

**MORA COUNTY BOARD OF COMMISSION  
OCTOBER 19, 2023  
SPECIAL MEETING**

**1. Call to Order**

**Commissioner George Trujillo** called the meeting to order at 10:00 am.

**2. Roll Call**

**Chief Deputy Clerk Garcia** polled the board:

**Commissioner George Trujillo** – Present

**Commissioner John Trujillo** - Present

**Commissioner Veronica Serna** - Present

*Quorum has been met.*

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

**Veterans Memorial Committee Member, Max Garcia**, led the audience and Commission in the Pledge and saluted the Flag of the State of New Mexico.

**4. Approval of Agenda**

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

**Commissioner Veronica Serna** seconded the motion.

*All in favor, motion carried.*

**5. Public Comment**

No Public Comment.

**6. Discussion/Action: Proclamation in support of the New Mexico Nurse Practitioner Council Celebrating National Nurse Practitioner Week and the Valuable Contributions Nurse Practitioners Make Every Day Serving the Citizens of New Mexico**

**County Attorney, Ernestina Cruz** presented the item. Ms. Cruz stated, this is a proclamation that has been presented to the county manager's office in support of the New Mexico Nurse Practitioner Council Celebrating National Nurse Practitioner Week and the Valuable Contributions Nurse Practitioner Make Every Day Serving the Citizens of New Mexico. This particular week is designated in the month of November. Since this is the regular meeting leading up to November, the request for adoption of the proclamation was submitted for your consideration.

**Commissioner Trujillo** asked if there is a recommendation by Interim Manager, Brad Sena.

**Mr. Sena** stated, he recommends the Commission adopt the Proclamation.

**Commissioner Veronica Serna** made a motion to approve.

**Commissioner John Trujillo** seconded the motion.

*All in favor, motion carried.*

**7. Discussion/Action: Placement of Gage(s) in Mora County as recommended by USGS and NWS (Presented by FEMA)**

**Matt** presented the item. **Matt** stated, we have been working with the National Weather Service and USGS for months on the placement and they are finally down to some recommended sites. B is Canoncito and it's a proposed combination stream and precipitation gage. USGS said it's a good site to provide adequate warning. The next one is Coyote Creek, same thing, a combo stream and precipitation gage. The next one is Mora Creek South, it's a stream gage, and they are saying it's a good site where they can add an additional trigger on the canyon side, to the west. The next one is Mora Creek North, that's a precipitation gage that is a secondary warning, fed into another gage. The next one is Rio de la Casa, that's another combination, with high priority. The only issue in that location, is where they can put it because there is a lot of private property. The next location is Tramperos, that's a combo as well, precipitation and stream, which will provide warning for 434. The issues there are no obvious access as well as the private land issue, the site would be dependent on where the warning will target.

**County Attorney, Ernestina Cruz** asked if he could explain what the purpose of the gage is.

**Matt** stated, the gages collect data for long term analysis for water shed and mitigation projects. They provide information to the National Weather Service and the State so it can trigger a weather warning when it hits that level.

**Commissioner Veronica Serna** stated, there is a FEMA mitigation team that has been sent to us. They have identified around 20 more areas to do mitigation work. They want to meet with John Romero to see if there are any other areas that need to be identified.

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

**Commissioner Veronica Serna** seconded the motion.

*All in favor, motion carried.*

**8. Discussion: Update by Mora County Veteran's Memorial Committee**

**President of Veterans Memorial Committee, Joe Gene Pacheco**, presented the item. See presentation.

**Commissioner George Trujillo** thanked Mr. Pacheco and stated they will keep working on the capital outlay money for the project.

**Veteran Memorial Committee Member, Max Garcia**, stated they would like to designate County Road A011, El Carmen and A010 El Oro Road as Fallen War Heros Road.

**County Attorney, Ernestina Cruz** stated during the last presentation, Larry Garcia noted they will be providing the list of names, which we now have so we can move forward with the resolution at this time.

**Commissioner George Trujillo** asked the committee to provide the design and maybe they can have an event when they put up the signs.

**Commissioner Veronica Serna** thanked the committee for all their efforts recognizing the solders.

**9. Discussion: Update regarding Tramperos Road**

**Road Superintendent, John Romero** presented the update regarding Tramperos Road. Mr. Romero stated, GM Emulsions are working on the road, they started on the subgrade prep, they are working on the section by Randy Espinoza's to the bridge right now. They are putting new culverts that will be tied into the valley gutter, so all the water is going to be incased in concrete. Continued discussion took place.

**Commissioner George Trujillo** asked for a motion to enter into a 15-minute recess.

Special Meeting  
October 19, 2023

**Commissioner Veronica Serna** made a motion to enter into a 15-minute recess.

**Commissioner John Trujillo** seconded the motion.

*All in favor, motion carried.*

**Commissioner George Trujillo** asked for a motion to return to regular session after a 15-minute recess.

**Commissioner Veronica Serna** made a motion to return to regular session after a 15-minute recess.

**Commissioner John Trujillo** seconded the motion.

*All in favor on a roll call vote:*

**Chief Deputy Clerk Garcia** polled the board:

**Commissioner George Trujillo** – Yes

**Commissioner John Trujillo** - Yes

**Commissioner Veronica Serna** – Yes

*Reconvene regular session at 10:50 am.*

**County Attorney, Ernestina Cruz** stated, returning to the topic of Tramperso road, item number nine appearing on the agenda, last Thursday she participated in the weekly meeting with the various stakeholders addressing Tramperso road and part of the dialog was coordinating a meeting to be able to address the members of Tramperso, any questions they may have regarding the status of the project and what the next steps will be as well. Mr. Sena will work to coordinate that meeting for the benefit of the public.

