the smartest thing to do. Yeah, they're expensive but they're necessary because when it comes to emergencies you know, there's no such thing as saving money for that, but communication was a big problem.

**Commissioner John Trujillo** stated, I was going to say on the response time and everything, we all came together in the sheriff's office. We put a plan together and everything followed through, there was no panicking or nothing. I want to thank Tina Cruz for taking care of all the stuff that needed to be done during this emergency. I want to thank everyone who helped.

**Manager Garcia** stated I want to add something extra, Ms. Cruz your efforts coming down from Penasco area where you live at and all the legal hurdles we had to jump, you took care of them. It was flawless. She attended every meeting and guided me 100% on it. We had multiple phone calls with each other, and it was just like nonstop, but we got it done. So, thank you, without you and your guidance on that and on all the legal issues. Again, the Chairman and Vice Chair and Sheriff Padilla and the staff, it was an awesome thing to be a part of, you know, we did good.

**Ms. Cruz** stated Chairman, the County in particular, the efforts of the Commissioners that were engaged in attending the requisite meetings, it was a lot and in no small part because of the lack of communication. So, one of the things that was highlighted early on, thankfully, Mr. Garcia had cell phone service. So, we stayed on the phone for a good part of the day, throughout Thursday and one of the things that we talked about early on, Chairman and Commissioner Trujillo as the Manager noted, is continuity of governance, right in a situation like this, where you don't have communications, and you need the Commission to be able to come together and attend an emergency meeting. Being able to ensure that you have active cell phone service by way of a satellite phone would be really important. Because radio is one thing, right? You'll be able to communicate amongst yourselves locally, but there was a need to be able to call out to the State and there was a need to call out to me, right and if you're on a radio, you're not going to be able to have that level of connectivity. So, there are definitely some things that need to be done to develop a plan, but I will say that to the Manager's credit, at that point, he was less than one week on the job on Wednesday. He very quickly troubleshooted and sought advice and counsel and he heeded the advice and counsel. One thing that he didn't mention during his opening remarks is the fact that he did reach out to the state multiple times and on Friday, we were able to get that Zoom visit that the Chairman attended. Commissioner Serna attended it along with the sheriff. The state did agree that they're going to be looking very closely at reimbursement for the expenses that are incurred. So that is going to be the next step is processing that reimbursement request. You know, there was pushback from the state regarding helping individuals as it related to clearing driveways, because there is an anti-donation issue naturally, but I distinguish it in this way, it's one thing for the county to go in and to do work for somebody for the benefit of a private individual. If the county were to go in and to you know, gravel, somebody's driveway that's entirely inappropriate, wildly inappropriate. But here it was a health safety or welfare matter, right? People needed to get medical supplies, right, people were saying I

need to go get my prescription. People were saying I need to go and receive medical treatment. Individuals are saying I need to get wood. I need propane. I need to get out so I can go get food for my family. I have an elderly parent.

The sheriff's office throughout the course of Thursday was receiving multiple welfare checks calls, and the Undersheriff, I know because I saw this, was having to hike in with deputies to get into these locations. If you have those roads swept, they can get in more quickly and more efficiently. So, those are the primary drivers with regard to providing that health, safety and welfare benefit to the public. It wasn't a private benefit it was bestowed upon anyone within the County that had a stated need in that regard. So, I just want to be clear about that because I know there will likely be some questions and concerns, but it was something that we did discuss with the State on the front end, because the need was a massive one. So much so that even after the conclusion of the meeting on Sunday, you received a call from a couple that needed assistance, because they had been without electricity, for at that point, four days. That was like Sunday afternoon, right. So, this is not something that just was like a one-day kind of occurrence. It extended for a significant period of time, and Chairman, just so it's clear with regard to the emergent need that was at play that particular woman that called you I believe she was in her 70s or 80s, she said they no longer had water. They had run out of matches, and they did not have electricity. The only reason they were able to call out was because their daughter hiked down with her cell phone and they were able to call down and ask for that assistance. So they were on the brink, right. So just want to have a clear record that this was an emergency situation and the County had to act.

**Guadalupita resident, Jude Regensberg** shared his concerns regarding the winter storm. The Road Superintendent will meet with Mr. Regensberg to discuss the issues that were discussed related to the road conditions.

