



Board of County Commissioners Regular Meeting Thursday, May 16, 2024 at 9:00 am

1. Call to Order

Chairman **George Trujillo** called the meeting to order at 9:01a.m.

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

All in attendance recited the Pledge of Allegiance and Saluted the Flag of the State of New Mexico.

3. Roll Call

Deputy Clerk **Elena Duran** polled the board:

Commissioner **George A. Trujillo** – Present

Commissioner **John H. Trujillo**- Present

Commissioner **Veronica M. Serna**- Present

4. Approval of Agenda

County Manager **Joseph Garcia** stated I want to exchange number 6 and 21 in the discussion. As well as tabling number 20.

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

Commissioner **V. Serna** second the motion.

5. Public Comment

Norma Phillips stated she had a strong opposition to approve a relocation for the proposed gravel crusher.

Lisa Styles stated I am here today because I am very concerned about decisions that are currently or have recently been made by our county officials. It seems that many of these decisions are directly in conflict to the will of the citizens of Mora County and or the guidelines that are set forth to protect our cultural, historical and environmental wellbeing. The first example I'd like to offer is the lot on Highway 518 that has been raised to make way for Dollar General Store. This is an abomination. How the heck did this get passed by our city government or county government? Because in a compatibility assessment meeting held by Planning and Zoning about one person in attendance voted against it. Chairman Trujillo I understand that you voted to pass this on to Planning and Zoning even though you should have recused yourself from that vote. Because you have a family member who financially benefited by the sale of that land. Is that correct? Attorney Cruz, you openly admitted that that vote was a conflict of interest and yet you did absolutely nothing to rectify it. You also said that it was in the best interest of Mora because Mora is a food desert. Respectfully who are you to make that decision for us? We have a farmer's co-op in Mora that is likely now to go out of business as so many small local stores do when a Dollar General store comes to town. Besides, last time I checked Twinkies and Ho Hos don't qualify on the USDA Food Pyramid. That's not food that is sold in a general dollar store and instead of that money staying in our community, it will get transferred to the headquarters of another corporate entities location. And that is not good for Mora. So upon that crook, corrupted vote this decision then went to Mr. Sena and Planning and Zoning. And even though the permitting and placement of such a business is inconsistent with the policies and procedures of the development guidance system. This document which is supposed to steward wise choices for development in Mora County of permit was issued by Mr. Sena. As such a historic adobe has been turned to rubble. Century old willow trees were ripped out by the roots, and now in the midst of Mora's oldest and most historic district will rise the hideous eyesore of a cheap, brightly lit, big box store. That is not what the Mora citizens have wanted. And that is not what we deserve. Sadly, that's what we're getting.

Attorney Ernestine Cruz stated I appreciate your concern. But your information is wholly inconsistent with what happened. And I'm going to address it so that there's no ambiguity as to what took place because when allegations of that type and attacks of the type of made, they need to be addressed. And if what you said was true, I would sit here humbly, and I would take my medicine. But what you said was not true. So I need to address it respectfully. The sequence of events that transpired Chairman, members of the Commission, Manager Garcia, essentially are that as I understand it, there had been multiple meetings that took place with your Planning and Zoning committee. Those meetings are reflected in the minutes of Planning and Zoning, which are retained by your Planning and Zoning Director, Brad Sena, your committee, which is a duly authorized committee considered all of the information that was presented by not only the company itself, but then members of the public are certainly welcome to attend those meetings as well. Your Planning and Zoning committee is authorized to make a recommendation to you as a commission regarding how to move forward. And that's the sequence of events, there was not a vote by Chairman to heal that was then sent back the Planning and Zoning instead, it was reverse. There was a whole series of meetings that took place at the planning and zoning committee level. Then ultimately, a final recommendation was presented to you as a commission. So that's the first inconsistency that I want to point out. With regard to the comment that you made, about who am I, as the county attorney to say that Mora County is a food desert? I'm an attorney that does her research. All right, and that's not a finding that I made in my capacity as County