**10. Discussion: Presentation by Community Bank regarding Mora County's potential banking relationship**

**Community 1<sup>st</sup> Bank, Evette Williams**, presented the item. Ms. Williams stated they have been doing community outreach. Part of the purpose of this is to provide information and education on what Community 1<sup>st</sup> Bank offers. Technology changes quickly and part of that situation they try to test and monitor is different ways on how they can help mitigate fraud and risk in the financial institution part. Catherine will be presenting the products they have and hopefully this is something the county can utilize.

**Catherine** presented; she stated one of the systems they use is the cash management system that governs the ACH program. The ACH program is the Automated Clearing House program which works through NACHA. It's a National Association, so all banks utilize the ACH program automatically. The ACH program is something you can use to pay out payroll as well as pay out vendors. With the ACH program you have the capability to process the payments automatically. Another program is called Yellow Hammer Program, it's part of the core system and there are several different factors with it. One is a daily monitoring program and the other is positive pay program.

**Ms. Williams** stated the basic thing is that we are educating as well as hoping to earn the county business. we try to make the transition process as smooth as possible. If there's any questions anyone has now or in the future, we are here to answer them.

**Commissioner George Trujillo** asked what it would take to switch banks.

**Ms. Williams** stated they have a transfer packet that shows what items are needed to do the transfer.

**Commissioner Veronica Serna** asked if there are service fees.

**Ms. Williams** stated those are negotiable; if it is just a straight checking account, the fees can be waived, depending on the program there could be a monthly service fee.

**Deputy Treasurer, Josephine Montoya** asked about the CDs the county currently has with their bank, they have matured and she spoke with Aaron yesterday and she was told that the CDs have matured 1.5% because they are old, but if the county should reinvest with the bank depending on the timing, he said six months, the bank would give a 5% or a year would be 4.75%.

**Ms. Williams** stated the bank is doing a promotional right now, regardless of whether it is a new or old customer; offering the six-month rate at 5% or the one year at 4.75%.

**Ms. Montoya** stated we want to reinvest in order to get the higher rate. we think it would be best to reinvest the two CDs at a higher percentage.

**County Attorney Ernestina Cruz** stated I recommend the request be adopted by way of resolution and be presented to the Commission at the next meeting.

#### **11. Discussion: Update regarding RFP for Mora County's Hazard Mitigation Plan and Presentation by Top Ranked Offeror(s)**

**North Central Economic Development, Monica Abieta** presented the item. Ms. Abieta stated I was going to provide a general update on the Hazard Mitigation Plan for Mora County. North Central Economic Development is acting as the fiscal agent for the plan. An RFP was issued for someone to develop the plan in late August and received five responses. The due date was September 30<sup>th</sup>. On October 12<sup>th</sup> they met with the county and scored the proposals. North Central, herself and their certified procurement office and finance director looked at it from the perspective of minimum qualifications, checking all the required boxes and then the staff at Mora, including the emergency manager, procurement manager and sheriff scored for experience, references, cost and those types of scores.

Everyone was in agreement with the first choice of the proposal. What they are doing right now is having a meeting on Monday morning with the firm to ask a few questions before they move forward. I don't want to disclose information on the firm because they haven't notified everyone in writing of the decision. If anyone has any questions, they want the committee to ask of the finalists I am happy to take those to the meeting on Monday and anyone is welcome to attend the meeting as well. The meeting is virtually on Monday, October 23<sup>rd</sup> and is at 9:00 am.

#### **12. Discussion: Updates on Project Status**

##### **a. CDBG Project Update by Alex Tafoya**

**County Attorney, Ernestina Cruz** stated I asked Mr. Tafoya to participate in this meeting because he has been doing some work related to a series of letters that need to be sent out to the various entities of the project, he at this point has sent over approximately 30 letters for Commission signature to be placed on county letterhead and will be ready for signature by tomorrow. He can provide a further update at the special meeting.

##### **b. Special Projects Committee Update by Chair Paul Cassidy**

**Special Projects Committee Chair, Paul Cassidy** presented the update. Mr. Cassidy stated, three weeks ago the committee became aware that the District Court needed another courtroom. The architect has been scrambling to find out what is needed for that kind of project. There is a grant opportunity that Commissioner George Trujillo is making the committee aware of for some time and the Administrative Office of the

Special Meeting  
October 19, 2023

Courts, which is administering that grant, has set a deadline for the 27<sup>th</sup> of October for the counties around the State to apply competitively.

Wayne Lloyd and Sheb Morono from Lloyd and Associates are trying to figure out what they need, pricing it out, and from that point they are going to have to figure out if they can get an application submitted by next Friday. The Administrative Office of the Court was not available to meet until next Monday at 10:00 am.

It's a tight turnaround time. Felicity Fonseca who is helping the county in many projects is reaching out to the Administrative Office of the court to see if there is a possibility to delay the submittal of the application so they can get ready and provide all of the things that is needed and for her to confirm there is a staff member to write it.

There are two different ways to apply. One is for projects under one million dollars and the other is for projects larger than one million dollars. The county must provide a 50% match. If that is done, the only match money the county has is County GO bond money.

