

BOARD OF COUNTY COMMISSIONERS OF MORA COUNTY

Regular Meeting (Rescheduled) - July 31, 2024 – 9:00 a.m.

1. Call to Order

Chairman George Trujillo called the meeting to order at 9:03 a.m.

2. Roll Call

Deputy Clerk Danae Pino polled the board: Commissioner George A. Trujillo – Present; Commissioner John H. Trujillo – Present; Commissioner Veronica M. Serna – Present. A quorum is present.

3. 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.

4. Approval of Agenda

Commissioner George Trujillo stated we will go into closed session after Public Comment to discuss pending litigation with our attorneys. We will switch item 6, approval of minutes, to item 27.

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

5. Public Comment*

Bruce Erickson - Mr. Erickson experienced a medical emergency and the ambulance had difficulty locating their home due to incorrect road signage. The sign on County Road B007 is incorrectly labeled as B006. Bruce has provided documentation to support the correct road designation. A formal request to correct the signage has been submitted. In addition, the contractor for Agua Pura, Gabriel Serna, has requested a permit to dig on B006. The permit has been verbally denied, but there is no written documentation. The water association is concerned about the lack of a clear permit approval process, emphasizing the urgency of the waterline replacement due to the age of the pipes and potential contamination issues. There are concerns about the impact of the permit denial on nine families. The water association is requesting an immediate resolution to the permit issue.

Viola Martinez - Ms. Martinez expressed strong opposition to the denial of a permit to replace old waterlines on County Road B006. Denying the permit will affect nine families and create a potential health hazard due to old, rusty pipes. The County should prioritize public health and safety over bureaucratic hurdles. Ms. Martinez emphasizes the urgency of the situation and requests immediate approval of the permit.

Jashe Alcon - Mr. Alson is strongly opposed to the County's plans to pave certain county roads, arguing that the County has a history of poor road maintenance decisions, and using unsuitable materials. The County is violating State Law (67-5-12) by not following proper procedures of road paving or changing the road. Paving the roads will cause further problems, including drainage issues and damage to road shoulders. He believes that paving the roads is a waste of money and will create more problems than it solves.

6. Closed Session: HPCC Threatened and Pending Litigation (Singleton Schreiber); Pending Litigation Involving John Paul Vigil

Commissioner G. Trujillo asked for a motion to enter closed session. **Commissioner J. Trujillo** made a motion to enter closed session. **Commissioner V. Serna** seconded the motion. *All in favor on a roll call vote:* Commissioner George Trujillo – yes; Commissioner John Trujillo – yes; Commissioner Veronica – yes. The Commission entered closed session at 9:16 a.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 George Trujillo – yes; Commissioner John Trujillo – yes; Commissioner Veronica – yes. Commissioner G. Trujillo stated it is 10:46 a.m. After closed session, no action was taken, or decisions made.

7. Discussion: Update from Forest Service Kenny Alcon

Amina Sena - Amina Sena, District Ranger for the Pecos/Las Vegas Ranger District, began update with a sincere apology to the community for the devastating Hermit's Peak/Calf Canyon Fire. She emphasized the Forest Service's commitment to rebuilding not only the physical landscape but also trust and relationships with the community. Sena outlined the Forest Service's efforts to engage the community in recovery efforts, including: Partnering with local contractors to prioritize local businesses and create jobs, collaborating with youth organizations to provide employment and training opportunities, developing a long-term recovery plan through a comprehensive community engagement process. The goal is to involve the community in every step of the recovery process, from planning to implementation. Sena emphasized the importance of community input in shaping the future of the affected area.

Continued dialogue related to the subject took place between Ms. Sena and the Commission.