Attorney. Instead, it's a topic that I had to address. When the audit made reference to a purported conflict of interest by Commissioner George Trujillo Ms. Stiles made reference earlier to meet admitting that it was a conflict of interest and that I did nothing. There's no such record, in any of the minutes of me sitting here and saying there was a conflict of interest and I'm going to do nothing quite to the contrary, Ms. Styles. I in fact, pointed out that it was not a conflict of interest. Because under the Government conduct Act, and the guidance that's provided by the Attorney General under Hector Balderas. It's a handbook that you find on the website of the Attorney General makes clear that the government Conduct Act does talk about if there's a conflict of interest, a public official, should recuse themselves. But as with all things in the law, and this is something that we learned they when walking into law school, there's always a rule, but then there's going to be an exception to the rule. Right. And under the government conduct that there is an exception to the rule. The exception to the rule is if the public official's interest is a peripheral one, and the public interest outweighs the public official's purported interest in that vote, the public official can move forward with the vote. And that's what I made clear multiple times and commission meetings. Likewise, it's what I made reference to when I communicated with the auditor as well. And when I made reference to a food desert, it was something that was integrated into the letter that I wrote to the County's Auditor. It's not a conclusion that I made. It's something that I cited by way of the research that I did as to how a food desert is defined. I would agree with you that Twinkies and Ho Hos are not food. But I am happy to tap into my parent's cupboard and pick up one every now and then. I never said that. This particular Dollar Store was going to be solely selling Twinkies and Ho Hos. I didn't do anything with regard to that presentation. That was actually something that was addressed by the dollar store when they visited with Mr. Sena and the planning and zoning committee. They showed up with a list of over 100 different food items that would be sold at the dollar store and they are indeed food items and part of the information that was shared with your planning and zoning committee at the time was that the dollar store essentially recognized that there weren't a whole lot of options for that type of shopping and Mora County and they were going to design a Dollar Store or Dollar General, I don't recall the exact name, but they were going to design it in a way that it would provide healthy food items to the community. So again, these are not decisions that I made. Instead, I reviewed the record. And based upon my review of the record, those are topics that I addressed by way of communications with the auditor, again, I respect that you have a particular perspective. But as it relates to those inconsistencies that you addressed earlier, again, Commissioners, I just wanted to address them for purposes of the public who's sitting here today, and so that it's adequately reflected in the minutes thank you.

Rowan Stanland stated her concern of the permit for Oak Valley Excavating. She is concerned about the noise, the pollution, air quality, and potential damage to aquifers, acequias, and rural life.

Ed Martinez stated the concern of proposing the use of a crusher related to their ditches.

Dr. Sinclair stated her concern for water issues based on the air quality permit for the permit put into NMED.

6. Discussion: Update by Thompson Consulting regarding Disaster Recovery SB6 Projects

Thompson Consulting stated the funds for the obligated project that are in your account are ready for action. We can start planning with the attorneys and with the project management team to start

determining what the priority of the roads is. Which ones you want to start first and how you want to go about that.

Attorney Cruz stated when the five loans were approved, the funds were provided to Mora County Treasurers Office. The way which the process is going to work is that when there's a need to draw that money from the investment account with the Treasurer's office, there will need to be a request that's made to the County Commission by way of a resolution as to the specific amount that needs to be withdrawn. It will then be deposited here at the County, and the County will need to issue a budget adjustment through its Finance office. I just want you to understand that the funds aren't going to be immediately on hand because there's a process that needs to take place, because of the way within which the money is safeguarded.

Thompson Consulting stated it would benefit us to go ahead and start identifying those priorities, those captured in our project and start to plan to address those damages to be repaired. We discussed applying for additional funds. There is the hard deadline of June 30. We're not going to be able to identify other damages there's just not enough time on the calendar left to identify new damages, identify work, submit those projects, and get to phase four to be able to be approved for Senate Bill 6 when there are other projects that are in the FEMA system right now, that are moving through the process already that we can apply the Senate Bill 6. There's only one that is obligated right now and that's the one that was deemed for 11 million and that's for the roads that we discussed on Monday. There are four others that are in process and right now. We're trying to work right now with FEMA, DHSEM to find out exactly what the holdup is on these for what needs to be done to fix them, and make sure that they are all encompassing, and that everything we need is in there. Then we'll be able to submit those for payment to free up the entire allocation for repairs, and then we can amend anything that goes through mentioned on Monday. All due respect to ensure that we do get the proper amount to include the repairs with the new technology.