**Commissioner George Trujillo** asked for a motion to enter into a 10-minute recess.

**Commissioner Veronica Serna** made a motion to enter into a 10-minute recess.

**Commissioner John Trujillo** seconded the motion.

*All in favor on a roll call vote:*

**Chief Deputy Clerk Garcia** polled the board:

**Commissioner George Trujillo** – Yes

**Commissioner John Trujillo** - Yes

**Commissioner Veronica Serna** – Yes

*Recess at 11:22 am.*

**Commissioner George Trujillo** asked for a motion to return to regular session after a 20-minute recess.

**Commissioner John Trujillo** made a motion to return to regular session after a 20-minute recess.

**Commissioner Veronica Serna** seconded the motion.

*All in favor on a roll call vote:*

**Chief Deputy Clerk Garcia** polled the board:

**Commissioner George Trujillo** – Yes

**Commissioner John Trujillo** - Yes

**Commissioner Veronica Serna** – Yes

*Reconvene regular session at 11:58 am.*

**County Attorney, Ernestina Cruz** explained the situation. Ms. Cruz stated, the Zoom link that was utilized for the purpose of today's meeting was set up on a free account and free accounts through zoom time out every 45 minutes. This was the second attempt to restart the meeting. What we have done in order to troubleshoot the issue is we will be utilizing another Zoom account. The information has been circulated as far as we can by looking at who had participated earlier. A notice has also been posted on Towncloud. On the agenda today, there is a link reflecting the new Zoom link. We have done the best that we can in light of the technological issues. For purposes of the Open Meetings Act we're still in compliance, because the meeting

was noticed that the meeting was to take place in person at the complex and none of those things have changed.

***Item 12. B. Continued***

**Mr. Paul Cassidy** continued presenting the update. Mr. Cassidy stated, Northeastern New Mexico Economic Development District made them aware of a three-million-dollar grant opportunity through EDA that is being processed later in the agenda in the form of a request letter the county needs to approve if they wish to go forward with the grant.

It would require a match in the amount of \$750,000. The money can be used for projects to complete portions of the county complex. It is very important that we recommend the county do that at the appropriate time. The committee is monitoring the 2.75 million-dollar DFA Recreation Grant. The county architect has been sent off to do conceptual design for the county to review. The county's 1.2-million-dollar EMS facility the architect is finally ready to go and trying to determine how to bid it out. They had to take the prior design and look it over so it can fit on the site.

Charlie Otero the county's Owner's Representative has suggested that the county do a public process for the construction cost since the county received the money is up 40% which causes an increase in labor and material cost.

**Clarity Collins** asked if there is a figure that the county might be short for the EMS building because they are working on the capital outlay request for that project and is the heating and cooling included in the package.

**Mr. Cassidy** will ask the architect if he can provide that information.

**13. Discussion/Action: Resolution in Support of the EDA Grant and Matching Funds for County Complex Construction**

**County Attorney, Ernestina Cruz** presented the item. Ms. Cruz stated I had an opportunity to visit with Ms. Collins regarding the request and spoke with Mr. Cassidy to discuss where the appropriate match funds should be applied. Mr. Cassidy indicated that the special projects committee believes that utilizing the match funds for purposes of the EDA Grant would result in the maximum result of return to the county, so the resolution reflects that North Central Economic Development District has prepared a grant seeking three million dollars in improvements for the Mora County Complex. The grant requires a letter from Mora County that will certify that the county has 750 thousand dollars in matching funds. The county does have those resources coming from the Franken Construction Litigation. The resolution reflects that the settlement proceeds from the Franken Construction Litigation satisfy the 750 thousand dollar matches. The first settlement was in the amount of 275 thousand dollars and the second amount was 500 thousand dollars.

**Commissioner Veronica Serna** made a motion to approve.

**Commissioner John Trujillo** seconded the motion.

*All in favor, motion carried.*

**14. Discussion/Action (Previously Tabled Item): Consideration of Amendment to the Budget for the CDBG EMS Project for costs associated with the architect's fee**

**County Attorney, Ernestina Cruz** stated the item can remain tabled and they will revisit the item at next week's meeting when Mr. Tafoya can present.

**15. Discussion/Action: Approval of Listing Agreement between Mora County and Shepler Commercial**

**County Attorney, Ernestina Cruz** presented the item. Ms. Cruz stated I had an opportunity to meet with John Shepler as well as Mr. Cassidy last week talking about the portables that FEMA wants to bring in. The group was alerted that the prior agreement had not yet been approved by the Commission; it was tabled in August and there were some minor issues on the procurement side as well as the initial term of the agreement. All those issues were addressed by way of the updated agreement; it's now ready for Commission approval.

**Mr. Paul Cassidy** stated we highly recommend that the Commission select a professional that could help the committee with the lease with FEMA. He was informed that GSA draft lease will be available sometime next week; the committee is ready to negotiate a lease. FEMA decided it is in their best interest to temporarily put two portables on county property on the southwest portion of the site until permanent facilities can be built within the County Complex. They are willing to pay the County a land lease and they want to make sure it is done appropriately in the County's best interest.

**Commissioner George Trujillo** asked if there is a recommendation by Interim Manager Brad Sena.

**Mr. Sena** stated that I recommend the Commission approve the listing agreement between Mora County and Shepler Commercial.

**Commissioner Veronica Serna** made a motion to approve the recommendation.

**Commissioner John Trujillo** seconded the motion.

*All in favor, motion carried.*

**16. Discussion/Action: Approval of Minutes**

**a. September 18, 2023: Special Meeting**

**Commissioner Veronica Serna** stated that on item number 12 the item was tabled with the issue of the rentals. I would like to see more of the discussion that took place because it's not clear as to why it got tabled.

**County Attorney, Ernestina Cruz** stated since we are going to be having the special meeting next week, it is recommended that we have the Clerks office address that particular concern and then consider the minutes at the upcoming meeting. It is recommended that item number 16 a. be tabled to address the concern regarding item number 12.