Kenny Alcon stated the goal is to restore the Hermits Peak/Calf Canyon burn scar area to a healthy state over a five-year period. The recovery effort is divided into five key areas: range, recreation, forestry watershed and engineering. The forestry focus is immediate action in removing hazardous trees to prevent safety risks and future fires, reforestation of burned areas to restore forest health and biodiversity, providing access to fuel wood for community members through partnerships with local processors such as Santa Fe Community Foundation and by creating opportunities for self-harvesting, collaboration, working with community members, other agencies and organizations to develop a comprehensive fuel wood distribution plan. The forest service is prioritizing road repairs and flood mitigation efforts, with a focus on Walker Flats Road, and other critical routes. Challenges include limited funding and resource constraints. The Forest Service is partnering with NRCS and local water conservation districts to assess water shed damage and develop restoration plans. This includes identifying priority areas for intervention and considering the potential benefits of natural regeneration. Over 20,000 acres have been aerially seeded in partnership with NRCS.

The Commission thanked the individuals involved with the recovery efforts.

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

Manager Garcia - Mr. Garcia stated the architects are 99% done with the design for the Veterans Memorial. As soon as the Veterans approve the design, it will go out to bid.

9. Discussion: Project Status

a. EMS Facility and Communications Repeaters Alex Tafoya

Mr. Tafoya - Mr. Tafoya stated the project has experienced significant delays. The environmental review took four months to be opened and processed, despite being submitted in February. Additional delays occurred in submitting plans and specifications to the Local Government Division. Plans and specifications will be submitted to the Local Government Division this week. Once approved, the project will move forward with the release of funds and a notice to proceed. The bid document will be finalized and advertised, followed by a review and approval process. The total construction budget is approximately \$1.3 million after deducting funds for the completed advanced communication portion.

Commissioner V. Serna stated I think that some of the delays with the architect, in part may have been because EMS and Mr. Garcia met with the architect to change the plans.

Manager Garcia stated yes that was due to the bedroom space that was initially proposed need to be addressed.

Commissioner G. Trujillo stated it was minor changes they did because they didn't have enough space. Another delay was because of the Veterans Memorial, there are delays but the project is moving forward.

EMS Director Brenda Casados requested she be involved in future communication related to the project.

10. Discussion/Action: Approval of EMS Facility Final Architectural Plans and Authorization to Wayne Lloyd and Associates to proceed with procurement process for the EMS Facility

Manager Garcia recommended approval. Commissioner V. Serna made a motion to approve. Commissioner J. Trujillo seconded the motion. *All in favor. Motion carried*.

11. Discussion/Action: Authorize County Attorney to Serve as Point of Contact with Wayne Lloyd and Associates regarding Complex Funding and Plans

Commissioner G. Trujillo stated County Architects Wayne Lloyd & Associates asked for one person to be the contact for projects. The County Attorney will be appointed point of contact due to the proximity to the relevant office and because of her legal expertise.

Commissioner V. Serna stated my concern is Tina has a lot of work to do as it is, she still has to work on the employee handbook, we are behind on minutes. She already has a lot of work on her plate and she is having to add something else and she charges for it too. I have another suggestion, when we hire a Deputy Manager, could they take on this roll.

Commissioner G. Trujillo asked for a motion.

Commissioner J. Trujillo made a motion to approve. **Commissioner G. Trujillo** seconded the motion. *All in favor.* **Commissioner V. Serna** *opposed. Two aye, one opposed. Motion carried.*

12. Discussion/Action: Authorization of Wayne Lloyd and Associates to Design Space for Staff Currently Located in the Portable Buildings

Attorney Ernestine Cruz presented the item. The County is facing an insurance issue related to the portable buildings damaged in the recent fire. The insurance company is offering to pay for the value of the buildings but is recommending that the County relocate its staff to a safer location due to concerns about the buildings' structural integrity post-fire. This creates a situation where the County receives funds for the buildings but is unable to use them due to safety concerns, effectively forcing the County to find alternative accommodation for its staff.

Manager Garcia stated we need to get the County staff out of the portable buildings as soon as possible. He recommended approval. Commissioner J. Trujillo made a motion to approve. Commissioner V. Serna seconded the motion. All in favor. Motion carried.