Attorney Cruz stated we've had some very productive meetings with Singleton Schreiber, Thompson, FEMA, and DHSEM. We did have a meeting last week with FEMA and DHSEM. DHSEM provided a list of projects that he was able to download from the portal, and at that time we requested access to the portal as well. Now your manager is the primary point of contact in the portal having access. I received a call from State Homeland Security, and they have requested a meeting with the entire team, Thompson, Singleton Schreiber, DHSEM and FEMA. I just want to let the members of the public and the Commission know that we'll be identifying a date next week for that meeting to take place so that any additional questions that you have can be answered by the full team that's going to participate in that meeting.

Commissioner V. Serna stated Mr. Chairman and John, I just wanted to share with you that the last time we had to reach out to Congress to get it pushed to the front burner, with FEMA, and that helps a lot. So, they're aware of what we've experienced in the past, and they're ready to help us push them along quicker. Just because they have been having other disasters, they tend to put ours in the backburner, but we can find resources that'll help us move it along faster.

Attorney Cruz stated if there's any site visit, it's only for informational purposes, and the Commission will not be making any decisions on site. If there's a decision that needs to be made. After that site visit, it will be duly noticed on an agenda for a vote by the Commission as a whole. If there is an observation

that is made on site, you can communicate to Mr. Barela who can then present it to the Commission for a formal vote. Under the Open Meeting Act, if there's going to be a formal decision that's made by the Commission that can only be made following a duly noticed meeting and a formal vote of the Commission.

Manager Garcia stated he apologizes for speaking out of frustration during the public comment.

7. Discussion/Action: Presentation by Ilka Villareal regarding request to assist with Capital Outlay Project Funding

Ilka Villareal stated I'm here today to, first of all, thank the Commissioners and the Manager for the support that they've always provided for the programs and projects that Mora Mainstreet is trying to bring to the community. Today, I want to speak about the Capital Outlay project that is to fix the front of the library. We want to make this area a wayfinding place and a community space, this appropriation was already in place in 2021. With the help of the attorney, we were able to sign an agreement between the County of Mora and the State for the Capital Outlays. We have been able to identify a contractor that is going to do this project, the installation, etc. In the pages I provided, the first one is the budget that was approved for the elevation and installation of the Wayfinding pool, and chairs and tables. The second part is what the Capital Outlay will cover. The first part that we as an organization we've been awarded a grant of \$30,000 through the USDA Rural Development. This award has a deadline of September 2024. This is a project that has been in the works since 2021. For that reason, I came here today to continue and follow up with the second stage of the project. Now that we have identified a contractor we need the County of Mora to send documents to the State in order to approve this contract. The third page is the awarding that should be included in any contract. I would like to introduce Lucas. He is online and will walk us through the process that needs to be done, and also answer any questions that the Commissioners may have.

Lucas stated we do have a contract grant agreement with you guys to manage our funds in the amount of \$53,000, I believe. There is a match that you had mentioned that came from the USDA. That money is really important to be able to complete this project. So when you guys are in the process, you guys have identified a contractor who can actually complete the work. So, what we need is a contract between Mora County and my contractor to complete the work. At that point, issue a notice of obligation for you guys to go ahead and start to work. Then at that point, we are going to need your support to complete the reimbursements.

Manager Garcia stated for the Attorney to look over these contracts before.

Attorney Cruz stated I would add that at this point, you don't have a contract, but what you have are estimates. There's no proposed contract that's included. I also see that at the second page, the New Image construction cost breakdown. With that being said we'll need to obviously run this through your Procurement Office, and your Finance Director will need to take a look at this, and we can come back with a proposed item for consideration, and if it's the decision of the Commission to approve what's

being requested, there may be some additional questions since I just received this, but I will reach out to you, and we'll make sure that this moves forward.

Commissioner G. Trujillo entertained a motion to go on a 30-minute recess.

Commissioner V. Serna made a motion.

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

The Commission entered recess at 9:53 a.m.

Commissioner G. Trujillo entertained a motion to come back into regular session from a preliminary recess.

Commissioner J. Trujillo made a motion.

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

The Commission entered regular session at 10:29 a.m.