**Commissioner John Trujillo** asked for a motion to *table* item 16. a. (*Commission Chair Trujillo stepped out of the meeting*)

**Commissioner Veronica Serna** made a motion to table item 16. a.

**Commissioner John Trujillo** seconded the motion.

*All in favor, motion carried.*

**b. September 27, 2023: Special Meeting**

**County Attorney, Ernestina Cruz** stated that the minutes for September 27, 2023, Special Meeting are not yet finalized. The staff member at the Clerks office has been

addressing some election related issues so there is a bit of a delay. It's anticipated that the minutes will be ready by the upcoming meeting. It is recommended to table item 16. B.

**Commissioner John Trujillo** asked for a motion to table item 16. b. (*Commission Chair Trujillo stepped out of the meeting*)

**Commissioner Veronica Serna** made a motion to table item 16. b.

**Commissioner John Trujillo** seconded the motion.

*All in favor, motion carried.*

**c. October 5, 2023: Special Meeting**

**Commissioner Veronica Serna** made a motion to approve item 16. C

**Commissioner John Trujillo** seconded the motion.

*All in favor, motion carried.*

**17. Discussion: Elected Official and Department Head Report(s)**

**a. Elected Official(s): County Assessor, County Clerk, County Treasurer, and Sheriff's Office**

**County Clerk - Chief Deputy Clerk, Krystle Garcia** presented the County Clerk report. Ms. Garcia provided special dates for the upcoming Local Election. See attached report.

**Sheriff's Office – Sheriff Americk Padilla** presented the Sheriffs report. Mr. Padilla stated the sheriff's office has been extremely busy for the month of October. They have been in communication with the Village of Wagon Mound in preparation for Halloween. They want to make sure that everyone out trick or treating is safe; they will be out patrolling.

Dona Anna sheriff donated the Sheriff's Office five used units, 2016 Chevy Tahoe's which were received 90% outfitted. This saved the county roughly 100 thousand dollars. The units will be used in the event one of the other units is down.

**Mr. Padilla stated for the record**, if anyone knows of anyone that is out there operating heavy equipment on the roadway, inform them to properly tarp their loads and they have all the proper documentation and make sure they have everything necessary to operate on a New Mexico State highway. With that being said, the Sheriff's office is going to be vigilant, educating the public and enforcing the laws making sure pedestrians and roadway are safe.

**b. Department Head(s): EMS, Planning and Zoning Department, and Road and Solid Waste Department**

**Planning & Zoning – Planning & Zoning Director, Brad Sena** presented the Planning & Zoning report. Mr. Sena stated within the Planning & Zoning office he has been working on providing the public with E911 addresses for FEMA. At the last meeting I was asked about some businesses and if they had acquired a business license. I went out and got five new business licenses. Other than that, everyone else is renewing their business licenses. I reviewed three plats for recording.

**c. County Manager**

**Interim Manager, Brad Sena** presented the County Manager report. Mr. Sena stated that other than attending the meetings I have needed to attend regarding the portables that



are coming from FEMA there have been so many meetings I have attended. I have been handling the day-to-day operations for the county. A list of the items I have attended to will be provided at the next meeting.

**d. Human Resources**

**Human Resources, Des Marie Romero** presented the Human Resources report. Ms. Romero stated in the month of October there are several employees that celebrate a birthday. Ms. Romero presented the October birthdays and anniversaries.

Ms. Romero stated October is a busy month, we held Open Enrollment. 51 employees, which includes Elected Officials are eligible for the benefits. 33 of the employees attended, 18 did not attend. I will be meeting with them to be sure of their enrollment packet.

On Monday, New York life will be here at 9:00 am to see if any employees want additional coverage for life insurance. Next month, on Friday, November 10<sup>th</sup> is the celebration of Veteran's Day, therefore, the County offices will be closed. On November 23<sup>rd</sup> and 24<sup>th</sup> the offices will be closed in observation of Thanksgiving.

**e. Announcements**

No announcements.

**f. County Commission**

**Commissioner Veronica Serna** stated that all the Commissioners have participated in several meetings. Mrs. Serna stated that the HPCC act is a brand-new program, and they are still trying to work through all the kinks. There has been a bottleneck on some of the notice of losses that have come through, which was discussed at last night's meeting. They are going to try to get the claims through sooner. The claims office will continue to push out partial compensation payments quicker. Some of the issue is the small space the claims office has to work with, they don't have adequate space for additional workers to process the claims. Once they get more space, she believes that will help expedite the process.

**Commissioner George Trujillo** stated that FEMA is bringing two doublewide 24 x 60 trailers to accommodate hiring more employees. They are going to be parked at the south end of the Complex. He's thinking it will be done in the next month or two.

**18. Discussion/Action: Approval of Mora County's Expenditure Report and Budget Report**

**a. Expenditure Report – September 2023**

**Finance Director, Edna Sena** presented the expenditure report. Ms. Sena stated that for the month of September expenditures were a total of \$707, 244.00 the expenditures include monthly utilities, contracts, payroll, payroll deductions, other department purchases and maintenance.

**Commissioner Veronica Serna** stated that there is one expense that shows that there was a double payment issued.

**Ms. Sena** stated that it is due to the vendor not having a contract in place at the time, therefore payment was held.

**Commissioner George Trujillo** asked if there is a recommendation by Interim Manager Brad Sena.

**Mr. Sena** stated that it is my recommendation that the Commission approve item number 18 a. the expenditure report presented by Ms. Sena.