- 13. Discussion/Action: Recommendation to proceed with procurement process for wood processing Manager Garcia began the dialogue discussing the procurement process for wood processing. Continued dialogue related to the subject took place between the Commission, Manager and County Attorney. Commissioner V. Serna made a motion to table the item. Commissioner J. Trujillo seconded the motion. All in favor. Motion carried.
- 14. Discussion/Action: Authorization to proceed with procurement process for the purchase of a dump truck Manager Garcia stated I need authorization to proceed with procurement of a dump truck.

 Commissioner V. Serna made a motion to approve. Commissioner J. Trujillo seconded the motion. All in favor. Motion carried.
- 15. Discussion: Update on the Opioid Settlement Requirements and Total Deposits That Have Been Made to Mora County

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Chief Deputy Treasurer Josephine Montoya presented the total deposits. Mrs. Montoya stated I am showing the total of \$46,811.71.

Continued dialogue related to the subject took place between the Commission, Manager and County Attorney.

Commissioner Serna stated an email was circulated regarding an additional amount of approximately \$110,000.

Attorney Cruz proposes forming a committee to discuss potential uses for settlement funds. The committee would focus on aligning fund usage with specific settlement agreement guidelines, which often outline designated purposes like education, recovery, and/or prevention. It was also suggested to revisit the possibility of collaborating with other counties or the State on projects, such as a treatment facility, as a potential use of the funds.

Closed Session: HPCC Threatened and Pending Litigation (Singleton Schreiber); Pending Litigation Involving John Paul Vigil

Commissioner G. Trujillo asked for a motion to go into closed session to discuss pending litigation pertaining to John Paul Vigil. Commissioner J. Trujillo made a motion to enter closed session. Commissioner V. Serna seconded the motion. *All in favor on a roll call vote:* Commissioner George Trujillo – yes; Commissioner John Trujillo – yes; Commissioner Veronica – yes. The Commission entered closed session at 12:33 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:* Commissioner George Trujillo – yes; Commissioner John Trujillo – yes; Commissioner Veronica – yes.

Commissioner G. Trujillo stated after closed session no action was taken, or decisions made. The Commission is back in regular session at $2:02 \ p.m$.

Commissioner G. Trujillo asked for a motion to enter a 40-minute recess. Commissioner J. Trujillo made a motion to enter a 40-minute recess. Commissioner V. Serna seconded the motion. *All in favor. Motion carried.*Commissioner G. Trujillo asked for a motion to reconvene regular session after recess.

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 George Trujillo – yes; Commissioner John Trujillo – yes; Commissioner Veronica – yes. Commissioner G. Trujillo stated reconvene regular session at 2:43 p.m.

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

a. Elected Official(s):

County Assessor – Assessor Rosalee Trujillo - Ms. Trujillo stated the office has been handling the day-to-day work. Chantel Sena went to IAAO reginal school and she is now a State Certified Appraiser.

County Clerk – Deputy Clerk/Bureau of Elections Clerk Vivian Trujillo - Mrs. Trujillo stated we have been working with the citizens to obtain copies of deeds for FEMA claims. The staff is preparing for Election School on August 8th and 9th. The office will remain open to the public. We are preparing for the upcoming election. Temporary Deputy Manager, Danae, will be leaving at the beginning of August to go back to school.

County Treasurer – Chief Deputy Treasurer Josephine Montoya - Ms. Montoya stated staff will be attending the Treasurers affiliate next week. We have a new Deputy Treasurer, Cheryl Maes. Sheriff's Office – No Report.

- **b.** EMS The EMS report provided in packet.
- c. Planning & Zoning Planning & Zoning Director Brad Sena Mr. Sena stated the office has continued to issue 911 addresses for telephone, internet and FEMA claims. There have been several calls regarding El Rancho Escondido. When the packet is completed, a public hearing will be scheduled.

d. County Manager – Manager Garcia – Mr. Garcia stated the County Attorney and I have been working on the process of moving out of the portable buildings. There are a few items that have been and will be discussed throughout today's agenda.

Attorney Cruz stated *for the record* can I ask the Manager two questions about the complex? You made reference, Manager, to the grants. Do you want to share with the public the amount of the grant for the complex?

