

Regular Meeting January 25, 2024

1. Call to Order

Commissioner George Trujillo called the meeting to order at 8:23 am.

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

Chief Deputy Clerk Barela 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 requested item number 25 be presented after item number 5, Public Comment.

Commissioner John Trujillo made a motion to approve.

Commissioner Veronica Serna seconded the motion.

All in favor. Motion carried.

5. Public Comment*

Anthony Ortiz, Southwest Capital Bank spoke during public comment. Mr. Ortiz stated I'm the Controller and Senior Vice President from Southwest Capital bank, and I'm joined by our Chief Financial Officer, Francine Hawkins and Market President for Northern New Mexico, David Valdez. We're here today because we want to share some more facts related to our decades-long relationship and reiterate our continued commitment to this community and Mora County. You're seeking approval today to end our banking relationship and start a new one with Community 1st Bank, while it is disappointing to learn this, we hope that you'll give us a chance to prove that we are the superior choice when it comes to serving as the County's community financial institution. I think it's important to talk about our history together as it spans many decades. We began the banking relationship together almost 57 years ago, in 1967; we were the first community bank to open a branch in Mora, in 2000.

We genuinely care about the community, and over the years, we've made many thoughtful monetary donations to show our support. Our branch employees, including our Branch Manager, Bernadette, who has been with us for 12 plus years, remains committed to providing a personal and positive experience for all our customers in the community, including the staff at the Treasurer's office. I want to make sure that you guys understand that we are offering something unique to the County. We offer the County free checking account services, we consistently pledge 50% of collateral on the deposits, as we are required to by State Statute, and we have gone as high as 102% as we work through some of the challenges that I described when I was here last, which as I explained are now behind us. We proactively monitor the County's funds to ensure that

they are pledged adequately, especially when it comes time for audits; even though it's not our responsibility to make sure that that is adequate. We do it because we care, and because we value the County as our customer. We offer in-person support at the local branch, not to mention the staff that we have in Las Vegas and Albuquerque. The Treasurer's office can attest that we are easy to reach, and we have the ability to problem solve, and we can confidently meet or exceed their expectations. We also have other products and services that are available to the County for their banking needs such as remote deposit capture, business credit cards. We don't know what the needs are if no one is willing to come to us to have the conversation.

The primary question that I have before the Commission today is twofold. What is the motivation to change banks, what are the County's banking needs, and what can we do to continue our relationship as your financial institution. If you are concerned about FDIC insurance, talk to us, we can work with you to go beyond that 50% requirement. If that's what you need, it begs the question as well. How confident are you that Community 1st will be able to meet that minimum collateral requirement, or higher, should they come under any regulatory trouble. So, if it's the rates, talk to us about that as well, let's see what we can do to come up with a rate together. I'm going to give you the opportunity to ask me questions about what I share today. In closing, I just ask that you consider all that I shared today. If you have the ability to postpone the decision so we can be part of the conversation I encourage you to do so, at a minimum RFP is something that we would ask for, so we have the opportunity to bid for services with the County. Thank you.

John Townley, Sierra Bonita Association spoke during public comment. Mr. Townley stated I'm here representing the property owners and members of the Sierra Bonita Association. The reason I'm speaking today is issues with the road maintenance and bridge damage over Coyote Creek. There's been a lack of even minimal maintenance over the past 35 years, resulting in our roads being in very poor condition. We have seven and a half miles of roads in Sierra Bonita, they were annexed by the County in 1980, and the current road log lists the County Road as Sierra Loop. We really have a safety issue because we have several older residents, including myself up there, and the roads are in such poor condition that should an ambulance be needed, there's no way that it could access it. I will say that during the past two and a half years Mr. Romero, Road Superintendent and I met in Sierra Bonita, we've traveled the roads and he's identified the areas of major concerns, including stopped up culverts, and damaged culverts. He did say that he would bring some material and replace culverts, but to this day, there's been no action at all related to maintenance needs. We need to have some road base material hauled in; blading it would be an exercise in futility because we're down to bare rock and boulders exposed. One other mention, the bridge across Coyote Creek is damaged. It was damaged during the fire and there's a big hole in it, and it needs to be replaced sooner than later.

Mark Montoya, Sierra Bonita Association spoke during public comment. Mr. Montoya stated I am also from Sierra Bonita. I think what we have to do is put base course on that road. In the past, the Association has put a lot of money into our roads up there. We bought street signs out of our own funds, and we used to buy our own base course, and the County would spread it for us; I guess that's not allowable anymore. So, that has made it to a point where most of our road is gone, that's our biggest point right now, for the maintainers to have something to fix. I'm not sure how often we're on the maintenance schedule, but I used to be happy if we used to get like twice a year; once in the spring and once before winter; that hasn't happened in the last few years.

Manager Garcia stated Mr. Romero and I are creating a scheduled, we're trying to figure it out, so everyone gets maintenance between every, maybe three to five weeks. We're working on it with a small crew and limited budget.

Anthony Lovato, Maintenance/Custodian spoke during public comment. Mr. Lovato stated I'm here because I talked with Joseph yesterday. I have been with the County for 27 years and somehow, I got forgotten when the cost of living was getting passed out and bonuses and so on. You know, this is a hard job for the Manager and to talk to a Manager about getting a raise. Anybody that's under him, it's very hard because they're gone. I have had 22 bosses, probably more, but I'm here you know, I'm not gone, I'm here. I need to know what's going on. I can't be going backwards.

Sharon Garica spoke during public comment. Ms. Garcia stated Community First Bank is a local community bank, we hire locally therefore all our employees live in and around the communities of Las Vegas, and surrounding area, 20 of those are from Mora and the staff that we support. We have four branches that all have accessible banking hours. Our staff, with 50 employees, which is more than any other bank in the community, are available to assist with customers' needs daily. We use our deposits locally to benefit our local communities. We are able to provide loans on a faster turnaround basis, because decisions are made locally not sent to another city for approval. Not only do we offer commercial loans, but we offer consumer loans or mortgages, auto loans and cash secured loans.