**Commissioner Veronica Serna** made a motion to approve.

**Commissioner John Trujillo** seconded the motion.

*All in favor, motion carried.*

**b. Budget Report – September 2023**

**Finance Director, Edna Sena**, presented the budget report. Ms. Sena stated that the report is as of September 30<sup>th</sup>. Ms. Sena provided the Commission with information regarding the road department budget that was not included in the packet. Ms. Sena stated all the departments are within budget except for the road department. I provided a breakdown with a nine-month prediction. The road department is taking a hit because they are paying the presented expenses. If you calculate that \$30,720 is the amount that will be left in operation for the next nine months.

**Commissioner Veronica Serna** asked if some of the road department expenses are due to the disaster and if so, will the county be reimbursed for the costs.

**Clarity Collins** spoke on the subject. Ms. Collins stated that disaster-related costs are reimbursable costs and what needs to happen moving forward, is using some of the SB6 funds to directly fund the disaster related expenses rather than running the expenses directly from the road department budget.

Ms. Collins stated, included in the information provided is a plan for what they have put together on how reimbursement will work. Ms. Collins explained each expenditure they want to move to the SB6 budget and explained they will begin tracking the expenditures more closely, moving forward.

**Mr. Sena** stated that she would like to request a Work Session to discuss all the disaster funds so everyone can have an update on where everything is at and what the county is going to do moving forward.

**County Attorney Ernestina Cruz** stated she will meet with Edna to discuss moving forward with an agenda item related to her request for discussing the item further.

**Interim Manager, Sena** recommended that the budget report be approved.

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

**Commissioner Veronica Serna** seconded the motion.

*All in favor, motion carried.*

**19. Discussion: Update regarding Intergovernmental Agreement between Mora County and Union County for Fiscal Agent**

**County Sheriff, Americk Padilla** presented the item. Mr. Padilla stated I attended Union County's last Commission meeting where their Commission approved the agreement.

**County Attorney, Ernestina Cruz** stated the Sheriff and Under Sheriff attended the Union County Commission Meeting on October 10<sup>th</sup> to personally address this item. From later communicating with the County Manager, Brandy Thompson, Union County, and their Commission did appreciate that effort of outreach that was undertaken by the Sheriff's office.

Mora County, and my office drafted the Intergovernmental Agreement with minor revisions from their legal counsel. You will also recall that Brenda Casados and the EMS asked for additional

language, which has been included. Upon receiving the fully executed agreement it was transmitted to DFA council. They processed the request very quickly and I indicated that the commission would be meeting today.

**20. Discussion/Action: Approval of Capital Appropriation Project Agreements with DFA involving the following: (a) Fund 93100 in the amount of \$100,000 for the Road Department Maintenance Shop, (b) Fund 93100 in the amount of \$75,000 to purchase and equip equipment for the Road Department, and (c) Fund 93100 in the amount of \$1,000,000 to purchase and equip equipment for the EMS and Sheriff's Office**

**County Attorney, Ernestina Cruz** presented the item. Ms. Cruz stated once the fully executed agreements were obtained from Union County, I worked with the Local Government division to obtain these three agreements. Monica Tapia has previously been the point of contact at DFA, it is now Stephanie Cramer; she was new to the position. The sheriff and I got on the phone with her to let her know the urgency, therefore quickly put them together. Each of the agreements has three exhibits. The first exhibit is a Request for Payment form, the next is a Notice of Obligation and all of the documents need to be processed in connection with the request for disbursement which explains why Mora County wanted to provide an administrative amount to Union County.

**Interim Manager, Sena** recommends the three agreements be approved based off of Ms. Cruz recommendation.

**Commissioner Veronica Serna** made a motion to approve.

**Commissioner John Trujillo** seconds the motion.

*All in favor, motion carried.*

**21. Discussion: Status of Fiscal Agent Agreements with San Miguel County**

**County Attorney, Ernestina Cruz** stated I received an email from San Miguel County Manager, Joy Ansley, on Wednesday, October 11<sup>th</sup>. She advised that San Miguel County would be terminating its role as fiscal agent on a project that is ongoing, it is the CDBG project. There were two other projects but those projects have been brought to conclusion. Mora County will need to identify a new fiscal agent for the CDBG project. Upon receiving the email from Ms. Ansley, she communicated the information to Mr. Sena and the County Commission. The next step will be to get in contact with DFAs legal counsel to advice of the change in circumstances and to make a request that we wish to select a new fiscal agent. One of the things that was noted on the letter from Ms. Ansley was that the agreement expired on June 30, 2023.

**22. Discussion/Action: Status of FY22 MainStreet Capital Outlay Grant Agreement and Direction to County Manager and/or County Attorney on Next Steps to Proceed**

**County Attorney, Ernestina Cruz** presented the item. Ms. Cruz stated this item is more of a discussion item that could require some follow-up on the action part of the item. This is the status of the FY22 Mainstreet Capital Outlay Grant Agreement. It's a request of the Commission to provide directions to the County Manager and County Attorney on what the next steps will be. As you recall Commission Chair Trujillo, Commissioner Serna, late last year Mora County was approached regarding the grant agreement it was put up for a vote and the Commission voted in favor to support the grant agreement.

After supplemental review of the report there was some concern because the "grantee", Mora County is responsible for a match fund in the amount of \$11, 300, 60% of that can be in cash with

Special Meeting  
October 19, 2023

the remaining 40% as in-kind contribution, which was a concern for the Commission at the time. This agreement hasn't moved forward since then.

We later came to learn that Mainstreet would have those match funds available and would pay them directly. Since that time the State has informed Mainstreet that there are some reporting requirements that need to be taken care of.