Manager Garcia stated we have EDA grant \$3 million, accrued interest, \$789,000 from the original \$775,000 settlement, original match waiver \$775,000, Capital Outlay \$200,000, insurance from the fire at the portables \$300,000, GO Bond \$550,000, estimated smoke damage \$2.2 million, and AOC funding \$3 million; approximate total \$8.589 million.

Attorney Cruz stated there's a couple of numbers that were a little bit off, but it's the 789 and some change in the LGI P and it originally started as 775,000 There's one last amount of money that I didn't hear reported for \$30,000 for a Cultural Center. Within your complex, you can build out a space where you can potentially display items that are culturally related to Mora County. So, you'd want to integrate that \$30,000 into your complex.

- **e. Human Resources Human Resources Coordinator DesMarie Romero -** Mrs. Romero presented the birthdays, anniversaries, and new hires for the month of July. The open positions were also discussed. The full HR report is provided in the Commission packet.
 - **Manager Garcia** stated we are working on a 5-year plan to bring everyone's salaries up and to hire 27 more employees.
- f. County Commission Commissioner G. Trujillo stated on behalf of the County Commission, Manager and County Attorney, we are planning a get together in appreciation of all the employees. We will have a picnic at Morphy Lake. Employees who want to participate will need to sign in. If they will not be present, they will have to work or use their time.
- g. Road & Solid Waste Department John Romero, Road & Solid Waste Superintendent presented the item. Mr. Romero stated the crew has been working on cleaning up the county roads after the flooding.
- h. Maintenance Supervisor No Report.
- i. IT Manager IT Manager Travis Vigil Mr. Vigil discussed the current transition from outsourcing the work to himself and Jacob Romero to handling all of out IT. Right now, we are in the process of getting away from Zitro. We have been working on back-ups and Microsoft 365. The County has been utilizing Worchester and Jones for the webpage; we are working on changing that. We are looking to upgrade the equipment which will cost approximately \$75,000.
- j. Fire Administrator Manager Garcia stated the CHET project is coming along.
- **k. DWI DWI** Coordinator Geraldine Vigil presented the report. Ms. Vigil finished distributing funds for the 4th quarter and completed grants reports for the entire fiscal year 2024, sample grant reports have been sent to DFA for review and awaiting final approval. She plans to reapply for special grant opportunities to further their education and aims to increase client participation in events following the success of an event that took place in June.
- I. Disaster Recovery Construction Manager No Report.
 - **Commissioner G. Trujillo** asked for a report on the El Alto and Tramperos Road project. (The speaker was not identified on the recording)
 - **Ted Barela, GME** presented the update on the El Alto and Tramperos Road project. It was stated there are a few hiccups and with the amount of rain we are getting, there have been a few areas that need to be modified. The necessary specs of the pipe were discussed. Regarding Tramperos Road, they are getting close to station 175, where the flooding continuously occurs. That section will be skipped since that is a

FEMA project. We are in liquidated damages, if the days are not adjusted, we're at \$122,500 in liquidated damages. John Herrera from the District has been helpful in trying to work things out.

m. Emergency Manager – Emergency Manager Eugene Pino - Mr. Pino discussed the H2O partners, who are handling the Hazard Mitigation plan. They finished the draft today which they will send tomorrow. Review and revisions will need to be submitted by August 15th. The Active Shooter Plan, and Flood Plan have been completed and sent to the Manager and Attorney for review. Continued meetings have occurred with US Forest Service and DHSEM regarding the ongoing flood situation. Reimbursement for the EMPG grant was submitted with reimbursement of \$20,000. An application was also submitted for funding for FY 2024 at which we will receive \$35,000 for the salary of the Emergency Manager position. Other grant applications were submitted for funding for processing firewood.

Eugene Maes presented a report. Mr. Maes provided an update on road improvement projects. Multiple roads have been assessed, and culverts are being installed. There are ongoing discussions about reimbursement for culvert installation costs. The speaker hopes to issue a contract for graveling the roads before winter. Further information will be presented when the County electrician is present at the next meeting.