- 6. Discussion/Action: Approval of Minutes (a) September 18, 2023, Special Meeting; (b) September 27, 2023, Special Meeting; (c) October 19, 2023, Regular Meeting; (d) October 31, 2023, Special Meeting; (e) November 13, 2023, Canvass Meeting; (f) November 13, 2023 Special Meeting; (g) November 16, 2023 Regular Meeting; and (h) November 20, 2023 Special Meeting**

**Commissioner George Trujillo** asked Manager Garcia for a recommendation for the approval of *September 18, 2023, Special Meeting* minutes.

**Mr. Garcia stated**, I recommend we approve the minutes.

**Commissioner John Trujillo** made a motion to approve.

**Commissioner George Trujillo** seconded the motion.

*All in favor. Motion carried.*

**Commissioner George Trujillo** asked Manager Garcia for a recommendation for the approval of *September 27, 2023, Special Meeting* minutes.

**Mr. Garcia** stated, I recommend we approve the minutes.

**Commissioner John Trujillo** made a motion to approve.

**Commissioner George Trujillo** seconded the motion.

*All in favor. Motion carried.*

**Mr. Garcia** stated, I recommend we approve the minutes *for October 19, 2023, Regular Meeting* minutes.

**Commissioner John Trujillo** made a motion to approve.

**Commissioner George Trujillo** seconded the motion.

*All in favor. Motion carried.*

**Mr. Garcia** stated, I recommend we approve the minutes *for October 31, 2023, Special Meeting* minutes.

**Commissioner John Trujillo** made a motion to approve.

**Commissioner George Trujillo** seconded the motion.

*All in favor. Motion carried.*

**Mr. Garcia** stated, I recommend we approve the minutes *for November 13, 2023, Canvass Meeting* minutes.

**Commissioner John Trujillo** made a motion to approve.

**Commissioner George Trujillo** seconded the motion.

*All in favor. Motion carried.*

**Mr. Garcia** stated, I recommend we approve the minutes *for November 13, 2023, Special Meeting* minutes.

**Commissioner John Trujillo** made a motion to approve.

**Commissioner George Trujillo** seconded the motion.

*All in favor. Motion carried.*

**Mr. Garcia** stated, I recommend we approve the minutes *for November 16, 2023, Regular Meeting* minutes.

**Commissioner John Trujillo** made a motion to approve.

**Commissioner George Trujillo** seconded the motion.  
*All in favor. motion carried.*

**Attorney Cruz** stated, the minutes for the *November 20, 2023, Special Meeting* are not included in the packet and will need to be considered at the next meeting.

**Manager Garcia** stated, I recommend tabling the minutes for the November 20, 2023, Special Meeting until the next meeting.

**Commissioner John Trujillo** made a motion to *table*.  
**Commissioner George Trujillo** seconded the motion.  
*All in favor. motion carried.*

**18. Executive Session: Limited Personnel Matters involving employee complaints and/or investigations**

**Commissioner John Trujillo** made a motion to enter Executive Session.  
**Commissioner George Trujillo** seconded the motion.

*All in favor on a roll call vote:*

<b>Commissioner John Trujillo</b>	-	<b>Yes</b>
<b>Commissioner George Trujillo</b>	-	<b>Yes</b>
<b>Commissioner Veronica Serna</b>	-	<b>Absent</b>

**Entered Executive Session at 4:32 p.m.**

**Commissioner George Trujillo** asked for a motion to reconvene regular session.

**Commissioner John Trujillo** made a motion to reconvene regular session.  
**Commissioner George Trujillo** seconded the motion.

*All in favor on a roll call vote:*

<b>Commissioner John Trujillo</b>	-	<b>Yes</b>
<b>Commissioner Veronica Serna</b>	-	<b>Absent</b>
<b>Commissioner George Trujillo</b>	-	<b>Yes</b>

**Commissioner George Trujillo** stated no actions were taken and no decisions were made during Executive Session.

**7. Discussion/Action: Proposal for Insurance Premium Adjustment and Coverage Expansion**

**Manager Garcia** stated, that one, I believe Mr. Chairman is just, it's an internal adjustment with our Finance Department right. Ms. Romero prepared a memo and is going to speak about the item.