**Mora Creative Council President, Ilka** stated the director of Mainstreet is available for any questions regarding the agreement but the most important thing to remember is if we do not proceed, Mainstreet could lose the funding and will have to be reassigned. Ilka went over the report that was provided to the Commission. See attachment.

**Mainstreet President, Daniel Gutierrez** addressed the question regarding the match amount. Mr. Gutierrez stated all along he thinks the assumption was that the USDA grant that had been secured would be the match so there is no match required by the County. If there is language that would suggest the County has to provide a match, they can send the County an updated agreement without indicating the County has to contribute a match.

**County Attorney Cruz** stated with that clarifying language the Commission can proceed with the approval of the agreement.

**Commissioner George Trujillo** asked if there is a recommendation from Interim Manager Brad Sena.

**Mr. Sena** stated that it is my recommendation that the Commission approve the agreement based on the attorney's recommendation.

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

**County Attorney, Ernestina Cruz**, stated she would recommend the item be tabled until the changes are made.

**Commissioner Veronica Serna** made a motion to *table* the item.

**Commissioner John Trujillo** seconded the motion.

*All in favor, motion carried.*

### **23. Discussion/Action: Resolution Supporting Legislative Priorities advanced by New Mexico Counties**

**County Attorney, Ernestina Cruz** presented the item. Ms. Cruz stated Commissioner Serna sent an email to my office and to Mr. Sena, it was something that was provided by New Mexico Counties. The Board of New Mexico Counties have identified its legislative priorities for 2024 and they have requested that all 33 Counties in the State of New Mexico adopt the attached resolution found on page 72 of the packet. This would indicate Mora County's support of the priorities that have been identified by New Mexico Counties.

They include a detention reimbursement fund because there is currently a 2.5 million dollar shortfall that is impacting counties statewide for the housing of state inmates. There is a detention, recruitment and retention request to help better ensure that there are sufficient employees working within the corrections force. There is also a prisoner transport and extradition item where New Mexico Counties is requesting that DFA reimburse 750 thousand dollars to counties to provide transportation to State prisoners, in addition to that, there is a request for emergency medical services making note of the fact that there should be an increase in the budget

of 10 million dollars to better support EMS services in rural areas, that would include Mora County.

There's a request for courthouse funding so there be a reoccurring appropriation of 25 million dollars for the construction and renovation of State and District courthouses. There's also a request for an increase for the State health benefits plan, you'll recall that you signed on for litigation because of the late bill received from the State, and there is a deficit of 149 million dollars. What New Mexico Counties is asking for is that the State pay for that deficit rather than asking county government to pay for that deficit. There is also an item asking for the Elected Official salary increase to be tied into Consumer Price Index so that instead of having to go back to the State Legislature every time there is an election to ask for that increase, instead it will be tied to the CPI and that will ensure that Elected Officials are being properly paid year after year. Finally there is an item for fire fighter recruitment and retention. The request is for a reoccurring fund in the amount of 50 million dollars to ensure that there is better support for firefighters. These are the items that have been recommended by New Mexico Counties for support by each county. That is the resolution the Commission has before them.

**Commissioner George Trujillo** asked if there is a recommendation from Interim Manager Sena. **Mr. Sena** recommends item number 23 be approved.

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

**Commissioner Veronica Serna** seconds the motion.

*All in favor, motion carried.*

**24. Discussion/Action: Approval of Intergovernmental Services Agreement between New Mexico Economic Development Department and Mora County**

**Clarity Collins** presented the item. Ms. Collins stated, we were requested a couple of months ago to work on funding and resources for downtown markets, we have an opportunity with the space between Allsup's, that is naturally and organically happening, we have festivals that we already put on that are well attended and are good for our community. What we haven't had is a budget to do it and do it well. So we did a grant application to support a series of downtown markets and the goal is for eight Saturdays, just to have happening stuff in down town Mora. This will be for next spring and summer. It does include funds to purchase a wide variety of equipment that is needed to kick off markets to also include a coordinator position.

**Commissioner George Trujillo** asked if there is a recommendation by Interim Manager Brad Sena.

**Mr. Sena** recommends the item be approved.

**Commissioner Veronica Serna** made motion to approve.

**Commissioner John Trujillo** seconded the motion.

*All in favor, motion carried.*

**County Attorney, Ernestina Cruz** requested a short break.

**Commissioner George Trujillo** asked for a motion to take a 15-minute recess.

**Commissioner Veronica Serna** made a motion to take a 15-minute recess.

**Commissioner John Trujillo** seconded the motion.

*All in favor, motion carried.*

**(30) Executive Session: Limited personnel matters to include interviews and hiring for the County Manager position and employee complaints and/or related investigations (may involve outside counsel, Nancy Long); pending litigation in matters involving John Paul Vigil and Isaac Martinez; threatened litigation to include possible injunctive relief and/or TROs, pending tort claims, and Negotiations involving the Calf Canyon/Hermits Peak Request for Proposals (may include meeting with outside counsel, Steve Kopelman)**

NOTE: The time between the break and executive session was not identified on the recorder. Awaiting notes from Krystle.

**Commissioner George Trujillo** asked for a motion enter into regular session.

**Commissioner John Trujillo** made a motion to enter into regular session.

**Commissioner Veronica Serna** seconded the motion.

*All in favor, on a roll call vote:*

**Chief Deputy Clerk Garcia** polled the board:

**Commissioner George Trujillo** – Yes

**Commissioner John Trujillo** - Yes

**Commissioner Veronica Serna** – Yes

The Commission entered into regular session at 4:54 pm.

