

## Special Meeting March 11, 2024

**1. Call to Order**

**Chairman George Trujillo** called the meeting to order at 4:00 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 Elena Duran** polled the board:

Commissioner George A. Trujillo	-	Present
Commissioner John H. Trujillo	-	Present
Commissioner Veronica M. Serna	-	Present

**4. Approval of Agenda**

**Manager Joseph Garcia** stated unless you all have changes, I recommend you approve the agenda as presented.

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

**Commissioner Veronica Serna** seconded the motion. *All in favor. Motion carried.*

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

**a. November 20, 2023-Special Meeting**

**Manager Garcia** recommends approval.

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

**Commissioner Veronica Serna** Seconded the motion. *All in favor. Motion carried.*  
(See item 22 for rescind of motion, motion to table)

**b. January 19, 2024-Special Meeting**

**Manager Garcia** recommended approval.

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

**Commissioner J. Trujillo** seconded the motion. *All in favor. Motion carried.*

**c. January 25, 2024 - Special Meeting**

**d. February 1, 2024-Special Meeting**

**e. February 9, 2024-Special Meeting**

**Manager Garcia** recommends table item 5. c. - e.

**Commissioner V. Serna** made a motion to table item 5. c. - e.

**Commissioner J. Trujillo** seconded the motion. *All in favor. Motion carried.*

**6. Discussion/Action: Approval of Lease Agreement with FEMA**

**Manager Garcia** presented the item. Mr. Garcia stated the Lease Agreement in your packet was negotiated, and it was reviewed by our Commercial Real Estate Consultant, John Shepler. The

shell rent increased from \$8 a square foot to \$12 a square foot. I recommend approval of the Lease Agreement.

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

**Commissioner V. Serna** Seconded the motion. *All in favor. Motion carried.*

7. **Discussion/Action: Recommendation by Brad Sena regarding Road Viewers Committee**  
**Manager Garcia** stated Mr. Sena is not in today but it is his recommendation that the Commission authorize Brad Sena to advertise the Road Viewers Committee letter of interest request for County Road 027, District C.

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

**Commissioner V. Serna** Seconded the motion. *All in favor. Motion carried.*

8. **Discussion/Action: Resolution Approving Creation of New Position titled "Chief Financial Officer (Temporary)", Job Description, and Rate of Pay**

**Manager Garcia** presented the item. Mr. Garcia stated we just finished interviewing the gentleman by the name of Jesus Baquera, who's interested in the position. He is currently the accountant for Franken companies. I interviewed him about an hour ago. We're really happy that he's interested in it and want to recommend approval for this position to hire him. The position of Chief Financial Officer, it'll be a temporary one, but it's needed to provide greater support and oversight of the Finance Department. The individual hired to this position will serve no longer than six months in a temporary capacity, and the proposed job description is in your packet, and the proposed rate of pay will be \$32 an hour.

**Commissioner V. Serna** stated is it feasible to have a temporary position overseeing the department and have access to passwords? Also, did you have an interview panel for the position?

**Manager Garcia** stated yes, Mrs. Casados, Mrs. Romero, Mrs. Seferina Romero, and Adelita and I brought the same panel, and we interviewed him because I was not present for the first one. We interviewed him, he's a good applicant.

**Commissioner V. Serna** stated Tina, I have a question. Is it feasible if we don't have a pool for a temporary position? Is it okay to proceed?

**County Attorney Ernestina Cruz** stated the way your personnel handbook is drafted, you don't technically need to have a pool for a temporary position. You'll recall that when the Manager's office was essentially vacated at the end of May, the positions were able to be filled because of the temporary position language. Those positions included not only the Interim County Manager, but also the Administrative Assistant to the Manager and the Human Resources Coordinator. All three of those positions in June were temporary and were filled in the absence of a pool.