As a true community bank, our customers have access to our management team. When community members want to meet with the President, Vice-President or even the owner, they can come in to talk with them and they don't have to travel hours to do it. Not only do we support our community business with monetary donations, we participate in person at many community events. We have made large donations to groups such as county fairs and the Buyers Club for the bank and its owners donated over 10,000 last year alone.

We recently participated in person at the Board of Realtors Business After Hours, the Las Vegas Citizens Committee for Historic Preservation, Annual Awards Dinner, and the recent ownership celebration for Alta Vista Regional Hospital. These types of groups and events impact both San Miguel and Mora County areas. By supporting the realtors, it helps build counties because of the sales that happen in around the areas for our community members.

During the fires the bank delivered trailer loads of water to Mora County to assist the community.

We did it because we already had customers there that were being impacted by the fires and wanted to help. It's exactly like one of our motto's says, "It's who we are, it's what we do."

A lot of our banking services that we have for communities are monthly service charges for commercial loans, dollars dependent on balance, and waive for public fund entities, night job service, accessible in our Mora branch. We have dual control systems to protect the funds that we watch over daily, business style checks and deposit slips, cost range or style of checks, online banking services with no fees, and Government entities will have view access only, cash management services.

Rae Dawn Price spoke during public comment. Mrs. Price stated I came in to talk to you guys about animal control in Mora County. I'm part of a group called Animal Advocates of Northern New Mexico and we mainly focus on Las Vegas because that's where we all live. We don't have very many active members who live in Mora. We would like to reach out and start to make

relationships over there and connections because a lot of the issues we deal with stem directly from your guys' County.

I'm not sure if you guys are aware that nine Alpacas were killed at Victory Ranch by a pack of dogs, this is extremely dangerous, especially considering its proximity to the schools. There are a couple of other dogs that I know have been tracking the mountains unchecked and have also killed livestock. In addition to that there is a dog that was dumped at the school, and when calls for service were made to the Police Department, the Police Department told them that they were unable to respond. I know that there's not a holding place for a dog, but I'm just kind of wondering what your guys' constituents are supposed to do in this case.

It's at a point where we would like to offer solutions, and something that I would think we could start with are some common sense ordinances for your county that are enforceable, you guys could tailor them to your individual needs, and people who are breeding, maybe you guys could set up breeding licenses, and that Department of Animal Control could eventually become self-sustaining if everybody is getting permits and licensing their pets, and it could fund an animal control officer.

Some of the more extreme cases that we've all gotten out of Mora County is from an owner in Rainsville, who has produced over 40 puppies in a year, and we just don't have the resources for that, and I know you guys don't, and, frankly, Las Vegas doesn't have the room to shelter these pets. So even with an MOU, it's just impossible. So even building your guys' own small shelter, or at least a holding cell and then contract with another County, would probably be a really good idea. I would like to get a conversation started and see if this were something you guys would like to move forward with. Thank you very much.

County Attorney, Ernestine Cruz stated there was a presentation over the summer by members of the community regarding a request for animal control, and following that meeting, my understanding is that the Sheriff's office started conducting some research for purposes of determining what the next best steps would be as it relates to the ordinance. I also understand that there's been some review as to the overall costs in order to establish an animal control officer within the Sheriff's office. So, this is something that they've been looking at following that meeting. Additionally, I will provide you with my email address and you can email me directly your contact information so that it can be shared with the Sheriff's office so that there can be some further dialogue with you on this issue.

6. Approval: Resolution Authorizing Mora County to Establish Banking Relationship with Community 1st Bank and to Terminate Banking Relationship with Southwest Capital Bank (Item Number 25)

Manager Garcia stated I would like to hear more if any of the banks want to speak but I think it's probably a good idea if we do an RFP, and we will move on that swiftly because we would like to get all this done before our next fiscal year.

Commissioner George Trujillo stated I think it would be ideal to go with an RFP, it's an excellent idea.

Anthony Ortiz, Southwest Capital Bank stated my final thought is, thank you for that opportunity, it's something we're very accustomed to. So please reach out to us. You know, we're happy to have the conversation in person or also the County Treasurer's office or anything like

that. So, we were made available to you, and we're willing to engage to understand your needs and meet that.

Attorney Cruz stated with regard to the RFP, the process is going to be one where the RFP will be posted to the County's website. You want to monitor so you know what those deadlines are, you'll want to provide a timely response within the RFP, there will likely be an informational session so that all potential offers can participate at the same time. What's Paramount with regard to RFPs is that everybody gets treated equally. The fact that there's a preexisting banking relationship with one entity does not result in preferential treatment where there'll be an individual dialogue with you. Instead, it will be an open and transparent process where everyone will be invited to the table to know and understand what the County's needs are, and then you'll be able to respond accordingly, and then the County will move forward with its RFP process, so that everybody is on a level playing field. I just want to be clear as to that process.

Commissioner Veronica Serna stated just as a reminder, the New Mexico Board of County Commissioners Handbook requires that the Commission will serve as an ex officio Board of Finance, but we are required to coordinate with the Treasurer's office and determine the qualifications and selection of bank savings and loans, institutions, credit unions and other institutions to receive the County's deposit. So, we need to make sure we do our part and comply with our requirements as well.