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

Larry Garcia stated we will be putting up the flags on Flag Day which is June 14 and also on Memorial Day on the 27th. Thank you for letting us use the library flagpole for that. We're also discussing the plan for the June 21 Veteran's Resource Day and Flag Retirement ceremony, so if anybody likes to retire their flag, you could turn them into the Mora Post Office or the office here. Flags that are flown that are outdated or torn, they should be brought down and get them to us so we can retire them properly. Max Garcia is also working with DOT on road designations for the El Oro and El Carmen Road. We'll be working on plans as you have requested these crews so we can comply with recommendations.

9. Discussion/Action: Approval of Member Nominations for Veterans Committee

Larry Garcia stated the nominations for the Veterans Committee Mr. Joe Gene Pacheco Chairman for one year, Julian Olivas Secretary for one year, Merl Witt for another year, and myself, Larry Garcia, the Public Relations for another year.

Manager Garcia made a recommendation of approval.

Commissioner J. Trujillo made a motion.

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

Larry Garcia stated I would like to request approval for an additional member in our committee, Joseph Griego Sr. He'll probably be in for a couple of years, and that was voted unanimously by our community.

Manager Garcia made a recommendation of approval.

Commissioner J. Trujillo made a motion.

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

10. Discussion/Action: Approval of Recommendation from Planning & Zoning Committee for PotMaz LLC Cannabis Production

Planning and Zoning Director Brad Sena stated the Planning and Zoning meeting Committee had a meeting on May 8th. On the agenda was a discussion action item to approve or disapprove PotMaz LLC Cannabis Production. The Planning and Zoning Committee has a total of seven members, six members were present. The vote was three to three. So it was a tie.

Jose Mondragon stated I'm sure you guys are up to speed with everything that I'm trying to do for my community. I'm hoping that your guys' decision will help push this forward. It'll benefit the community by giving us two jobs to help our patients need the medical marijuana for their medicine. I am completely in compliance with the State, I have our integrated micro business for production, manufacturing, and retailer license. We'll be producing out of Chacon there won't be no storefront anywhere in there. They will be selling out to your local cannabis businesses that are here in town if they want to do business with us. If not, we can sell it to another company, but we're going to try and keep it all within our community. If there's any questions from the Commission, or anybody in the community here, I would like to address them.

Commissioner V. Serna stated I think the concern several people have called me regarding this issue, and I think the concern that is weighing on, especially your neighbors in that area, is the use of water. So I don't know if you can elaborate on that, if there was a study of how it's going to affect that.

Jose Mondragon stated I did convert our water to a commercial well, and it was done through the State Engineer's Office. I'm 100% compliant in that and 200 plants don't use that much water, I did do a breakdown of it. The hydroponic system that we're using is going to be for a small plant, it's going to be half a gallon per day, per plant, and a medium size plant is going to be one and a half gallons. A fully large adult plant would be two and a half gallons per day on the Hydrocyanic system that we're using. Not all 200 plants will survive. I mean, they're going to die, you know, so we might be lucky to get 100 plants out of each harvest, which a harvest is anywhere from about four months to six months depending on the plant. It shouldn't be more than that. So, it's not going to be you know, like 200 plants every two weeks kind of thing or every couple of months or there's going to be a timeframe in between so only that much water is being used. The people that did oppose when I was here last time, I do respect them and I understand that they have their concerns, but it's coming from my own well. I'm not tapping into the community water. We started constructing a fence, it's 10 feet tall, and it's completely secure, I have all the security stuff here, the cameras we're using. So as some stuff I can't get into detail, because we have our protocol that we have with our business, and we can't get into that because it's kind of like a security breach. We do have a fenced off, no cows will be allowed to get in the greenhouses. The security measures that's required by the State.

It's only going to be not even a quarter of an acre that it's going to sit on, zoned off. But I do own both sides of the road property. Employees will go for the training that's required by the State. They will be

given badges and sign ins; it's completely controlled by Santa Fe. We have to report to Santa Fe every time anybody enters the compound.

Commissioner J. Trujillo stated you're saying that there's seven members on the committee, and you said it was three to three. So, the 7th one didn't show or she was able to make committee. I have nothing against it, I just want everything done correctly. I think we need to get that seventh person from Planning and Zoning. I just want to make sure that everything's done right. I just questioned it because it was three and three. I figured there were some concerns behind it, and I wanted to hear if nobody else had any concerns.

Manager Garcia stated Breena Tafoya. Now as I understand she's going to abstain because she owns one of the local shops.