17. Discussion/Action - Expenditure Report/Budget Report Jesus Baquera, Finance Director

a. Expenditure Report - 2024

Mr. Baquera stated expenditures for the month of June are \$1,540,635. The breakdown is included in the Commission packets.

Manager Garcia recommended approval. Commissioner J. Trujillo made a motion to approve.

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

b. Budget Report - 2024

Mr. Baquera stated I have been working on submitting the fiscal year budget to submit to DFA, everything went okay. General fund - 87%, Restricted fund - 12%, Capital Projects - 5%, Debt service - 65% Enterprise - 96%, and agency fund - 93%.

Commissioner V. Serna stated the attorney over expanded her budget by a substantial amount. However the invoices came in on the last day of June and \$120,000 got spent in this fiscal year. That is something we need to address because we only budgeted \$150,000 and we are already almost there. I just want to bring that to the Commissions attention because it needs to be addressed a different way.

Manager Garcia recommended approval. Commissioner V. Serna made a motion to approve.

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

*Is it here that I mentioned that the attorney's GL fund will be over expended for 2024/2025 since we didn't pay her final 2023/2025 invoices until July?

18. Discussion/Action-Resolutions Jesus Baquera, Finance Director

a. Budget Adjustment Request

Mr. Baquera stated this is the \$180,980 interest for June that we are bringing into the budget.

Manager Garcia recommended approval. Commissioner J. Trujillo made a motion to approve.

Commissioner V. Serna seconded the motion based on the information provided by Mr. Baquera. All in favor. Motion carried.

19. Discussion/Action: Approval of 2024 Resolution Final Quarter Financial Report Year Ending June 30, 2024, Jesus Baquera, Finance Director

Mr. Baquera stated this is the resolution to approve the final BAR for FY 2024, that needs to be submitted to DFA. Continued dialogue related to the subject took place.

Manager Garcia recommended approval. **Commissioner J. Trujillo** made a motion to approve. **Commissioner V. Serna** seconded the motion based on the information provided that there was approval from DFA. *All in favor. Motion carried*.

20. Discussion/Action: Approval of 2025 Resolution Final Budget Year Ending June 30, 2025, Jesus Baquera, Finance Director

Mr. Baquera stated after the 4th Quarter goes through DFA we end up with our ending cash balances that is rolled over into FY25. They approve the FY 25 budget as soon as the operating budget moves forward.

Manager Garcia recommended approval. Commissioner J. Trujillo made a motion to approve. Commissioner V. Serna seconded the motion. *All in favor. Motion carried*.

21. Discussion/Action: Approval of Protest Board to Serve a 3 Year Term Rosalee Trujillo, County Assessor Assessor Rosalee Trujillo - Ms. Trujillo discussed who is on th3-yearest Board, to serve a 3-year term, Jude Regensberg, Member, Sherry Serna, Member, Justin Garcia and Julian Barela are alternates.
Manager Garcia recommended approval. Commissioner J. Trujillo made a motion to approve. Commissioner V. Serna seconded the motion. All in favor. Motion carried.

Commissioner G. Trujillo asked for a motion to go into a 15-minute recess. **Commissioner J. Trujillo** made a motion to enter a 15-minute recess. **Commissioner V. Serna** seconded the motion. *All in favor on a roll call vote:* Commissioner G. Trujillo – yes; Commissioner J. Trujillo – yes; Commissioner V. Serna – yes. The Commissioner entered recess at 4:18 p.m.

Commissioner G. Trujillo asked for a motion to reconvene regular session after a 30-minute recess. **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 G. Trujillo – yes; Commissioner J. Trujillo – yes; Commissioner V. Serna – yes. The Commission reconvened regular session at 5:01 p.m.