Attorney Cruz stated the RFP will be crafted in conjunction with Procurement; Procurement ordinarily drafts the RFP, but as it relates to the specific role that the Treasurer's Office plays, the Treasurer's office will be at the table to help craft the RFP as well, and of course, the Manager's office will be involved in that dialogue for purposes of determining the overall criteria. I want to be very clear that you want to monitor the County's website, there's a tab that's titled Procurement. There also needs to be advertising in the Las Vegas Optic in connection with Procurement. The primary message that I'm wanting to convey because we do have another bank that's here today is that no one bank is going to receive preferential treatment. So don't reach out to the Treasurer's office, don't reach out to the Manager's office letting them know this is what you should be asking for in the RFP, let these offices work together, draft their own RFP independently, and then you respond to it accordingly based upon what they have decided needs to be asked for.

Commissioner Veronica Serna stated I just want to ask that we consider input from the Treasurer's office, our Finance Department because they deal with payroll and the issues this could pose of switching over. I don't know exactly how that is going to affect payroll, but I think we need to consider them as well. I understand ambulance billing is also dealt with, as far as deposits go and the different insurances and Medicaid and Medicare payments that they get. I think we need to visit with them to determine what impact it is going to have on those offices as well.

Catherine, EVP/ACH BSA Compliance Officer Community 1st Bank spoke during the item. Catherine stated the Cash Management Program handles ACH, which are the automatic debits and credits that go through banks itself, that program can assist with your payroll process. If you have direct deposits, we can help set that up, and we can process that on our system, we can also

utilize that system to pay out your vendor payments. We have the capability to allow you to be able to pay your vendors through the ACH Cash Management Program. You can also process ACH debits from your customers for your utility payments, or even debits for your tax payments. We don't offer the remote deposit capture, but we do have the capability to help you guys with tax payments to make sure that you are following the regulations you have set in accepting your tax payments and processing them and keeping record of them for your audits.

The online banking services that we discussed; Government entities have access only because you guys are typically in a two-signature required account. If you don't want to get your statements mailed to you, you can view them online and you have the capability to view your accounts every single day to make sure what's going through is valid. We have a Yellow Hammer Program that monitors every item that goes through your account. If something goes through, that's not valid, we're able to catch it and stop it until we're able to mitigate any loss or fraud. If you needed to initiate wires, typically those are required to be in person, we can set up a wire agreement that you guys would be able to initiate a wire from your office's, you wouldn't have to come in. This process, we'd be able to initiate those wires for you, and you will be protected on our side and on your side.

We also have something called a verify signature program where we monitor those accounts and make sure that the checks are valid, and that they are signed by the proper people. We don't offer credit cards, but we offer debit cards, which are tied to your actual account. It does take you guys making sure that you keep tabs on who has that credit card and the transactions that are going through. If you guys do make the choice to choose a different bank, whether it be us or a different bank, Community First Bank would work our hardest to make sure it's a seamless process and brings you guys in without any bumps or hiccups.

Attorney Cruz stated while it was titled resolution, there was a determination that the County was not in a position to move forward with that item today, that's why you don't have a resolution in your packet. This matter was not predetermined because there was a need for further dialogue, and the need for the RFP as well; RFP being the much-preferred process over a resolution. So that's why you don't have a resolution in your packet, and it wasn't going to be voted on today.

Michael Quintana, Owner of Community 1st Bank spoke on the item. Mr. Quintana stated my father Robert Quintana acquired Community 1st Bank for a reason, we wanted to keep it as a community bank. We have several employees from Mora, and Ledoux. A couple of weeks ago, one of our customers called looking to try to do a loan to purchase a business in Las Vegas, she was shocked how fast we can move the process through. Within an hour she met with the owner, President, and Senior Lending Officer; within six weeks she had a loan. The reason to stay with a banking institution isn't because you've been with them for 50 to 70 years, it's the relationship we can offer, and that's the biggest thing.

I think we provide a great service. You can get a hold of any of our officers; Aaron's from here, he does a great job here in Mora County. Those are the things that you guys should be considering, not just the numbers, it should be the relationship that we can offer you guys. If you open a checking account, you can talk to any of us. That's what we provide, other institutions, I don't think that's the same, you don't have that relationship, and that's why so many customers have come over to us in the Las Vegas and the Mora County area.

7. Discussion: Update by the Mora County Veterans Memorial Committee

Larry Garcia, Member of the Veteran's Memorial Committee presented the update. Mr. Garcia stated we didn't have our January meeting, we didn't meet quorum, therefore we don't have any messages from our committee this month. We're still trying to recruit more members. If you have anybody that wants to volunteer and be on our committee. Hopefully we can move this on and get some money from the Legislature to complete our project. Thank you, Mrs. Serna, Mr. Garcia, and Ms. Casados for working diligently on the reauthorization request form to DFA. This is for the \$119,129.37 from our 138,000 that we were originally submitted to our project, hopefully we can use that before June.

Max Garcia, Julian Olivas, Joe Gene Pacheco and I met with Senator Campos at the Legislature on the 18th. We weren't able to visit with Representative Sanchez because we kept on missing each other; he was in the Legislative Session. We're continuing to work with the Special Projects Committee. Max Garcia is attending the meetings, and we're partnering with them to see how we can get things completed. Hopefully in the near future we can meet with the architects so we can go over our plans; as you know, we already have our 100% plan, shovel ready, program project.

8. Discussion: Update regarding Mora County's Legislative Priorities

Manager Garcia presented the item. Mr. Garcia stated I spoke with the County Lobbyist last night, it's the middle of the Session, they are working at it, so there is not much to report on that item right now.

Attorney Cruz stated Manager Garcia and his Executive Assistant, Ms. Casados were thrust into a process that was foreign to them. It's a cumbersome process, and to their credit, they reached out to people that had the ability to guide them in the right direction. Ms. Casados had a deadline of January the 11th, and she was able to meet that deadline, and to get everything submitted to the State Legislature for review and approval. So I just wanted to make note that while this is something that they have not personally worked on, they were able to make sure that this was taken care of in a timely fashion, and that the County's comprehensive request was submitted, and now the Lobbyist is carrying that ball as it relates to the lobbying effort at the Legislative Session.