Attorney Cruz stated I did attend the Planning and Zoning Committee meeting for the vote that was taken, and that was a split vote, three to three. Three in favor and three against. Do you have the minutes reflecting? What more was discussed during that meeting? Minutes haven't been sent over. As it relates to prior meetings, because I do understand there had been prior meetings related to this topic. Could you provide a summary to the Commission regarding what was discussed, so they have a clearer understanding as to both the pros and cons that were offered by way of presentation whether it was public comment or otherwise.

Planning and Zoning Director Brad Sena stated cons that were discussed in the public hearing was that the cannabis of this production would increase traffic, also the water and also that there was a lot of elderly people and this type of business would attract, to be exact, the word that was used was "hooligans". Some of the pros also were that it would employ some members of the community, and also somebody else spoke that they are pro-business as well, and those are pretty much the discussion points.

Attorney Cruz stated were there any concerns whether presented by the public or raised by the Planning and Zoning Committee, that the applicant was not in compliance with the requirements set forth under the counties or elements related to cannabis? Did the Planning and Zoning Committee actually look at the Ordinance on cannabis so as to ensure that the requirements set forth by the County were fulfilled by the applicant?

Planning and Zoning Director Brad Sena stated yes, everybody got a copy of the Ordinance and we have time to review and nobody read anything off of that.

County Treasurer Rumaldo Pino stated far as the cons that they were talking about, I mean, that's a State Highway and they get an influx of hunters every year, which increases traffic. So if that's what they're worried about the traffic, I don't see an increase of traffic going to Mr. Mondragon's space, because it's not going to be a retail store, people are not going to be driving up there every day and buy something, he's going to be producing, they'll have I don't know how it works, but he may have a semi-truck or whatever come in, to pick up the product and then leave, it's really not going to be an increase of traffic. Listening to him as well, on his water situation. I don't see a problem with that if he's gone to

the state and didn't have his water use regulated, where he's not going to be taking water from the community.

Jose Mondragon stated it would just be one shipment and it wouldn't be a semi, would be like one of those little, small vans. You're not going to be transporting that much.

Commissioner V. Serna stated I'd like to ask for a commitment from your operation in the event that it ever does create an issue with the water table decreasing, would you be willing to address that and whatever it takes to make sure that the people are not compromised?

Jose Mondragon stated yes, of course.

Commissioner G. Trujillo made a motion.

Commissioner J. Trujillo seconded the motion.

Commissioner G. Trujillo called for a roll call vote.

Commissioner J. Trujillo – Yes

Commissioner V. Serna – Yes

Commissioner G. Trujillo – Yes

11. Discussion: Review of Proposed FY 24-25 Budget for the Mora County Groundwater Monitoring Project

Dr. Ziegler stated I also want to thank you for your support for Mr. Lester for this, and I have to send the summary report for that first year, so that you'll have all of the data that we've collected to date.

Commissioner V. Serna stated I understand that the State and the Federal Government are working with you to try to maintain continued monitoring as we proceed, can you give us an update on that? I personally did not get to review your report and apologize for that, but you can update the community, or the public that's present on the status of moving forward, with continued monitoring.

Dr. Ziegler stated we had a meeting on Monday with FEMA steering committee, which included a number of higher-level FEMA, USGS, NMED, the US Forest Service, DHSEM, and we've been asked to prepare a budget under the direction of USGS to do a longer scale groundwater surface water monitoring, for the entire burn scar. So that will be an enormous effort as you all can imagine. We are preparing that budget currently, we're supposed to have numbers to FEMA tomorrow. So that was a little bit of a having to jump quickly to get that turned around. In talking to my colleagues at USGS, I think between the USGS and our team and the NMED, we have the potential to be able to handle the scale of the monitoring that FEMA is now looking for, based on the results of the study that you all paid for last fiscal year. What I am not sure of is how long it will take for that money, if the budget is accepted by FEMA, how that money is going to be distributed? Is it going to be straight through USGS or is it going to be through them to USGS, and then potentially, how my team will be incorporated into that, that's not clear to me, nor is the timing of that clear to me, like how long it will take for that money to actually hit the ground. I will seek clarity on that from Mr. Emery and the other FEMA people, so that we can have some sense of when that money might arrive. That was a big reason why I asked to submit this

smaller budget that's basically similar to the budget that you all had last year, it allows us to add a few more wells and to continue resampling, just to watch to see if the nitrates and phosphates are moving through the water table. Those are the two analytes that we're using as our proxies for potential contamination. Commissioner Serna, I don't know if you have any insight into how the County could potentially be reimbursed a second time. If they were to accept this budget. That's also not super clear to me. So I'm hopeful that you all might have some advice on how to move forward in the interim, while we're waiting for this bigger funding to potentially land.

