

Special Meeting April 24, 2024

1. Call to Order

Chairman George Trujillo called the meeting to order at 1:02 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 Vivian Trujillo polled the board:

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

4. Approval of Agenda

County Manager Joseph Garcia stated I recommend approval of the agenda.

Commissioner John Trujillo made a motion to approve the agenda as recommended.

Commissioner Veronica Serna seconded the motion.

All in favor. Motion carried.

5. Discussion/Action: Finance related Resolution(s) (Presented by CFO Jesus Baquera)

a. Budget Adjustment Request

CFO Jesus Baquera presented the item. Mr. Baquera stated the resolution is to record the draw down we did for the interest off of the SB 6 for \$186,956.07.

Most of that is going into contractual services. \$60,000 was for the vactor truck, \$50,000 I need for the County insurance and \$2,000 for vehicle maintenance on the Manager's car. I recommend approval.

Manager Garcia stated I recommend approval.

Commissioner V. Serna made a motion to approve.

Commissioner J. Trujillo seconded the motion.

All in favor. Motion carried.

Commissioner V. Serna stated I have a question about the other contractual services increased to \$130,000 for vactor trucks and insurance is only at \$110,000.

Mr. Baquera stated there is \$20,000 for Forest Fitness for the wood.

Commissioner V. Serna stated are these reimbursable by PA? Yes.

6. Discussion/Action: Approval of Road Viewers Committee (CR C-027 in Wagon Mound)

Manager Garcia stated Mr. Sena put together a trio to serve as Road Viewers Committee for a road in Wagon Mound. There is Pablo Martinez, Mr. Quintana, and Mr. Armijo from Wagon Mound. I recommend approval.

Commissioner J. Trujillo made a motion to approve.

Commissioner V. Serna seconded the motion.

All in favor. Motion carried.

7. Discussion/Action: Approval of Special Meeting Minutes for April 9, 2024, and Resumed Meeting on April 10, 2024

Manager Garcia stated I recommend approval.

Commissioner J. Trujillo made a motion to approve.

Commissioner V. Serna abstained from the vote. Serna stated I have not seen the minutes that Tina reviewed and submitted for approval.

Commissioner G. Trujillo seconded the motion.

Commissioner V. Serna stated I vote no on the approval.

Commissioners G. Trujillo and J. Trujillo voted in favor and the motion passed.

8. Discussion/Action: MOU, as revised, between MISD and Mora County for Storage by the Sheriff's Office

County Attorney Ernestina Cruz stated there was a thought that the Memorandum of Understanding which was adopted last week might need some additional revision. My understanding from the Sheriff's Office is that the School District has accepted the MOU, so it does not require consideration today.

9. Discussion/Action: Approval of NM County Service Agreement with Lexipol pertaining to Policies involving Mora County Sheriff's Office

Attorney Cruz stated the New Mexico Counties has taken on the heavy responsibility to put together Standard Operating Procedures for all Sheriff's offices that want to avail themselves of this service. The service provider is Lexipol, and New Mexico Counties will be bearing the cost for the preparation of these Standard Operating Procedures. The County does, however, need to sign off on a form of agreement with Lexipol indicating that they will be drafting the policies and procedures, and they will be setting them up in a system that will be accessible to the Sheriff's Office. This is something that was requested by New Mexico Counties. I have conferred with General Counsel for New Mexico Counties, Grace Phillips, and she has indicated that this is a requirement in order for the Mora County Sheriff's office to receive that service. My recommendation is that you approve the form of agreement that's been presented.

Commissioner J. Trujillo made a motion to approve.

Commissioner V. Serna seconded the motion.

All in favor. Motion carried.

Attorney Cruz stated I would also add that previously it had been agreed that there would be an addendum to my contract so as to be able to revise the Standard Operating Procedures. Shortly after that addendum was adopted, the Sheriff informed me that New Mexico Counties would be taking on that responsibility. So, you have not incurred any fees related to that work. One of the benefits behind having the comprehensive Standard Operating Procedures is that, not only is Lexipol working on this, but you also have Mark Allen, who's retired Law Enforcement with New Mexico Counties who's directly involved in this as well. My understanding as to the next steps is at some point, someone from Lexipol will be visiting with the Sheriff to address any specific concerns. Otherwise, you'll have a comprehensive and detailed set of Standard Operating Procedures soon. The Sheriff will be able to update you when that project has been brought to a conclusion.