**Human Resources Coordinator DesMarie Romero** stated okay, so what you have in front of you is the 2023 rates, also the 2024 rates as well as the memo. In 2023 we had 31 employees on our insurance coverage, which again, every employee should have been included, because that's the basic life leaving 22 employees to not have coverage. The second one is the 2024 rates, which includes all employees that we have currently at the moment, as well as the 10% increase that the State has said in January, we are giving everyone, has to pay a 10% increase. So that's the new rates. There were some employees that had to pay the full premium for dependents and spouses. And now what we're proposing is that Mora County will now cover spouses', dependents, or family. The difference of that the adjustment would be \$5,342. 83, every month, at the moment, with all of the employees included, that was just my recommendation. My memo is in there, as well as the 2023 rates and the 2024 rates, including every elected official employment with Mora County.

**Manager Garcia** stated, I recommend you approve.

**Commissioner John Trujillo** made a motion to approve.

**Commissioner George Trujillo** seconded the motion.

*All in favor. motion carried.*

**8. Discussion: Resolution to Draw Down General Fund for Insurance**

*This item was removed from the agenda during item number four, Approval of Agenda.*

**9. Discussion/Action: A Resolution Authorizing Premium Pay to County Employees**

**Manager Garcia** stated me, Attorney Cruz, and Mrs. Romero worked on the premium pay resolution. Ms. Cruz will discuss this in further detail.

**Ms. Cruz** stated So manager Garcia, Chairman Trujillo, Vice Chairman Trujillo, the resolution before you, titled the resolution authorizing the use of Coronavirus, state and local recovery funds. My understanding is that this will be the third disbursement for the benefit of staff, I believe there was one in the spring of 2021 that would have predated my service as County Attorney. The most recent one took place in November of 2022. At the time, Temarah Barela was serving as the Human Resources Director and also as the Interim County Manager, she and I did work at some length and came up with a plan that would be most advantageous to the employees within the County. I make reference to the work that was done in November of 2022, because it was a rigorous process that we

undertook. Ms. Barela did reach out to other counties to obtain their draft resolutions to better understand what kind of process they were putting into motion. Likewise, we took a look at the final rule that was applicable to disbursement of these funds, and the current resolution that's before you, in a lot of ways its modeled after the November 2022 resolution. I make a note of that because there's always going to be some dialogue, some question or concern related to how funds of this type are being dispersed, and I think what's most critical, for the purposes of the decision that you all will be making today is to highlight that these funds were made available to State and Local Governments for all Essential Workers. Essential workers were essentially defined as those employees that came in contact with the public. All of your employees within Mora County come in contact with members of the public, some to varying degrees, right. So, if we're talking about EMS, the way in which they come into contact with the public is individuals that are likely sick, and their risk is a bit more heightened because of the nature of their work, right.

So, what happened in November of 2022, is all full time employees received an amount of hours that was going to be multiplied by \$13 per hour, and they all receive the same amount. That was for the non-EMS full time employees, EMS employees received a bit more in terms of the number of hours that they were going to be compensated for in recognition of the heightened risk of exposure based upon the nature of their work. So this resolution is modeled after that. There was discussion that was had just in terms of trying to come up with numbers that would be workable, recognizing that you have \$253,131.94 that are remaining and available.

This is information that was provided by Ms. Sena and based upon that amount we tried to craft something that was comparable to what was done previously, I will say this, and unfortunately, because of the snowstorm and everything that transpired as a consequence, what we had hoped to be able to do when this matter was tabled last week was to be able to work at the end of that week to have ongoing conversations. But because of the weather, Mr. Garcia and I were only able to touch upon it in a very cursory kind of fashion. On Friday, we had another very limited conversation yesterday trying to get this done, recognizing that if staff can receive these funds leading up to the Christmas holiday, by all means prioritize that. So, these numbers are rough numbers, recognizing that there was a need for Mr. Garcia to contemplate what his final recommendation is. So, he will be making the recommendation to you shortly. What I do want to highlight is that all of the employees within Mora County who are working for the County, whether is full time, part time temporary are going to be eligible for receiving these funds, and it's basically outlined at page two items, one A through C. It's an equitable and it's a fair plan that recognizes the varying degree of public contact, but more importantly, it's a fairly sizable amount that is going to be dispersed.

In addition to that the final rule does allow for a disbursement for retention pay if you have a fire department if you have EMS, and for your law enforcement personnel. So after these calculations are all put together and Mrs. Romero did put together a very rough calculation today, quickly turned it around considering that we just had this final



draft ready this morning. Once the final calculations are put together, Ms. Sena will then know what's remaining, and by way of this resolution in the spring, you're empowering your manager to make a disbursement for retention pay, and that's something that we'll be talking about in the Spring.