Commissioner V. Serna stated we will look into that and find out exactly what they're willing to do. I think they realize it's serious enough that they probably will. But I'm not going to commit to that yet until we know for sure. The County Manager will keep you posted on that. I will reach out to them and find out where we're at and what we need to do to become eligible for another round of reimbursements for the same event.

Attorney Cruz stated the direction that's been provided to the Commission is that when anything is sent up related to disaster recovery, that Singleton Schreiber reviews it. It's not to say that they're going to hold it up if it's on the PA side, but they will just review it to make sure that it's not a duplication of efforts with the work that they're already doing.

Dr. Zeigler stated I think the concern is about some areas of the burn scar, you know, we're looking at two to three thousand, minimum, per sample, and that adds up really fast through the number of folks who've been impacted by this fire. My initial thoughts on this as we're waiting to see what's going to happen with USGS and immediately, and that bigger pot of funding, which will allow us to really get into sampling for those items of concern in a major way, is if we can kind of keep the ball rolling with using these. This isn't really the best word for either of these lesser items like sulfur, nitrate and phosphate. Because those are those are proxies. Those are telling us the material from the burn scar got into that, well, how it did it, we're still figuring out as well overtopping or is it moving through the aquifer system. But in the meantime, if we're still uncertain about the timing of that bigger funding happening, we can at least kind of keep the ball rolling with these. We'll use the analytes and then test for the big scary contaminants. That kitchen sink list, I've been talking about the USGS steadily for the last week, we do have our analyte list just about completed, we are in agreement about what to analyze for, and we're working on coming up with a tiered system of priority wells, and then secondary wells and tertiary wells, so that we can spread that sampling as best we can. Right now, there's a lot of unknowns in terms of timing and amount for that.

Manager Garcia stated I think that is probably the most important testing we can do. I mean it's more important than anything else. So I think if you're going to test, you know, we should be testing for personages. This is the most important money that can be spent on anything else is the testing of the waters. That's always been my concern, and I think that should be done if we are going to test it for everything.

12. Discussion: Project Status

1. EMS Facility and Communications Repeaters

No report.

2. Special Projects Committee

No report.

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

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

County Assessor Rosalee Trujillo stated things have been going smooth, I just finished my annual evaluation having gotten my report. Protest time has ended, I only had approximately 12 protests. I do need to present the Commission with my new lead to get a new Protest Board. So, for now, it'll be Sherri Serna, she is a State Certified Appraiser, Justin Garcia, Jude Regensburg, and Julian Barela who is an appraiser. That will be my Protest Board for the next two years. My Chief Deputy right now is doing Appraisal School and takes his test tomorrow. Other than that we've just been busy with the FEMA stuff.

County Deputy Clerk Vivian Trujillo stated we do have early voting going on June 1. Friday May 31st 8:00 a.m. to 4:00 p.m. and June 1st we will be open 10 a.m. to 6:00 p.m.

County Treasurer Rumaldo Pino stated the deadline just passed, May 10th for taxes. We have been getting people in to pay their taxes. June 6th is the auction for the properties that has been composed by the State. We had 53 at the beginning and we are down to 21 that are still on the list. We have also been getting an influx of people coming from FEMA.

2. Department Head(s)

EMS; Planning and Zoning Department; and Road and Solid Waste Department

EMS Department

Commissioner V. Serna stated they are making progress. They are not in the red like they had been. I think that we really need to work on their salaries and their incentive pay.

John Romero Solid Waste Department stated we've been hauling material up to A028. We've been pulling our material up there and cleaning the roads. The solid waste has been hauling material to Wagon Mound a lot of other debris coming in and people are going to be there Ranches. The Tramperos road is also having some construction on it.

3. Fire Administrator

Fire Administrator Kris Romero stated for the Swift Water and Rescue there are five people who want to participate from three different departments. There are two fire departments that do not want to participate due to staff, they do not have enough.