10. Discussion/Action: Contract(s) with Lloyd and Associates for Complex and/or Courthouse

Attorney Cruz stated this item is not ready for consideration today, there had been discussion about a possible additional contract with Lloyd and Associates for the Courthouse. There's ongoing conversations that are taking place as to whether that's going to be needed. So, we don't have a definitive answer at this point in time. It's something that you should table at this point.

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

Commissioner V. Serna seconded the motion.

All in favor. Motion carried.

11. Discussion/Action: Approval of Agreement with IT Provider, Zitro (Presented by County Attorney Tina Cruz)

Attorney Cruz stated the County has been undertaking an effort to better track existing contracts with contractors that you work with. One of the vendors that you all need to be concerned about is the contract with Zitro, and the reason for that is they are under a 180-day contract; this contract has expired. So, you need to have a contract with Zitro in order to continue to receive the services that they're providing. The Manager looked at the prior agreement, reached out to Angelo Ortiz to talk about the proposed rates, and the Manager can speak to the reductions that Angelo is willing to make as it relates to the hourly rate.

Manager Garcia stated the hourly rate went down from \$175 an hour to \$150 an hour. There is a base monthly charge of \$4,457.30 plus tax. I asked him for invoices, and you have those in front of you. I'm wondering if we can maybe tentatively approve this contract with the stipulation to where maybe I can talk to him and lower this if possible.

Attorney Cruz stated Angelo has indicated that he's willing to work with the County, so I think that there's an opportunity to fine tune the existing relationship. What you should be prioritizing at this point in time is to have a contract in place through September, which would be the 180-day mark from the prior contract expiration; that will be in alignment

with your intent to hire an IT Administrator. There's a transition that will take place so Mrs. Romero in HR will need to advertise the position, conduct the interviews with staff. Ideally, you'll be hiring for that position at the beginning of July. That then will afford the IT Administrator two months to work on the transition, which is going to be a very cumbersome task with Angelo and his team. At that point early September, there might be a need to have a supplemental contract. I don't know who the provider would be, it could be Zitro, it could be someone else you may be advertising it. I don't know exactly what that will look like, but in conversing with the Manager, one thing that I have talked to him about is, you want to have some succession planning, as it relates to all aspects of County operations, especially those that are critical, and IT is critical. When I say succession planning, what I mean is this, in the event that for some reason, your IT administrator cannot come to work for an extended period of time, or, if there's any series of events that could happen, you do need to have some backup to ensure that there's a third party that can step in, and can keep operations moving forward. You definitely need to have a contract in place, so that you can authorize the County Manager to engage in further negotiations, to have a contract that largely tracks the existing contract with Zitro but making some requisite amendments if needed.

Manager Garcia stated I recommend approval.

Commissioner V. Serna made a motion to approve.

Commissioner J. Trujillo seconded the motion.

All in favor. Motion carried.

12. Executive Session: Limited Personnel Matters including Employee Complaints; Threatened Litigation related to HPCC Claim (Singleton Schreiber); and Pending Litigation in the John Paul Vigil matter (Update to be provided by County Attorney)

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

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

Commissioner J. Trujillo – yes

Commissioner V. Serna – yes

Commissioner G. Trujillo – yes

The Commission entered executive session at 1:20 p.m.

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

Commissioner V. Serna made a motion to reconvene regular session.

Commissioner J. Trujillo seconded the motion. *All in favor on a roll call vote:*

Commissioner J. Trujillo – yes

Commissioner V. Serna – yes

Commissioner G. Trujillo – yes

Commissioner G. Trujillo started reconvening regular session at 4:28 p.m. No action was taken, or decisions made. I refer to our Attorney Tina Cruz to elaborate on what took place.