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

**Commissioner V. Serna** Seconded the motion. *All in favor. Motion carried.*

9. **Discussion/Action: Resolution Approving Creation of New Position Titled "IT Technician-Law Enforcement", Job Description, and Rate of Pay**

**Sheriff Americk Padilla** presented the item. Mr. Padilla stated the current IT individual that we have, I think is just a little overwhelmed, and due to the money from DFA and the Governor, we were going to utilize some of that money to create this position so we're not running into these hiccups that we're running into. Our system is a little different than everybody else's systems. If

we're unable to address the situation if there's a malfunction within our laptops and we're not able to get it situated right then and there, it hinders the deputy from doing the job. So that's the reason for this position. If we call him on the spur of the moment, he's able to address it and take care of it. This position will be paid \$26.

**Manager Garcia** stated I recommend you approve the Sheriff's request.  
Further discussion took place.

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

**Commissioner V. Serna** Seconded the motion. *All in favor. Motion carried.*

**10. Discussion/Action: Memorandum of Understanding between Mora County Sheriff's Office and Village of Wagon Mound**

**Sheriff Padilla** stated nothing has changed on the JPA. We are still going to be covering the Wagon Mound area.

**Manager Garcia** stated recommendation to approve.

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

**Commissioner J. Trujillo** seconded the motion. *All in favor. Motion carried.*

**11. Discussion/Action: Approval of Continuation of The Mora County Extension Service Program**

**Mora County Extension Office, Sunny Finley** presented the item. Ms. Finley stated I hope that you guys seen some of the flyers and the programs that we're doing. I've been attending Farm Bureau meetings, the Fair Board Association, and the water districts. I'm trying to really get involved in the community and help our agriculture flourish and recover from the fires. We have a strong 4-H group. We have over 48 kids from Mora Valley in there.

**Manager Garcia** stated recommendation to approve.

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

**Commissioner V. Serna** seconded the motion. *All in favor. Motion carried.*

**12. Discussion/Action: Approval of County Manager Recommendation to Proceed with Procurement for Contracts**

**Manager Garcia** stated to scratch item 12. (Item removed from the agenda).

**13. Discussion: Pending Procurement Matters to include RFPs**

**Manager Garcia** stated the disaster recovery RFP was reissued on Friday. The two offerors to the prior RFP were likewise informed. We emailed them and told them that it got reissued, and we plan to award the contract by early April. The team did really good, I'm proud of them for getting it all done and putting it out.

**14. Discussion/Action: Approval of County Manager Recommendation to Reissue the CHET RFP**

**Manager Garcia** presented the item. Mr. Garcia stated we received feedback from CHET regarding the prior RFP and our Procurement Officer, Adelita Encinas. This is the next RFP that we're going to work on and request that the Commission approve moving forward with the issuance of this RFP.

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

**Commissioner J. Trujillo** seconded the motion. *All in favor. Motion carried.*

**Attorney Cruz** stated I think the intent by way of today's approval is to authorize the issuance of the RFP. Adelita Encinas, and the Manager can visit with Mr. Lovato, who provided some substantive and very helpful feedback, and the Manager can then simply move forward with issuing the RFP. The substance of the RFP is not really something that's going to require feedback, per se, from the Commission. It's something that could be circulated for your individual review before it's issued, but if you feel like you want it to come before you, you can certainly do that, otherwise, what's going to happen is similar to what just happened with the RFP for disaster recovery, which is your Procurement Officer did what they're required to do, which is to draft the RFP, and to visit with the Manager regarding the draft of the RFP. If the Finance Director or the CFOs are available, obviously, you want them to be involved in that process as well, and then it's ultimately going to be coming back to you all for final consideration when the award needs to be made. At this stage, it's procedural work that needs to be done for the RFP to be issued.

**15. Discussion/Action: Resolution for Budget Adjustment**

**Manager Garcia** stated I recommend table the item.

**Commissioner V. Serna** made a motion to *table* item 15, as recommended by the Manager.

**Commissioner J. Trujillo** seconded the motion. *All in favor. Motion carried.*

**16. Discussion/Action: Resolution Authorizing Third Withdrawal of Interest in the SB 6 LGIP Account**

**Manager Garcia** stated I am requesting you to make the withdrawal of the interest from SB 6. As long as I have your approval for that, then the resolution can be prepared when we get our Finance person back. The amount is \$165,000.