- 22. Discussion: Special Event Permits from Planning & Zoning Brad Sena, Planning and Zoning Commissioner V. Serna made a motion to table. Commissioner J. Trujillo seconded the motion. All in favor. Motion carried.
- 23. Discussion/Action: Resolution Authorizing Withdrawal of Funds from the Local Short Term Investment Fund Operated by the New Mexico State Treasurer's Office Manager Garcia recommended tabling the item. Commissioner V. Serna made a motion to table. Commissioner J. Trujillo seconded the motion. All in favor. Motion carried.
- 24. Discussion/Action: Approval of Contract between Mora County and San Juan County for Housing of Juvenile Detainees

Commissioner J. Trujillo made a motion to *table*. **Commissioner V. Serna** seconded the motion. *All in favor. Motion carried*.

25. Discussion/Action: Resolution Authorizing Execution and Delivery of a Loan Agreement and Intercept Agreement with Mora County and NMFA Involving Fire Fighting Apparatus for Golondrinas Fire Department

Attorney Cruz stated the County is considering a loan from the New Mexico Finance Authority to purchase a fire apparatus for the Golondrinas Volunteer Fire Department. The necessary paperwork has been prepared and is similar to a previous loan approval for the Sierra Bonita Fire Department. The Commission is asked to approve two items: a Resolution authorizing the loan agreement, this formally approves the loan and related documents,

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and authorization for signature which would grant the County Manager or Chairman authority to sign additional paperwork required by the Finance Authority. The commission is urged to expedite the process to avoid potential delays in purchasing the fire apparatus.

Commissioner V. Serna made a motion to approve. **Commissioner J. Trujillo** seconded the motion. *All in favor. Motion carried.*

26. Discussion/Action: Authorization for Chairman Trujillo or County Manager Garcia to sign any other requisite documents for the Golondrinas VFD Loan with NMFA

Commissioner J. Trujillo made a motion to approve. **Commissioner V. Serna** seconded the motion. *All in favor. Motion carried.*

27. Discussion/Action: Approval of Job Description for Deputy Finance Director

Manager Garcia recommended approval. The salary is \$62,500.

Commissioner V. Serna asked if the amount is included in the budget and if it includes benefits. Also, where would the person be housed?

Commissioner J. Trujillo made a motion to approve. **Commissioner V. Serna** seconded the motion. *All in favor. Motion carried*.

*Wasn't there discussion here on whether we had it in our budget and where are these positions going to be housed?

(27.b) Discussion/Action – Approval of Minutes

a. April 30, 2024-Budget Work Session

Manager Garcia recommended approval. Commissioner J. Trujillo made a motion to approve. Commissioner V. Serna seconded the motion. All in favor. Motion carried.

b. May 16, 2024- Regular Meeting

Commissioner V. Serna made a motion to table. Commissioner J. Trujillo seconded the motion. All in favor. Motion carried.

c. May 22, 2024 - Public Budget Hearing

Manager Garcia recommended approval. Commissioner V. Serna made a motion to approve.

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

d. May 23, 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.*

e. May 30, 2024- Special Meeting

Manager Garcia recommended approval. Commissioner J. Trujillo made a motion to approve. Commissioner G. Trujillo seconded the motion. All in favor. Motion carried.

f. June 13, 2024-Election Canvass Meeting

Commissioner V. Serna made a motion to *table*. **Commissioner J. Trujillo** seconded the motion. *All in favor. Motion carried*.

g. June 27, 2024- Regular Meeting

Commissioner V. Serna made a motion to *table*. **Commissioner J. Trujillo** seconded the motion. *All in favor. Motion carried*.

28. Next Regular Meeting -August 15, 2024

Commissioner G. Trujillo stated the next regular meeting is August 15, 2024.

29. Discussion: Other Informational Items

No other informational items were discussed.

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30. Signing of Approved Documents

The Commission signed approved documents.

31. Adjournment

Commissioner J. Trujillo made a motion to approve. **Commissioner V. Serna** seconded the motion. *All in favor. Motion carried.* The meeting adjourned at 5:36 p.m.

MORA COUNTY BOARD OF COMMISSION

George A. Trujillo, Chairman

John H. Trujillo, Yice-Chairman

Veronica M. Serna, Member

Z.

Carlos J. Arellano, County Clerk