9. Discussion: Project Status

a. EMS Facility and Communications Repeaters Alex Tafoya

Mr. Alex Tafoya, CDBG Grant Administer presented the item. Mr. Tafoya stated we're still in the environmental review process, we sent out the third agency request letter a couple of weeks ago. We need to allow them at least until the end of the month to respond; there's about 20 agencies that haven't responded. After that, I'll prepare the exhibits that will need to be signed by Chairman Trujillo, then we must submit them in a certain format to Local Government Division. Local Government will require a 30-day review period of the environmental review. We're going to indicate that there is no significant impact unless one of the Indian Tribes or one of the other agencies indicates differently.

After that, the County will need to publish a finding of no significant impact in the local newspaper. I'll coordinate that with the County in regard to the key communications repeaters. Advanced Communications has been receiving equipment that they're going to be installing, and as of this morning, Advanced Communications told me that they were starting to develop their schedule for installation. They should have that done in about another four or five days. When

they determine the start date of the installation, I'll notify the County Manager, and that's all I have right now.

Mr. Tafoya discussed item 10, Resolution to Adopt CDBG Requirements as recommended by Attorney Cruz. Mr. Tafoya stated the resolution is adopting the CDBG required Certifications and Commitment. Mora County has already done this, but we need to renew, and the resolution addressing citizen participation, fair housing, residential anti displacement and relocation assistance, section three and four are procurement. Basically, all this does is say that in regard to citizen participation that the County promotes citizen participation, by allowing citizens to comment and you guys already do that on your public comment portion of your agenda, that you support fair housing, and you're committed to the Fair Housing Act of 1968. You could take it a step further if you wanted by developing a fair housing plan.

In regard to residential anti displacement, if a grantee of a CDBG grant, as a project that is going to require displacing the resident, because you either need to acquire their property or construction is going to require entrance into their property or some kind of demolition, that the grantee will provide assistance or relocate that resident to a different home during the duration of the project. It follows the Property Acquisition Policies Act of 1970. Section three indicates that when a CDBG grantee goes out to bid on a project, they will include a recruitment process to recruit section three businesses. Section three businesses is a business that if you want to own at least 51% by women and or individuals who are low income or minority status, and then when it comes down to go out to bid, there's a section three portion of the bid packet that needs to be included. It certifies that the County will comply with the State Procurement Code, and Federal Procurement Code and adopt a Procurement Policy, which the County has done before, and probably be doing again. There will be a couple more resolutions that I'll be submitting in the next couple of months. The resolution is a resolution template that the CDBG program provides. The only thing that we add is the resolution number and then the signature by Chairman Trujillo and the date that the resolution was adopted. It's not something we came up with, it's a suggested resolution.

b. Special Projects Committee Paul Cassidy

Paul Cassidy, President of Special Projects Committee, presented the item. Mr. Cassidy stated the Special Projects Committee met yesterday, and we had a great turnout with great discussion. Wayne Lloyd, County's Architect was there and had schematics and led a discussion that I think is going to be really helpful to you as the decision makers on this process going forward. We talked about the construction update for the south end, first floor; no contractors have been identified. I think the consensus of the committee is that we prepare a process of sending out a new RFP toward the end of February, maybe early March at the latest; after we have concurrence that EMS is ready to go. The second piece of that is, we're still awaiting confirmation that the County is going to receive the EDA grant that North Central assisted the County with. I think it's close to being announced. We still have about \$1,000,009, \$1,000,950 of County GO bond money remaining, can be used along with the CDBG grant. The last time this was put out, the construction costs for the south end of the complex came in at \$4.95 million, very little interest and contractors. We really expected it would be in the \$2 million range, now expect it's going to be higher than \$2 million.

The Administrative Office of the Courts was discussed, that's not going to be ready to go after construction bid anytime in the near future, we need to await the Legislative outcome of the County Commission request.

We also discussed the FEMA land lease and the status of that. Jennifer Carbajal, joined the meeting at one point to confirm and make sure that we have the County's architect on board as the FEMA contractor is empowered to come in and start setting the buildings in place to make sure there's no problem with drainage, parking issues, and the paving issues. The EMS building, again, end of February.

The Veteran's Memorial was discussed in connection with the regional recreation facility.

The regional recreation facility was the topic of this meeting, it was like a programming meeting where we had our appointed Special Project Committee members do a roundtable on what was important in terms of the recreation side, with multiple parties present. I want to go over the highlights for the Commission. In terms of brainstorming, what could likely be the result of a plaza area with recreation facilities. The rec room that County architect has proposed would be a little over 4200 square feet. Committee members encouraged Mr. Lloyd to look at seeing how a larger facility might be able to be built to accommodate sites and activities that have historically been available to the youth and adults in the community that are no longer available, like an area large enough to have a roller rink, a fitness center, youth areas or other activities, video gaming area, outside the fitness area, Community Garden etc.

There were some concerns expressed about the whole concept though, we need to be aware of the revenue required to pay for operation and maintenance expenses, and the construction costs. Also, the need for a kitchen prep area. Mr. Lloyd is working on a facility for Help New Mexico up at the old Cleveland clinic, and they're going to have a very large community kitchen up there he mentioned 1500 square feet. As a reminder there is \$2.4 million with most of that money being spent outside on the rec. center. Mr. Lloyd has been in communication with DFA; they say they fully bless what we're doing and the direction that the County is heading.

The Senior Center craft room was discussed, Mr. Lloyd met with staff at the Senior Center to discuss how to program it. The Special Projects Committee input: should we use that money just to clean up and do the needed updates to the existing facility. They'll be working that out and coming back with recommendations. The Special Projects Committee did continue to recommend that the Manager in conjunction with future budgets really consider adequate maintenance staff to take care of not only the existing complex, but what we're planning to build. We encourage the Legislative grant request very much, I did make a visit to Senator Sanchez and Lieutenant Governor last week as well, and we're here as committee members to support the Commission in what you're doing.