4. Human Resources

No report.

5. County Manager

No report.

6. County Commission

No report.

7. Announcements

Yolanda Medina stated Mora County was awarded at the State Grant Program a total of \$98,500 on May 1st. We have had a DWI program in Mora County for 50 years.

8. Discussion/Action: Approval of Loan Agreement for Purchase of Fire Apparatus by the Golondrinas VFD

Fire Administrator Kris Romero stated we were asking for a loan up to \$260,000, but they denied that so we're paying \$100,000 out of our budget, and they'll be lending us \$160,000. The loan is interest free, and that will be coming out of our budget every year. I was trying to get Mr. Gullfoss in here to speak more about it, and he couldn't make it. So, with this, I have spoken with Mr. Jesus Baquera. He has paperwork as well. We do have it in our budget to pay for this.

Attorney Cruz stated what you should do is authorize signature of this agreement by the County's highest elected official as is required. The third page only after you receive the updated amounts reflected on this agreement. As Mr. Romero indicated currently, it indicates that \$260,000 was needed for the class A apparatus but in fact, it's going to be \$160,000. My recommendation is that the Commission entertain a motion authorizing signature on this agreement, after the concerns by your legal counsel have been addressed, and I'm happy to address them, Mr. Romero, with the Finance Authority, it could be something as simple as a statement in this form, that the County will be paying \$100,000, but we just want to make sure that it's clear what exactly is being requested by the County.

Commissioner J. Trujillo made a motion for approval.

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

9. Discussion/Action: Approval of Designating Monica Mondragon as a voting member on NERPO

Manager Garcia made a recommendation of approval.

Commissioner J. Trujillo made a motion to accept the recommendation.

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

10. Discussion/Action: Approval of Joint Powers Agreement with MISD for the School Resource Officer position

Attorney Cruz stated Mora Independent Schools for the School Resource Officer position, the Sheriff provided me with the current draft of the Joint Powers Agreement, which would be in effect on July 1, 2024, for the upcoming school year. In reviewing the draft JPA, there were some significant changes that the Sheriff needs to visit with the Superintendent about, as an example, the current JPA essentially says that the School Resource Officer will be assigned during the school year, and then when the school year is out, the school will continue to pay for that person, and the Sheriff can assign him or her to whatever duties needed to take place over the course of the summer. That supplemental funding ensures that the Sheriff can support that employee versus basically having an employee that works a school calendar. So that was really integral language within the original JPA. The school district has changed it to say that the school will only be responsible for paying for the School Resource Officer during the school year. So that's a critical aspect of the agreement that needs to be addressed with the School District. So there's continued negotiations in addition to that, there's a provision within the JPA indicating that it needs to be approved by DFA. When we sent last year's agreement up to DFA, they said that they didn't need to approve it. So we just need to receive word from DFA as to whether they feel that this is something that they would need to review. That's the explanation as to why this needs to be tabled at this point. My hope is that the Sheriff will be able to address the concerns with the Superintendent soon, and you'll have something before the renewal date of July 1, 2024.

Commissioner J. Trujillo motioned to *table* the item.

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

11. Discussion/Action: Approve Donation by MCSO of Conex Box to the Village of Wagon Mound

Attorney Cruz stated this item is a discussion action item to approve donation by the Sheriff's Office of a Conex box to the Village of Wagon Mound. You'll recall in a prior meeting that the Sheriff's Office had donated vehicles to various public entities. This is a similar request that's coming from the Sheriff's Office. However, there's some additional work that needs to be done on this request. I've started working on the requisite resolution, but it will need to be reviewed by Mr. Baquera's office because it's a procurement related issue. It's a finance related issue as it pertains to a donation of this type. So, it should be ready for you at our next meeting, and it will be titled differently rather than approved donation that will read resolution approving donation.

Manager Garcia made a recommendation to *table* item 17.

Commissioner J. Trujillo made a motion.

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

12. Discussion/Action: Consideration and Approval of County Manager Recommendation to proceed with procurement of a Semi-Truck for the Road Department

Manager Garcia stated I am asking for permission to be able to procure a semi-truck for the Road Department. We're currently paying an excess of five \$6,000 rent per month for the semi that we use to transport trash to Wagon Mound. That service has increased quite a bit because we have a lot more trash happening.