**Commissioner George Trujillo** stated, after a long executive session no action was taken or decisions made. We did consult with Steve Kopleman outside council for the Calf Canyon Hermits Peak request for proposals and Sandra Romero was also in executive session because she was part of the committee.

**County Attorney, Ernestina Cruz** stated, I did not participate in that portion of executive session but for the remainder I was present and you conferred about the items identified in item 30.

**25. Discussion/Action: Approval of Addendum to County Attorney Contract Authorizing Flat Fee for Work involving the Mora County's Personnel Handbook and Mora County Sheriff's Office Standard Operating Procedures**

**Interim Manager, Brad Sena** stated I recommend the item be approved due to the major items here, the Mora County Personnel Handbook and the Mora County Sheriff's Office standard Operating Procedures.

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

**Commissioner Veronica Serna** seconded the motion.

*All in favor, motion carried.*

**26. Discussion/Action: Approval of Road Viewer's Committee involving County Road C-027 (also referred to as "Texas Road")**

**Commissioner George Trujillo** asked for a motion to table the item.

**Commissioner Veronica Serna** made a motion to *table* item 26.

**Commissioner John Trujillo** seconded the motion.

*All in favor, motion carried.*

**27. Discussion/Action: Approval of Lobbyist Contract for the 2024 Legislative Session**

**County Attorney, Ernestina Cruz** presented the item. Ms. Cruz stated last year Mora County worked with two lobbyist, Mr. Frank Sanchez and Ms. Terra Hendrick. Tara Hendrick is the individual that is going to be providing lobbyist services for the 2024 Legislative Session. While she will be directly involved in the lobbyist function during the legislative session she will also be providing any additional services as may be needed through October 31, 2024 related to Mora County's efforts during the legislative session.

**Commissioner George Trujillo** asked if there is a recommendation by Interim Manager Brad Sena.

**Mr. Sena** recommends item 27 be approved.

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

**Commissioner George Trujillo** seconded the motion.

**Commissioner Veronica Serna** stated I have several questions. It was mentioned a few months ago that were issues with her, have they been taken care of.

**Commissioner George Trujillo** stated, yes.

Continued discussion took place.

**Commissioner Veronica Serna** stated what has she really done for us, last year as a lobbyist.

**Commissioner George Trujillo** stated, **what does a lobbyist do**

**Commissioner Veronica Serna** stated **what did she do.**

*All in favor, motion carried.*

**Commissioner Veronica Serna** apposed because she thinks that tax payer's money could be used in a better fashion

**28. Discussion: Update regarding inquiry about Robert and Betty Martinez Quitclaim Deed and request for transfer of property from Mora County**

**County Attorney Ernestina Cruz** presented the item. Ms. Cruz stated this is an update regarding inquiry about Robert and Betty Martinez Quitclaim Deed and request for transfer of property from Mora County. We have been contacted by the attorney for this family regarding a proposed transfer. First the request came from Trujillo real estate. Joseph Lopez was asking about the request to move forward with the transfer of property and then their attorney, that's based out of Albuquerque, reached out as well. This was on the prior agenda as well. I did ask for additional information from both Mr. Lopez and the attorney, they provided some information but the deeds and documents are not legible so there is additional follow up that is required at this point in time. I am hoping they provide the documents that are needed so that I can perform the research and analysis that is needed in order to properly advise you regarding the next steps. Not an action item just a discussion so you know where we're at this point in time.

**29. Discussion/Action: Status of Road Equipment Leases and/or purchases and recommendation to staff on how to proceed**

**Clarity Collins** presented the item. Ms. Collins stated a couple of things to note on where we're at with equipment purchases. The most important I want the Commission to hear is we have a significant delay with FEMA and DHSEM on getting our category B late damage inventory

requests approved. What that means is we had emergency actions that were approved during the disaster but everything that has happened since then is currently not reimbursable with FEMA because they have not approved the late DI request. The problem with that, is that they have approved it for our neighboring county and they were both submitted on August 31<sup>st</sup>. The delay in it getting approved is problematic for us to make the moves that we need to make on purchasing the equipment. There is a real significant delay and she can't get answers from anyone as to why. There was some procurement irregularities in the way we went about the purchasing of the grader you have.

Edna and I and Sandra have been working closely to figure out exactly where we are at and what we need to do to right those. The money we have from the Governor is 280K from capital outlay and we are going to use it toward the purchase of one of the graders, it is not one of the ones that has already been purchased its one we have in the works. The one we have on the ground is leased and we are making monthly payments on that. That is in the amount of five thousand dollars, that is what we need to get the amount from the SP6 DFA money. We need to start paying that out of that and not from the road department budget.

When we get all that squared away I would like to get with you all on a resolution for the purchase of the ones we still need to buy and I will ensure we follow all the right steps. We had originally talked about renting a dump truck. John needs operators for those dump trucks. It was more efficient for him to contract with our local people who have dump trucks to do the hauling work so at this time we're not trying to rent a dump truck. The contract work is reimbursable as well.

**County Attorney, Ernestina Cruz** stated for purposes of clarification, Ms. Sena presented earlier with concerns on Mr. Romero's budget so what you're saying is that the work you are describing now is not going to be coming out of his budget it will be coming out of what?

**Ms. Collins** stated John's budget is his normal operating budget for his department. We have our money in the bank that we are supposed to be using for disaster recovery, the SP6. We have not expended any money because we have been trying to make sure we have a good process in place for reimbursement. To make sure we know how to pull it down, track it, spend it etc. we're about there and at this point we want to stop spending Johns money. He can be reimbursed for what has already been spent from his budget that is disaster related.