10. Discussion: Update on the Western Mora Co. Groundwater Monitoring Project Kate Zeigler

Ms. Zeigler was not present. The item was not discussed.

11. Discussion/Action: Resolution to Adopt CDBG Requirements Alex Tafoya

Manager Garcia stated this item was presented by Alex Tafoya during another item, I recommend we approve.

Commissioner Veronica Serna made a motion to accept the recommendation by Manager Garcia.

Commissioner John Trujillo seconded the motion.

All in favor. Motion carried.

12. Discussion/Action: Extension of Contract with Bohannon Huston, to include "cap increase"

Attorney Cruz spoke to the item. Ms. Cruz stated we are going to need to have a special meeting next week. This item will be on the agenda at that time. I will be finalizing the contract, I'll be sharing it with you all so that you can review it as well. I wasn't going to put a contract on the agenda that you had not had an opportunity to review, that would be unfair to you as well. So just wanted you to know why it's not in your packet, we're realigning how packets are being put together to make sure that it's consistent with what's been done in the past. We now have the Manager and Stephanie in a place where they are able to make sure that things are done. This item can be tabled at this point and considered at the next meeting.

Manager Garcia stated I recommend to table the item.

Commissioner Veronica Serna made a motion to table.

Commissioner John Trujillo seconded the motion.

All in favor. Motion carried.

13. Discussion/Approval: Recommendation from Bohannon Huston to proceed with CES to contract existing LGRF projects

Manager Garcia stated I recommend the Commission approve.

Commissioner John Trujillo made a motion to approve.

Commissioner Veronica Serna seconded the motion.

All in favor. Motion carried.

14. Discussion/Approval: Recommendation by the County Manager to approve Bohannon Huston's preparation of applications for LGRF Projects for FY 2025

Bert Thomas, Bohannon Huston presented the item. Mr. Thomas stated this item we're talking about, is for us to apply for Local Government Road Funds. The New Mexico Department of Transportation has a program that allows local agencies to apply for State monies to be able to help improve roadways. Last year we were able to get three roads approved through the program. We're working now to get those contracts in place through CES so we can get a contractor out there to work on the three roads; I think the roads are Guajalote, Calvary and Santa Gertrudes are the three roads that we're trying to get out on this trip. The item that you're looking for us to do the next application, the applications are due in March, I believe that we're looking at trying to identify various roads that need minor improvements. There are two different programs that the DOT has, Local Government Road Fund, which are projects that are ready to go out and have improvements made with very little engineering design associated with them. Those are projects that we try and get out within two years. Overall, we have had the opportunity to get about \$8 million dollars' worth of State funded projects into Mora County since we've been working with you.

Manager Garcia stated I recommend the Commission approve.

Commissioner John Trujillo made a motion to approve.

Commissioner Veronica Serna seconded the motion.

All in favor. Motion carried.

15. Discussion/Action: Recommendation by Bohannon Huston to Re-advertise El Alto project, a modified project no longer consolidated with Camino del Medio, for construction

Ted Barela, Bohannon Huston presented the item. Mr. Barela stated, by the direction of the former Interim County Manager, we were directed to separate the designs. We advertised that project for a bid. The engineer's estimate was \$4.7 million, with both of those roads combined. GM Emulsion submitted a bid that came in at \$4.4 million, with the contingency in the matches and things like that, the former Interim County Manager thought that it was too expensive and could be done cheaper, and that it could be done through CES, therefore, we were directed to separate those. Local Government Road Funds is more suited for three or four items, this project has a lot of items, it's more difficult to execute a project like that through CES because now the County becomes the consultant or micromanaging every component of work. That's the other reason I think that it needs to be put out to bid through a regular RFP.

Camino de Medio has culverts that need to be installed. There is some funding that's available through FEMA. We asked if some of the FEMA funding that's appropriated already for Camino de Medio can be combined with this project that has already been allocated from TPF funds, the answer is yes, we can finish off some of that with TPF. DOT doesn't really care how you finish up the project, so long as it gets finished up. Some examples of different types of items are unclassified excavation, barro, base course, linear grading, curb and gutter, culverts, cattle guards, there's a multitude of different things. I'd like to put it out to bid by the end of February. It'll be in for two weeks, and then we'd look to award hopefully by the end of March.

Manager Garcia stated I recommend the Commission approve.

Commissioner John Trujillo made a motion to approve.

Commissioner Veronica Serna seconded the motion.

All in favor. Motion carried.

16. Discussion/Approval: Recommendation by the County Manager to approve Bohannon Huston's preparation of applications for TPF Projects for FY 2025

Bert Thomas, Bohannon Huston presented the item. Mr. Thomas stated TPF, Transportation Project Fund is a fund that allows entities to secure funds to fix roadways. This is a little different than LGRF funds and is for bigger projects. The TPF program allows you to request design funding one year and when the design is complete, the next year you can apply for construction funds. I would like to work with John Romero and the County Manager to identify projects that we can apply for design and then projects we can apply for construction. What you have before you are to work with the County to get the applications submitted to DOT with a deadline of March 15, 2024.

Manager Garcia stated I recommend the Commission approve.

Commissioner Veronica Serna stated *for the record* these would be roads that weren't affected and are being addressed by FEMA so we can increase our capacity. I want to remind everyone that we had looked at B005, Monte Aplanado Road, and we ended up dropping that one because it was affected by the flooding.

Commissioner John Trujillo made a motion to approve.
Commissioner Veronica Serna seconded the motion.
All in favor. Motion carried.