Attorney Cruz stated the executive session items for today's meeting included the following items, employee complaints, which shall be addressed in a confidential setting, which is allowed under the Open Meetings Act. We also visited the County's legal team on the HPCC claim, Singleton Schreiber. Singleton Schreiber has been engaged by the County to pursue its claim under the HPCC Act. Brian Colon provided the Commission with an update. It's a confidential, privileged attorney client communication so I won't delve into what specifically was addressed aside from saying that the scope of work for Singleton Schreiber was the primary topic of conversation. Singleton Schreiber, likewise, learned about the recent conditional award of the disaster recovery RFP subject to negotiations and agreement to a contract and wanted to hear from Thomson Consulting Services regarding the work that they'll be performing on behalf of the County. After the presentation that took place with Singleton Schreiber, two individuals that work with Thompson were invited to be able to answer some questions that Singleton Schreiber had to ensure that there were proper communications that would be taking place with the legal team, to other individuals associated with the County or invited in. I believe his name is Eugene Maes, Disaster Recovery Construction Manager and the Road Superintendent John Romero were invited in as well to ensure there's proper communication was taking place. No decisions were made as it related to Thompson Consulting. Instead, it was direct communications with the legal team from Singleton Schreiber regarding scope of work in the next steps. We also covered the pending litigation involving John Paul Vigil, and that was the conclusion of the executive session.

13. Discussion/Action: Approval of Professional Services Agreement with Thompson Consulting Services regarding Disaster Recovery

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

Commissioner V. Serna seconded the motion.

All in favor. Motion carried.

14. Discussion/Action: Application for additional Disaster Recovery Funding through Senate Bill 6 Loan

Attorney Cruz stated Mora County has five loans pursuant to Senate Bill 6. The County has been informed that there's additional funding opportunities that are available. In order to avail itself of those additional funds, the County will need to submit an application for additional disaster recovery funding. The hope and expectation is that by Tuesday, the County will have a signed contract with Thomson Consulting Services, and they will be able to assist the County in identifying what the additional needs are for disaster recovery funding. For now, the item before you is a request of the Commission to approve moving forward with the application for additional disaster recovery funding. That additional

disaster recovery funding will be determined very soon, but it has not been defined at this point in time.

Commissioner J. Trujillo made a motion to approve.

Commissioner V. Serna seconded the motion.

All in favor. Motion carried.

Attorney Cruz stated on Tuesday, for the special meeting, you will have a final form of contract with Thomson Consulting. They will then officially be on board, and they can help assist the County in ascertaining what additional disaster recovery funding the County should be applying for under Senate Bill 6. Under the requirement that Singleton Schreiber needs to always be directly involved because as your legal team, they need to be informed regarding the steps that are being taken so as to ensure that there's continuity as it relates to requests that are being made by the County and there's no conflicting requests for funding that are going to be moving forward.

You will need to provide Singleton Schreiber and the disaster recovery team, Thompson, with your preexisting applications under Senate Bill 6 so that they have a clear understanding as to your existing funding. Based upon their review of those materials, they are then going to determine whether those existing projects are properly funded. There could be a circumstance where additional funding is needed for those projects, or they could be separate and distinct projects that can be funded. I can't speak for what ultimately is going to be determined as to those next best steps. Thompson knows and understands that they need to be consulting with you all on what needs to be requested.

Commissioner G. Trujillo stated before we adjourn, Mr. Garcia or Tina can you get this Commission to join NALEO, asap?

15. Adjournment

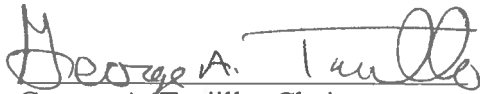
Commissioner V. Serna made a motion to adjourn.

Commissioner J. Trujillo seconded the motion.

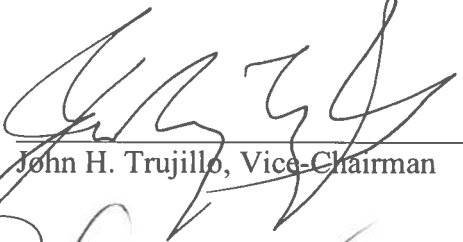
All in favor. Motion carried.

The meeting adjourns at 4:35 p.m.

MORA COUNTY BOARD OF COMMISSION



George A. Trujillo, Chairman



John H. Trujillo, Vice-Chairman



Veronica M. Serna, Member



Carlos J. Arellano, County Clerk