Again, retention pay under the final rule can only be provided to EMS if you have a fire department and law enforcement. But the reason why you pay retention pay is to keep these critical employees. They're referred to as critical because of the public health and safety nature of their work, continue on board for a period of time. We'll talk about what type of agreement might be provided to these employees. They'll sign an agreement indicating they agreed to stay in Mora County employment for a period of time, but that's the next phase. We'll get to that in the Spring but as it relates to your entire workforce. This addresses your entire workforce. Once you adopt it, Mrs. Romero will take a careful look at her calculations, work with Ms. Sena and Seferina Romero can work on the payroll as indicated in the check rather, as indicated in the resolution. It's within the discretion of the Manager to decide whether this will be included in a future check or if you just want to process it tomorrow so that the employees have the money available for the Christmas holiday.

**Manager Garcia** stated I would like the checks to be processed right away. ASAP, if possible, you all are more than deserving of this. Also, we had discussed maybe 300 hours of pay for the full-time employees, which would have resulted in approximately \$3,900 each, but I decided maybe to bump it up more and make it 350 hours, which brings it to a grand total of \$4,550 per employee, and EMS because of the nature of what they do, as you well explained, they have a grand total of \$6,500 each.

**Attorney Cruz** stated the \$4,500 by increasing the non-EMS full time staff from 300 to 350 hours, so that they'll receive \$4,550 is very close to what they received last year. So thank you for being open to the dialogue, initially the math was, you know, trying to get it as close as we could recognizing we needed Mrs. Romero's assistance in running all the numbers based upon the total number of employees after seeing her spreadsheet walking into today's meeting, you know, just letting you know that you had the option of increasing it a bit more, and if you want to make that recommendation, that's certainly within your discretion.

**Manager Garcia** stated yes, that's the recommendation I make Mr. Chairman, and that leaves us with about \$78,000 for retention pay, and we'll address that in the Spring.

**Commissioner George Trujillo** stated for the record, without me knowing I tried to get the elected employees to get this bonus but, I guess it's not allowed for elected employee. So, I just want people to know, because I didn't know what happened last year. So, I asked the questions today about elected employees.

**Manager Garcia** stated Mr. Chairman, I have one more thing to add. For personnel that have been here, six months or less. Correct me if my math is correct, it's \$1,560.

**Attorney Cruz** stated that provision one C speaks to what those employees would be entitled to. It's based upon their start date through today, and Mrs. Romero calculates how many weeks those individuals have worked, and they will be receiving six hours of pay per week that they've worked at a rate of \$13, which is the same rate that the other employees are receiving. We ensured that no employee that's going to be receiving the calculation under that provision is going to receive more than your full-time employees. So, if they hit the 300, it's going to have to be re-crafted, as it relates to that particular section. We have it currently listed as 300, we'll have to adjust it to 35, but with that being said, it just ensures that if they reach that cap of the 350 let's say somebody comes in at \$4,600, they're not going to receive \$4,600, they're going to receive what the other employees would have received under that full-time calculation. So, it'll be \$4,550. So, the revision essentially is to increase 300 to 350. That would be your recommended change.

**Commissioner George Trujillo** asked if there is a motion to approve the item with the revisions outlined above.

**Commissioner John Trujillo** made a motion to approve.

**Commissioner George Trujillo** seconded the motion.

*All in favor. Motion carried.*

#### **10. Discussion/Action: A Resolution Authorizing Withdrawal of Interest Proceeds Related to Senate Bill 6 Loans**

**Attorney Cruz** presented the item. Ms. Cruz stated there's been discussion regarding the need to withdraw the interest that has accrued on the Senate Bill six loan. We've talked about this for a while. When these four loans were approved by DFA, there was conversation amongst the Commission about how best to safeguard the funds. As a consequence, the funds were placed in a secure short term investment account with the New Mexico State Treasurer's Office, and the funds have been there all of this time, the County in the Spring will be ready to start the work on the projects for which funding has been authorized. In the meantime, there's interest that's been accrued. While these funds have been in this investment account, the amount identified as of the drafting of the resolution is \$677,961.00. That's an amount that was provided to me by Ms. Sena and this resolution essentially reflects that the County would like to withdraw those interest accrued funds in order to help fund operational expenses involving County Government. You will be hearing from Ms. Sena what those allocations are going to be by way of the budget adjustment request that she'll be presenting shortly. Transparency is key as it relates to all things related to County Governance. More specifically, with regard to these loans. The resolution that was initially adopted authorizing deposit of these funds in the short-term investment account does require that anytime there's going to be a withdraw,