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

**Commissioner V. Serna** seconded the motion. *All in favor. Motion carried.*

**Attorney Cruz** stated the resolution that you have on the third withdrawal does indicate that monies will be utilized for operational expenses, that the monies will be deposited in the general fund until you are presented with the budget adjustment, at which point the Manager will identify with specificity, the purpose within which those funds will be utilized, not only by the amount, by which office or department those funds will be dedicated. So, at this point, you're authorizing the withdrawal of the funds by the Treasurer's office, so that they can be deposited in the County's bank account, and then once the Manager has the Finance Director, or the CFO available to draft the budget adjustment, very soon, we'll be presented with that budget adjustments, so you have a clear understanding as to how those funds will be dedicated.

**17. Discussion/Action: Resolution to Increase the Money in the Solid Waste Drawer for Daily Transactions**

**Manager Garcia** presented the item. Mr. Garcia stated currently, the folks at the Solid Waste facility have \$50 that they use to give change, and a lot of times they run out, so they asked for it to be increased to \$200.

**Attorney Cruz** stated I believe this is something that you would want to approve by way of a resolution so that there's a clear record of it, for the purposes of the auditor. Because we have not

had an opportunity to review a draft resolution with Finance, my recommendation is that this item be tabled.

**Manager Garcia** stated I recommend you table the item.

**Commissioner V. Serna** made a motion to *table* item 17.

**Commissioner J. Trujillo** seconded the motion. *All in favor. Motion carried.*

#### 18. Discussion: Update regarding Martinez Property

**Attorney Cruz** presented the update. Ms. Cruz stated this is an item that's been on the agenda for a number of months now. I indicated during the prior meeting, there's been a lot of dialogue regarding what exactly it was the Martinez's are needing. During the initial discussions, what was being asked, there's a deed indicating that the County did not have an interest in the property. More recently it's been a request for a letter indicating the County does not have an interest in the property. Currently, what's been requested is a review of the County Fire Department's history, and when it was that Mora County officially became responsible for all things related to fire services within Mora County. I will be visiting with your Fire Administrator who admittedly is new to that position, so it may take a little bit of time for purposes of being able to compile this information. Once we have this compiled, we will share it with the various stakeholders that are involved in this process, and I'll have some additional information for you. My hope is that we'll have the information that's been requested before the next meeting so that it can be reviewed and considered by the Martinez's, their legal counsel, and the title company so that I will have final word for you as to what the next steps will be.

#### 19. Discussion/Action: Approval of Amended Lease for the El Alto Wood Lot

**Manager Garcia** presented the item. Mr. Garcia stated there was a delay on the delivery of timber to the woodlot due to the weather. The lessor, Mr. Romero, has agreed to extend the lease by six months, and will not seek any additional compensation. I recommend approval of the amended lease agreement.

**Commissioner G. Trujillo** stated you heard the recommendation, can I get a motion?

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

**Commissioner G. Trujillo** seconded the motion.

**Attorney Cruz** stated for purposes of clarity, since the original lease was for the full lot. The agreement was that he would just extend under the exact same terms without seeking any additional compensation. So, the amendment that's before you incorporate by reference all the other terms of the prior agreement, simply making clear that the lease will be extended by six months without any additional compensation. So, the size of the lot is not an issue. Any of the other terms that were set forth in the prior agreement are likewise not an issue aside from extending the term by six months without any additional compensation.

**Commissioner V. Serna** stated *for the record* I want to say I don't think we need even 10 acres for this and to be paying \$1,200 for 45 acres is kind of overkill.

**Commissioner G. Trujillo** stated *for the record* Mr. Marty Romero has a backhoe or loader, maybe we should rent it from him also to prepare the wood. We need to discuss it with him. I don't know if it is legal, it was legal, two to three years ago when we rented from Jerry Martinez.

**Commissioner G. Trujillo** stated all in favor say aye, all opposed.

**Commissioner J. Trujillo** stated aye.

**Commissioner V. Serna** stated I am opposed.

**Attorney Cruz** stated I think it's important for that county to recognize Mr. Romero for saying that he's willing to extend the lease for a period of six months, under the original terms, and the fact that you leased 40 plus acres, back in October, is doing the honorable thing and saying to you all at the county that he is going to stand by that original amount of property that he was willing to lease, without the county having to expend any additional funds. Again, these are funds that you've already been paying up to this point, your final payment, I believe, is probably already made, because the lease is going to end on April 1st. So, you're not paying anything additional. You just have somebody who recognized that there was a delay in being able to have that wood delivered, and what he's saying to you all is he's going to honor those terms for an additional six months without the need for any additional funding to be provided to him.