17. Discussion: Update on requested transfer of property by the Martinez Family

Attorney Cruz presented the update. Ms. Cruz stated this is an item that has been presented to the Commission by way of materials that were presented by Council for the Martinez family. Initially, when this was presented to the County, what was shared was that a small piece of property had been conveyed to the American Legion and Mora County. The Martinez family is looking to selling the property and clearing the title. The initial request is that the County would adopt a resolution transferring the property. After reviewing the information that was provided by the Martinez family and a comment that was made at a meeting last week, this property was conveyed to the American Legion and not Mora County. I sent an email to the Martinez family attorney. If it is in fact the case that Mora County does not own the property, why is it that the County would need to adopt a draft resolution transferring ownership when we don't own the property. In addition to that, it was requested the County sign a Quitclaim deed, but without ownership in the property there would be no reason to sign a Quitclaim deed. I have not yet received a response to that email. Ms. Martinez, you can speak directly to the Commission but not to me as you are represented by Council.

Mrs. Martinez stated we engaged Council as our attorney because she was someone who helped us with the Martinez Family Trust, that had nothing to do with this, we wanted help because Territorial Title is extremely diligent and they are making every person who has a boundary line with this piece of property say that they agree with the boundary line that is the legally filed one. That is why they are requesting that Mora County say that they don't exert any claim to the property. It's not because we think Mora County has any legal right to the property, it's because Territorial Title is requiring it.

Attorney Cruz stated based on what has been presented, it would be ill advised for the Commission to sign a Quitclaim deed for something they have no interest in. If Territorial Title can present me with a letter explaining the reasoning as to why they are making this request, I will review that, consult with the Manager, so we can move forward.

Commissioner John Trujillo made a motion to enter a 10-minute recess.
Commissioner Veronica Serna second the motion.
All in favor. Motion carried.
Entered recess at 10:16 am.

Commissioner George Trujillo requested a motion to reconvene regular session.

Commissioner John Trujillo made a motion to reconvene regular session.
Commissioner Veronica Serna second the motion.
All in favor. Motion carried.
Reconvene regular session at 10:30 a.m.

18. Discussion/Action: Approval of Minutes

a. November 20, 2023 - Special Meeting

b. December 7, 2023-Special Meeting

Manager Garcia stated I recommend you table item 17. a. and b.

Commissioner Veronica Serna made a motion to *table* based on the recommendation.

Commissioner John Trujillo second the motion.

All in favor. Motion carried.

c. December 12, 2023- Special Meeting

Manager Garcia stated I recommend you approve.

Commissioner John Trujillo made a motion to approve.

Commissioner George Trujillo second the motion.

Two in favor, one abstains. Motion carried.

Let the record reflect, Commissioner Veronica Serna abstains from vote due to not been provided the minutes with sufficient time to review.

d. December 15, 2023- Emergency Meeting

Manager Garcia stated I recommend you approve.

Commissioner John Trujillo made a motion to approve.

Commissioner George Trujillo second the motion.

Two in favor, one abstains. Motion carried.

Let the record reflect, Commissioner Veronica Serna abstains due to not being present at the meeting.

e. December 19, 2023- Special Meeting

Manager Garcia stated I recommend you approve.

Commissioner John Trujillo made a motion to approve.

Commissioner George Trujillo second the motion.

Two in favor, one abstains. Motion carried.

Let the record reflect, Commissioner Veronica Serna abstains due to not being present at the meeting.

f. December 29, 2023-Regular Meeting

Manager Garcia stated I recommend you approve.

Commissioner John Trujillo made a motion to approve.

Commissioner George Trujillo second the motion.

Two in favor, one abstains. Motion carried.

Let the record reflect, Commissioner Veronica Serna abstains from vote due to not been provided the minutes with sufficient time to review.

g. January 3, 2024-Special Meeting

Manager Garcia stated I recommend you approve.

Commissioner John Trujillo made a motion to approve.

Commissioner George Trujillo second the motion.

Two in favor, one abstains. Motion carried.

Let the record reflect, Commissioner Veronica Serna abstains from vote due to not been provided the minutes with time to review.

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

a. Elected Official(s):

County Assessor – County Assessor, Rosalee Trujillo presented, Ms. Trujillo stated my office has been busy. Mark Montoya is now serving as my Chief Deputy. The assessment period is from January 1st through February 28th; we are a self-rendering State. I am getting ready to send out the personal business property for business owners who are conducting business in Mora County. I am requesting they submit their federal taxes where they show the depreciation schedule so we make sure we are taxing correctly. Our office has been busy with the Hermits Peak claims office where we provide a great amount of assessments, is there any way they can provide us with paper? Also, when is our department going to be reimbursed through FEMA for the temporary employees who were hired after the disaster?

County Clerk – Chief Deputy Clerk, Temarah Barela presented the Clerks report. (see attached report)

County Treasurer – No report

Sheriff's Office – Manager Garcia presented the Sheriff's report. Mr. Garcia stated the report refers to the Legislative priorities. The priorities are as follows: Radio communication, \$175,000; Search and Recovery Rescue, requested \$1.225 million; a garage with solar panels, requested \$180,000; the total requested amount is \$1.58 million.

b. Department Head(s)

1. EMS – EMS Director, Brenda Casados presented the report. Ms. Casados stated the EMS annual service report has been submitted, with a total of 696, 911 calls recorded. The fund application has been submitted which brings in \$10,000 to \$12,000 per year, the funding is for fuel, supplies and maintenance for the ambulances. We obtained a grant under Rural Health Care Delivery fund, Clarity Collins and Lori Kindler assisted with the grant writing. The grant is for expansion into Wagon Mound to hire a Billing Specialist, recruitment and additional equipment that will be needed. We currently cover Wagon Mound, it's a 52 mile drive so this would be beneficial for the Wagon Mound area. The grant is for over \$500,000 and will need to be distributed over a 3 year time. Whatever is determined on your banking choice, we have 32 insurances that are credentialed for billing and we would need to get at least a 30 day notice so we don't fall off the grid, the last time that happened we did not receive Medicare payments for over a year. Whatever decision is made, please let me know.