that the Commission adopt a resolution and that the Commission authorize the County Manager and or the Finance Director to withdraw the funds. So, the, be it further resolved section of this resolution, indicates that the County Manager and or the Finance Director can withdraw the funds that are accrued as interest and that they will then be deposited in the County's bank account.

**Manager Garcia** recommends the item be approved.

**Commissioner John Trujillo** made a motion to approve.

**Commissioner George Trujillo** seconded the motion.

*All in favor. Motion carried.*

#### **11. Discussion/Action: Resolution regarding Budget Adjustment Request**

**Finance Director, Edna Sena** presented the item. Ms. Sena stated in your packet is the resolution for the budget request. The first one is \$32,056.98, this is for the increase for the health insurance this is based off of six months that are remaining for the fiscal year 24, and we've calculated it at \$5,342. 83 for six months and that's what was remaining we will recalculate the full year, come May when I do the budget for the fiscal year 25. We'll calculate it based off of the year. The second one is a road project salary, these are the ones that to approve resolution at the last meeting, it's the 4 salaries that will be for the FEMA project for the category C, the amount is \$141,185. This is just to create a budget for that amount in order to hire those positions.

**Attorney Cruz** stated Mr. Chairman, Manager Garcia, can I quickly speak to that? So, Miss Sena, when the meeting took place on Tuesday of last week, December 12. We quickly looked more closely at the math, and I calculated the amount that was just slightly higher in the amount of \$145,591.61. Mrs. Casados was the only other employee who was around at the time, so I had her run the numbers a couple of times, and her calculation matched my calculation. So, we revised the resolution and that was presented to the commission in the meeting. So, for purposes of this budget adjustment request, I would recommend, Chairman and Vice Chairman, that the amount I provided would be in alignment with what you adopted in the meeting on Tuesday. So, it will be \$145,591.61. It was a slight mathematical error, because if you look back, and of course, mathematical errors or mathematical errors, so I think just having a second set of eyes, just as a precautionary measure will be smart. You'll recall that this particular resolution went through a number of different iterations, there were revisions that happened a few times, which I think may account for that slight difference. But one thing that attorneys are known for is they're not good at math. So, we always double check the math that's just something that we have, like this radar to make sure that everything is precise, this attorney in particular. So that's why I looked at it very closely, as you all were visiting last week, and that's when I saw that there was that slight discrepancy, and it was addressed

on Tuesday, and double checked by Stephanie, and that's ultimately what you voted to approve.

**Ms. Sena** stated the other one is the interest funds that will be transferred over to the road department. It's \$677,961.

**Commissioner George Trujillo** stated I had a conversation with Ms. Sena about making two line items instead of all of the funds going directly to the Road Department in case some other things come up where we have to spend that money. So, she can create, and you could probably explain it better.

**Ms. Sena** stated this is because we're having the FEMA portables installed in the back, and we're having to come up with all these expenses and we don't have that to put up front. So, I had spoken to a Chairman Trujillo about maybe moving \$40,000 from there into the general fund to cover those costs until we get reimbursed, but we'll have to do a different resolution because right now we're withdrawing the funds to put them into the road, but we can make another adjustment to general the road to general fund.