**Commissioner G. Trujillo** stated *for the record* 20 loads have been delivered. There are 400 more loads that need to be delivered hopefully in the next two months. I talked to Michael today and he said about 200 more loads. We might have to rent all of El Alto, 100 acres.

**Clerk Carlos Arellano** stated 50 or 60 acres.

**20. Executive Session: Employee Complaints/Investigations; Threatened Litigation (Discussion of outstanding Tort Claims and possible TROs); Pending Litigation (Isaac Martinez, John Paul Vigil, Gerardine Vigil-Bartels and Anthony J. Vigil matters)**

**Commissioner G. Trujillo** asked for a motion to enter executive session.

**Commissioner J. Trujillo** made a motion to enter executive session.

**Commissioner V. Serna** seconded the motion. *All in favor on a roll call vote:*

**Deputy Clerk Duran polled the board:**

Commissioner J. Trujillo	-	yes
Commissioner V. Serna	-	yes
Commissioner G. Trujillo	-	yes

**The Commission entered executive session at 4:43 p.m.**

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

**Commissioner J. Trujillo** made a motion to reconvene regular session.

**Commissioner V. Serna** seconded the motion. *All in favor on a roll call vote:*

**Deputy Clerk Duran polled the board:**

Commissioner J. Trujillo	-	yes
Commissioner V. Serna	-	yes
Commissioner G. Trujillo	-	yes

**The Commission entered regular session at 6:21 p.m.**

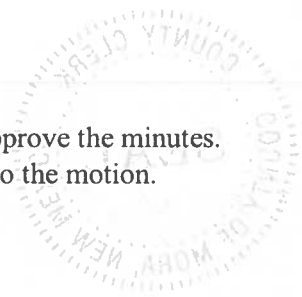
**Commissioner G. Trujillo** stated after executive session no action was taken, or decisions made.

**21. Discussion/Action: Approval of County Manager Recommendation Authorizing County Attorney to Disclose information Sought by New Mexico Counties involving the David M. Montoya Notice of Tort Claim**

**Commissioner J. Trujillo** made a motion to table item 21.

**Commissioner V. Serna** seconded the motion. *All in favor. motion carried.*

**Commissioner G. Trujillo** stated before I go to item 22. I am going to item number 5. a. November 20, 2023- Special Meeting Minutes.



**Commissioner J. Trujillo** made a motion to rescind the motion to approve the minutes.  
**Commissioner V. Serna** seconded the motion to rescind the second to the motion.

**(Item 5. a.) Discussion/Action: Approval of Minutes**

**a. November 20, 2023-Special Meeting**

**Manager Garcia** stated I recommend table item 5. a.

**Commissioner V. Serna** made a motion to *table* item 5.a.

**Commissioner G. Trujillo** seconded the motion. *All in favor. Motion carried.*

**22. Discussion: Other Informational Items**

**Commissioner G. Trujillo** stated the Regular Meeting is scheduled for March 21, 2023.

**Commissioner V. Serna** stated I just want to remind the Chairman, if I may. Be sure to include the invoices for Dr. Zigler with the claims. Any of her invoices after the fire can be filed.

**23. Signing of Approved Documents**

The Commission signed the approved documents.

**24. Adjournment**

**Commissioner V. Serna** made a motion to adjourn.

**Commissioner J. Trujillo** seconded the motion. *All in favor. Motion carried.*

**The meeting adjourned at 6:27 p.m.**

**MORA COUNTY BOARD OF COMMISSION**

Handwritten signature of George A. Trujillo in black ink.

George A. Trujillo  
Chairman

Handwritten signature of John H. Trujillo in black ink.

John H. Trujillo  
Vice-Chairman

Handwritten signature of Veronica M. Serna in black ink.

Veronica M. Serna  
Member

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Specializing  
March 11, 2014

ATTEST  
SEAL



Carlos J. Arellano  
County Clerk