**Commissioner Serna** stated that DHSEM just reported that they just received approval for Mora County late this afternoon.

Discussion took place regarding how the contract workers are being compensated.

**Commissioner George Trujillo** asked the pleasure of the Commission.

**Commissioner George Trujillo** made a motion to allow John Romero, Road Supervisor to decide how to do this because the road needs to be fixed and bring a report back to the Commission by Wednesday when we have our meeting, see if it's working out, if not we will change it.

**Commissioner Veronica Serna** seconded the motion.

*All in favor. Motion carried.*

**30. Discussion/Action: Consideration of Temporary Pay Increase for position of Administrative Assistance to the County Manager**



**Interim Manager, Brad Sena** presented the item. Mr. Sena stated we haven't had an Administrative Assistant in three weeks so there is a cost savings here. The temporary pay increase would be in the amount of \$23.50.

**Commissioner Veronica Serna** made a motion to approve.

**Commissioner John Trujillo** seconded the motion.

*All in favor, motion carried.*

**31. Discussion/Action: Approval of Settlement between Isaac Martinez and Mora County**

**County Attorney, Ernestina Cruz** presented the item. Ms. Cruz stated this item is an approval of settlement between Isaac Martinez and Mora County. While we ordinarily discuss pending litigation, in open meeting, members of the community will have seen that there is a matter involving Isaac Martinez where he is the Plaintiff and Mora county is the defendant, it is a matter of public record that the county was sued, it's also a matter of public record that the judge in Santa Fe ordered the parties to go to a mediation and we participated in that court ordered mediation two Fridays ago and that took place on October 6<sup>th</sup>.

Mr. Sena had previously been provided full settlement authority by the County Commission in anticipate of that mediation. The mediation was held before, now retired District Court Judge, Jeff McElroy and the case has settled. The draft of the settlement agreement is included in the packet. We have somewhat specifically settled the terms of the agreement there is some additional work that needs to be done and it involves Mr. Romero and your department. We have talked about what your department is going to need to do. You will be going with the Chairman, I am hoping on Monday, to do the site inspection and then we will have a plan as to the next steps that need to be taken. Right now Commission, you have the draft memorandum of agreement which outlines the terms of the settlement and all you need to do as a County Commission is approve the settlement as is set forth on pages 90, 91 and 92 of your packet.

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

**Commissioner Veronica Serna** seconded the motion.

**Commissioner George Trujillo** stated, Johnny Tina is going to schedule a meeting on Monday afternoon with Isaac and Jerry and then we have to finish within 30 days

*All in favor, motion carried.*

**County Attorney, Ernestina Cruz** stated in regard to the Isaac settlement, there is a scope of work that needs to be put together so I will be visiting with you, Mr. Romero and the Chairman following your meeting with Mr. Martinez and will give additional information via email and you will want to review the packet before you go on site and I will make myself available before you go on site if there are any questions you might have as well.

**32. Discussion: Update on Hiring Process for County Manager Position**

**County Attorney, Ernestina Cruz** presented the item. Ms. Cruz stated the item you have before you is an update on the hiring process for the county manager position. It was identified that there had not been earlier posting on to the website of the vacant position and once we identified that issue it was agreed that the deadline for submitting applications, in consultation with the Chairman and my office, the deadline for submitting application would be extended from October 13 at noon until October 27 noon. So the deadline has been extended by two weeks in order to

ensure that the county is complying with the requirements and personnel handbook as it relates to posting.

As a consequence the timeline for making this hire for the manager position will be pushed back just a bit. The Commission will be hosting a Work Session on October 30 from 2:30 until 4:30. There have been a couple of meetings up to this point where discussion about having a work session and its agreed that this work session should happen around the hire of the manager so that perspective applicants for the position can hear what the issues are in the county, they can be better informed and a more informed fashion better answer questions during the interview process.

There will be a work session where all Department Heads and Elected Officials will be given an opportunity to present what is going on in their department to better inform the applicants of what those key issues are. On the 31<sup>st</sup> the Commission will then conduct its interviews of the applicants; it's expected that those interviews when begin at noon and it will go throughout the course of the afternoon and evening until they are brought to conclusion. The standard procedure that needs to take place will need to be adhered to but that informs members of the public of what the timeline looks like at this time.

**33. Next Regular Meeting: November 16, 2023**

**Commissioner George Trujillo** stated the next regular meeting will be held on November 16, 2023 at 9:00 am.

**34. Discussion: Other informational announcements**

**Commissioner George Trujillo** asked Interim Manager, Sena if he will be available at 10:00 tomorrow morning. He has been contacted by the auditor that is going to do the special audit and he wanted to ask us questions.

**Mr. Sena** stated I am available.

**Commissioner Veronica Serna** stated as a reminder we will be having a special meeting on Wednesday at 4:00.

**35. Adjournment**

**Commissioner Veronica** made motion to adjourn

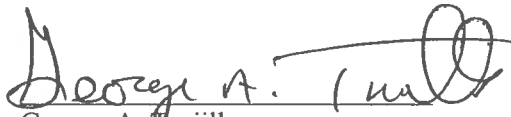
**Commissioner John Trujillo** seconded the motion.

*All in favor, motion carried.*

**Commissioner George Trujillo** stated meeting at 5:28 pm

Special Meeting  
October 19, 2023


**MORA COUNTY BOARD OF COMMISSION**

  
George A. Trujillo  
Chairman

  
John H. Trujillo  
Vice-Chairman

\_\_\_\_\_  
Veronica M. Serna  
Member



  
Carlos J. Arellano  
County Clerk