2. Planning and Zoning Department

Planning and Zoning Director, Brad Sena presented the report. Mr. Sena stated the Business License renewal forms went out at the beginning of this month, and are due at the end of this month; I have received more than half. I have issued E-911 addresses for FEMA purposes, Driver's License, phone and internet. The Planning & Zoning Committee will be meeting next Tuesday, January 30th at 9:00 a.m. There are some constituents that would like to address the Commission referencing the hiring fairness of contractors and the fees associated.

Amos Espinoza, Contractor shared his concerns related to the hiring of contractors within Mora County as it relates to outside contractors and asked the Commission to look into it.

Felicia and Mario Olivas shared their concerns related to the hiring of contractors within Mora County as it relates to outside contractors and asked the Commission to look into it.

The Commission responded by stating the Commission hear the concern and have pushed to hire local contractors on multiple occasions. We will continue to look into it.

3. Road and Solid Waste Department

Manager Garcia stated I am making a change in house and would like to appoint Annette Duran to take charge of Solid Waste. I spoke to Ms. Duran and she said she would accept it. I will be looking into funding. This change is so Mr. Romero can focus on roads. Also, cameras will be installed at the Solid Waste Department, there are several issues that have been occurring.

b. County Manager

Manager Garcia presented the report. Mr. Garcia stated we have an issue with a contract that was issued for setting the FEMA trailers. We met with Jojo Myers, with Plexos and Margaret Ambrosino who were inquiring about communications. We expressed what the problems are and they are going back with the information. There is a grant that I am considering looking into. Stephanie and I signed off on the \$3million dollar grant application which has a \$750,000 match. We are staying on top of things.

c. Human Resources

DesMarie Romero, Human Resources Coordinator presented the report. See attached report.

d. Announcements

DesMarie Romero, Human Resources Coordinator presented the report. See attached report.

e. County Commission

No report was presented.

20. Discussion/Action: Resolution Authorizing Mora County Sheriff's Office to issue Retention Pay

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

Commissioner Veronica Serna seconded the motion.

All in favor. Motion carried.

21. Discussion/Action - Expenditure Report/Budget Report Edna Sena, Finance Director

a. Expenditure Report - 2023

Finance Director, Edna Sena presented the report. Ms. Sena stated this is the expenditure report for the month of December, the amount is \$648,141.35. The expenditures include

payroll, payroll deductions, contracts, supplies, parts and maintenance. I recommend you approve the expenditure report.

Commissioner John Trujillo made a motion to approve.

Commissioner Veronica Serna seconded the motion.

All in favor. Motion carried.

b. Budget Report - 2023

Finance Director, Edna Sena presented the report. Ms. Sena stated I am presenting the expense budget as of December 31st. At the end of 6 months into the fiscal year, all departments are within budget allowance. I recommend to approve this item.

Commissioner Veronica Serna made a motion to approve as recommended.

Commissioner John Trujillo seconded the motion.

All in favor. Motion carried.

22. Discussion/Action-Resolutions Edna Sena, Finance Director

a. Budget Adjustment Request

Finance Director, Edna Sena presented the report. Ms. Sena stated I am presenting the budget adjustment resolution for Law Enforcement recruitment first year distribution in the amount of \$225,000. I recommend you approve this item.

Commissioner Veronica Serna made a motion to approve as recommended.

Commissioner John Trujillo seconded the motion.

All in favor. Motion carried.

23. Discussion/Action: A Resolution Relating to Travel and Per Diem

Finance Director, Edna Sena presented the resolution. Ms. Sena stated I am presenting the Resolution to revise the Travel and Per Diem policy with revision to the State of New Mexico Per Diem rates. The revisions are reflected in the policy as fiscal year 2024 rates. The mileage does not reflect change in the policy as we follow the IRS rates for mileage. I recommend you approve the resolution.

Commissioner John Trujillo made a motion to approve as recommended.

Commissioner Veronica seconded the motion.

All in favor. Motion carried.

24. Discussion/Action: Resolution authorizing Mora County to submit application to DFA to participate in the Local DWI Grant and Distribution Program

Yolanda Medina presented the item. Mrs. Medina stated the resolution is presented every year to the Commission to begin the funding process for DWI grant and distribution program. I attended a mandatory grant application training that was required for Mora County to attend. The application is ready for Mora County to begin and is due by early March and in May the State Grand Council will meet with the 33 Counties and Mora County will receive allocations for fiscal year 2025 funding. The funding is project year July 1, 2024 through June 31, 2025. This is an application the County must apply for in order to continue with the program. The program is very

important, and it is important the application is completed. There has not been a permanent DWI Coordinator in place therefore I submitted the quarterly report to DFA 3 months ago and we received reimbursement for that. I spoke with Manager Garcia and explained the importance of continuing the work through the program. I have agreed to start working on the application. **Manager Garcia** stated without a DWI Coordinator in place and the time restraints I authorized her to continue the work. We need to compensate Mrs. Medina for that. I will get together with her on how to proceed with that. The DWI Coordinator position has been posted. I recommend you approve the resolution.

Commissioner Veronica Serna made a motion to approve as recommended.

Commissioner John Trujillo seconded the motion.

All in favor. Motion carried

25. Discussion/Approval: Recommendation by Planning and Zoning Director to appoint members to the Planning and Zoning Committee

Brad Sena, Planning & Zoning Director presented the item. Mr. Sena stated early this month three vacancies for the Planning & Zoning Committee were announced with a deadline of January 12th. I received 3 letters of interest from Brenna Tafoya, Joseph Weathers and Nancy Cruz. I am recommending the Commission approve the 3 names to serve on the Planning & Zoning Committee.