**Attorney Cruz** stated we can adjust it now, because you're going to have to adjust the 141 to the 145. Okay, so if you email this to me, Ms. Sena, or if you can just go do it now because you have it on your computer, even easier. Right? My suggestion would be, this Chairman and Commissioner Trujillo, that you allocate the \$77,961 to the general fund, so that you have a rounded number of 600,000 going to the Road Department, and then the Manager can visit with Ms. Sena about what purposes and uses the \$77,961 can be dedicated to, one thing that I would recommend is Clarity Collins has stated in past meetings that sometimes FEMA will not reimburse. So anytime you're making withdraw of interest, I would say it would be a good practice to just start separating a certain amount for an anticipation that you're going to have to be responsible for reimbursement. So maybe what you want to do is set up a line item for potential reimbursement and you can put maybe \$25,000 just as a matter, of course, saving some of those funds in anticipation that there's going to have to be some direct payments that are forthcoming. Ms. Collins explained in the meeting that was had with DFA in October, and Ms. Sena you attended, that it's not rare for FEMA to sometimes, on minor amounts, give some pushback on reimbursement, so to start building that cushion, so that you're not going to be responsible for it after the fact. So that would be one recommendation that I would make, in addition to what you just discussed on FEMA side. I also will be calling the DFA attorney to let them know what's going to be happening as it relates to this particular resolution, because we're always good about letting them know what the status is of these loans. So, what you can do is table this for the time being, Ms. Sena will go and revise this to have the corrected amount for the road project salaries, and then she will have the Road Department interest funds in the amount of \$600,000 and then a general fund disbursement for the remaining amount of \$77,961.

**Commissioner John Trujillo** made a motion to *table*.  
**Commissioner George Trujillo** seconded the motion.  
*All in favor. Motion carried.*

**12. Discussion/Action: Rescind Prior Approved Contract with Tara Hedricks to serve as Mora County's lobbyist during the 2024 Legislative Session**  
*Item 11 was tabled during item four, Approval of Agenda.*

**13. Discussion/Action: Approval of Contract with Frank Sanchez to Serve as Mora County's Lobbyist during the 2024 Legislative Session**  
*Item 12 was tabled during item four, Approval of Agenda.*

**14. Discussion: Legislative Priorities during the 2024 Session**  
*No action was taken. Only discussion. The item will be discussed further during the next meeting.*

**15. Discussion/Action: Approval of Consultant Contract for David Montoya to Assist Fire Administrator/ Emergency Manager Board of County Commissioners Special Meeting Tuesday, December 19, 2023, at 4:00 pm**  
**Manager Garcia** stated, Chairman this is based on the fact that while it's approval of consultant contract for David Montoya to assist the Fire Administrators/Emergency Manager, based upon the fact that Mr. Montoya has been working alongside Mr. Romero for two weeks, I feel that that it's enough time and we also have budget issues on that, so I believe it's enough time so that's what I'm going to recommend.  
No action was taken, recommended by County Manager, Garcia.

**16. Discussion/Action: Approval of 2024 Calendar for Mora County**  
**Manager Garcia** stated we have worked on a calendar. However, after speaking with some of the employees, I would like to table that till the 27th as well, because I think we're going to be making some adjustments on that. So, I have nothing for that right now. Further discussion took place.

**Commissioner John Trujillo** made a motion to *table*.  
**Commissioner George Trujillo** seconded the motion.  
*All in favor. Motion carried.*

**Item number 11 Discussion/Action: Resolution regarding Budget Adjustment Request**

**Commissioner John Trujillo** made a motion to come back to item number 11.  
**Commissioner George Trujillo** seconded the motion.

*All in favor. Motion carried.*

**Ms. Sena** stated I made the revision for the 204 for the Road Department interest funds to \$600,000 and I added the general fund interest funds to \$77,961.

**Mr. Garcia** stated I recommend approval of this item.

**Commissioner John Trujillo** made a motion to approve.

**Commissioner George Trujillo** seconded the motion.

*All in favor. Motion carried.*

#### **17. Discussion/Action: Approval of Lease with FEMA for Trailer Space**

**Attorney Cruz** presented this item. Ms. Cruz stated that I was not directly involved in the negotiation of this lease, but I can provide some context for the benefit of the public regarding what is at play here. As we know, FEMA has a small space at the County Complex that they've been utilizing; there's a need for additional space as the efforts to disburse funds under the Hermit's Peak Calf Canyon recovery are moving forward. FEMA has requested, as I understand it, to place a couple of trailers on County property, so as to have enough space to be able to assist members of the public with the claim process. Obviously, the County has prioritized this request because it's a benefit to the members of the County within Mora, it enables those that were gravely affected by the fire to be able to interact with FEMA directly in the County versus having to travel into San Miguel County or even Santa Fe where the Joint Field Office is located. So, with that being said, there were conversations that took place, robust conversations with Paul Cassidy, who is the Special Projects Committee Chair, also John Shepler, who is assisting with commercial lease on behalf of the County to come up with this form of contract. You will recall, Vice Chair Trujillo, that in December this time last year is when Temarah Barela and her capacity as Interim County Manager was having to navigate the initial lease at the complex, and one of the observations that was made by way of having to navigate this process is that the County would be better served by having somebody who has that expertise in commercial leases, to assist which is why John Shepler was contracted for this purpose, and Mr. Shepler, has been engaged in the negotiation of this very lengthy, it's a governmental lease. So, the reason why it's very lengthy. He was involved in this entire process. There's been direction that was provided to him about the negotiation process, and this is the best negotiated agreement that could be achieved by way of that back and forth with FEMA. So, the amount of the annual rent is \$16,895, the rate per month will be \$1,407.92, and I'm having some trouble reading this here it says. Chairman, can you read five, C? I think it is what they titled five, C, at that point, for years two, and three, the monthly rent is going to be \$1,083.33. My understanding is that it's approximately \$350 more per month for the first year, because of some of the initial costs that are going to be incurred, and then after those initial costs for setup and other