Manager Garcia stated I recommend the Commission approve.

Commissioner John Trujillo made a motion to approve as recommended.

Commissioner Veronica Serna seconded the motion.

All in favor. Motion carried

Mr. Sena stated *for the record* there are a total of seven members on the Planning & Zoning Committee. The bi-laws states that 4 members need to be 2 years and the other 3, 1 year. Brenna Tafoya will be 2 years, Joseph Weathers, 2 years, Nancy Cruz, 2 years, Gilbert Quintana, 1 year, Johnny Espinoza, 2 years, Richard Bustos, 1 year, and Jacob Jude Regensberg, 1 year. Some have been asking the purpose of the Planning & Zoning Committee and I would like to read the definition directly from the DGS. The Planning & Zoning Committee is responsible for examining issues related to growth, development and the preservation of the environment of Mora County and it is directed and overseen by the Board of County Commissioners.

26. Discussion/Action: Recommendation to Re-Advertise CHET Water Tank Bid Installation Project

Attorney Cruz presented the item. Ms. Cruz stated this item was presented for consideration at the end of last year. Part of the dialogue that arose was a few things, one being that whenever procurement issued an RFP or solicited bids that they should be informing the County Commission. Another topic that arose was there had been communications by members of the community that they had not seen the RFP and as I indicated during that meeting, that is not a basis to reopen the bid. The primary driver with regard to the dialogue that took place related to this RFP was that the information that was shared by procurement relating to the recommendation that it be approved, was that there was only one response to the RFP, secondarily, the amount that was offered by the bidder was not subject to negotiation as is required under the RFP. We have

met with the State Fire Marshalls office in determining what the next best steps would be, my recommendation to you is that you reauthorize the advertisement of the project, that it be done pursuant to an RFP. The language of the RFP needs to be cleaned up, there are some areas that are not clear. In addition to that you want to be clear that it is a competitive process. After you have a competitive process, you should ensure that it is subject to negotiation. My job is to ensure that process and procedures are followed. Protocols and process are not clearly defined because the Volunteer Fire Departments have operated to a certain degree, historically, without a good framework on how to move forward with projects. Going forward with regard to any procurement that is taking place within the Volunteer Fire Departments, a similar process will have to be in place to ensure that everybody is operating the same rules and to ensure that contractors are not put in a difficult position. It should be competitive and at a minimum you should have a negotiation process.

Felicia Olivas shared her concerns on fairness and process regarding the RFP process. Mrs. Olivas stated while we are questioning you, it is not that we are pointing fingers, we want to understand your process as well because it's falling through the cracks somewhere along the line. It's not fair to some people that they get the end of that. We all need to be aware, informed and have the knowledge so that when RFPs go out, us as contractors can follow your procedures. *Further discussion took place.*

Manager Garcia stated I recommend the Commission readvertise CHET water tank bid installation project.

Commissioner John Trujillo made a motion to approve.

Commissioner Veronica Serna seconded the motion.

All in favor. Motion carried.

27. Executive Session: Limited personnel matters to include employee complaints and/or investigations; Threatened Litigation to include HPCC Claim Process and possible Temporary Restraining Orders; and Pending Litigation to include matters involving Isaac Martinez and John Paul Vigil

Commissioner John Trujillo made a motion to enter Executive Session.

Commissioner Veronica Serna seconded the motion.

All in favor on a roll call vote:

Commissioner John Trujillo	-	Yes
Commissioner Veronica Serna	-	Yes
Commissioner George Trujillo	-	Yes

Entered Executive Session at 12:17 p.m.

Commissioner John Trujillo made a motion to reconvene regular session.

Commissioner Veronica Serna seconded the motion.

All in favor on a roll call vote:

Commissioner John Trujillo - Yes

Commissioner Veronica Serna - Yes

Commissioner George Trujillo - Yes

Commissioner George Trujillo stated during Executive Session no action was taken, and no decisions were made we had a discussion with the attorneys from the HPCC claim process.

Reconvene Regular Session at 2:06 p.m.

28. Next Regular Meeting-February 15, 2024

Commissioner George Trujillo stated the next Regular Meeting will be on February 15, 2024.

The next Special Meeting will be on Thursday, February 1, 2024, at 4:00 p.m.

29. Discussion: Other Informational Items

Attorney Cruz stated Chairman, as I returned from the restaurant I ran into the Olivas's and had some very generalized conversation in follow up with conversation regarding CHET and I wanted for purposes of the minutes to be clear that as it relates to the competitive nature, what I was referring to earlier is that you only have one entity that has submitted a response and by extension you haven't engaged in negotiations, you're not ensuring that you have selected the most advantageous contract.

Joseph Weathers stated for the record I would like to warn the County. We know the problems that happened with Tapetes and the Capital Outlay money where we had a Project Manager that is not licensed or certified through the State who was signing off on invoices that were not paid by the County. When you are dealing with unlicensed Project Managers in this fire department. This is my warning to the County.

30. Signing of Approved Documents

The Commission signed the approved documents.

31. Adjournment


Commissioner Veronica Serna made a motion to adjourn the meeting.

Commissioner John Trujillo seconded the motion.

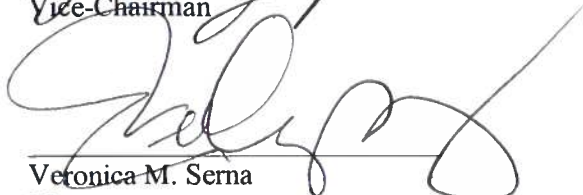
All in favor. Motion carried.

The meeting was adjourned at 2:11 a.m.

MORA COUNTY BOARD OF COMMISSION


George A. Trujillo
Chairman


John H. Trujillo
Vice-Chairman


Veronica M. Serna
Member




Carlos J. Arellano
County Clerk