related matters, have been basically reimbursed to the County by way of the \$1,400. It then goes to the reduced amount per month of \$1,083.33 for years two and three.

**Commissioner George Trujillo** stated thank you, Tina. I've been involved with the conversation with Paul Cassidy and Shepler, only just to listen to their conversation. Can you email Shepler to tell him that we approved it? Or you Mr. Garcia? I think we have a meeting every Tuesday at two o'clock on Zoom. So, I'll make the phone call to the lady from FEMA that I had contact with just to let her know that we approved the lease.

**Attorney Cruz** stated this is a form of agreement from the US Government. So, it's standard language, it's very similar, if not near identical to what was adopted in December when that first lease was negotiated. I think it took a few weeks, because they were really wanting to get in to the County's facility, and it took only a few weeks, then, I think, because we were just wanting to be as cooperative as we could and not pushing back as much, but I do think that the County negotiated a much better deal by way of having Shepler involved and by having that level of expertise on the commercial lease side.

**Manager Garcia** stated I recommend you approve the lease.

**Commissioner John Trujillo** made a motion to approve.

**Commissioner George Trujillo** seconded the motion.

*All in favor. Motion carried.*

## 19. Discussion: Other Informational Items

**Manager Garcia** stated the only thing that I have, Mr. Chair, is we have problems with the HVAC system at the courthouse, and I'm not sure which fund that comes out of for maintenance. We have to call an expert so we can fix it, because the FEMA people have been complaining there's no heat. You know, because the system doesn't work. The water heater is out on the top floor and our janitor needs hot water to wash the floors. The electrician came and we got his bill, it was an emergency and it's fixed. I believe it was a 1600-amp breaker that was out, something was happening with that. I haven't talked to the electrician, but I spoke to people at the courthouse that told me that that's what was happening.

One more thing that I just remembered. We have \$10,000 in funding from selling steel that people drop off at the landfill. That money is supposed to be going to a fund to help our employees buy protective equipment that happened last year right, and they bought boots, gloves and stuff like that. So, I'd like to have that happen again. Some of them need boots, they are torn. Is there anything that you need from the Commission on that, or does it have to be brought to the Commission by way of resolution according to the auditor?

**Attorney Cruz** stated the auditor will be contacted to ensure the County is complying.

Also, the meeting on Thursday will be rescheduled for next Wednesday at 9:00 a.m. and the reason for that is because the County was closed from Wednesday through Friday. Staff didn't have the capability to put together an agenda for Thursday's meeting for proper notice. So that's why it's being pushed back until next week.

## **20. Adjournment**

**Commissioner John Trujillo** made a motion to adjourn.

**Commissioner George Trujillo** seconded the motion.

*All in favor. Motion carried.*

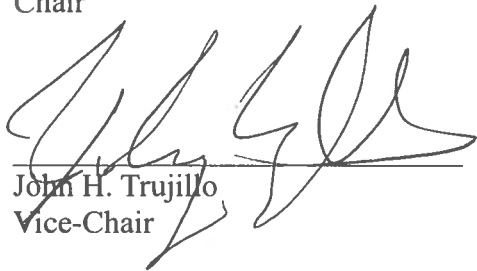
The meeting was adjourned at 7:16 p.m.



**MORA COUNTY BOARD OF COMMISSION**



George A. Trujillo  
Chair



John H. Trujillo  
Vice-Chair

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Veronica M. Serna  
Member

ATTEST



Carlos J. Arellano  
County Clerk