Commissioner J. Trujillo made a motion for approval.

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

13. Discussion/Action - Expenditure Report/Budget Report

1. Expenditure Report - 2024

2. Budget Report – 2024

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

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

3. Discussion/Action-Resolutions

1. Budget Adjustment Request

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

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

Eugene Pino stated I've been working with the Department of Homeland Security this past week. I had a meeting with them yesterday and now we're going to be scheduling a tabletop exercise with San Miguel County in the Department of Management for web response. I don't know if you guys want to attend, probably the Manager, it would be a good idea for you to be there. They're also going to be in Highlands University, June 5. Another thing that I've been working on is the County's Emergency Response Guide. Right now, I'm waiting to see what's going to be the flooding, and that active shooter. I'm waiting for the Hazard Mitigation Plan to be completed, that one's going to list all the hazards with County employees. I went up to the Taos area what I seen is I think there is no flooding so far, and county at all. The screens, actually pretty beneficial for the county. It's a little slow, steady rain, they had installed some water gauges in Rio De La Casa and Tramperos, but I don't have access to the data. I've seen maybe an inch increase over the past couple of weeks or so not real significant happening. One more thing that they discussed is that the Forest Service is going to have an Incident Command Team established at the end of the month, or any flooding response that is taking place in or near or adjacent to or service that's, that's going to appropriate the Murphy Canyon road, Rio De La Casa road and the Encinal road, in any road that's hidden into any federal lands.

Commissioner V. Serna stated people have been asking about the alarm system, I think there's quite a few of them out there. I don't know if they're working.

Eugene Pino stated don't have any information on that I was working with the Department I don't know who's managing them, but I'll get in touch with one and see how that systems working and what doesn't work. Yeah, I believe that they're going to do a test the other day, I'm not sure.

Commissioner V. Serna stated how does the vegetation look on the burn scar?

Eugene Pino stated it is looking pretty good. Most of the seeding that took place a couple of years ago has taken except for Cañada del Carro which is probably one of the biggest concern for flooding that I see is because of the steep rocky terrain and vegetation didn't really take well there. So that's one of the concerns that I'm going to have during the monsoons if there's a storm that hits on top of that drainage which I think we'll see some significant weather.

Commissioner G. Trujillo recommended a motion of a 10-minute preliminary recess.

Commissioner J. Trujillo made a motion to take a preliminary recess.

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

Motion to take a 10-minute recess at 12:07 p.m.

Commissioner G. Trujillo entertained a motion to come back into Regular Session.

Commissioner V. Serna made a motion to come back into regular session.

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

Motion to enter regular session at 12:39 p.m.

2. Discussion/Action – Approval of Minutes

1. April 18, 2024- Regular Meeting

Commissioner V. Serna made a motion to approve.

Commissioner J. Trujillo seconded the motion.

Commissioner V. Serna went over the edits that should be made in the April 18 meeting minutes.
All in favor.

2. April 19, 2024- Special Meeting

Manager Garcia recommended approval of the April 19th meeting.

Commissioner V. Serna made a motion of approval.

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

3. April 24, 2024 - Special Meeting

Manager Garcia recommended approval of the April 24.

Commissioner V. Serna made a motion of approval.

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

4. April 30, 2024 - Special Meeting

Manager Garcia recommended approval of April 30.

Commissioner V. Serna made a motion of approval.

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

5. Discussion/Action: Approval of Intergovernmental Agreement with the Administrative Office of the Courts for the Mora County District Court Project

Attorney Cruz stated as you know Mora County was identified as a top applicant to receive funding from the State Administrative Office of the Courts to complete the Mora County District Court project. I have been in communication with the Executive Director of the AOC regarding the Intergovernmental Agreement, I have provided very general feedback to Inter Governmental agreement, and I was told that they're cleaning up the section on scope of work, so it would not be ready for your consideration today. I did let them know that we will be meeting next week. My hope is that the final version with my feedback will be ready for your consideration at the next meeting. I recommend that you table item 22 until we hear back from AOC.

Commissioner J. Trujillo made a motion to *table* item 22.

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

6. Discussion/Action: Continued settlement authority to County Manager in the John Paul Vigil matter, subject to final settlement approval by the County Commission

Attorney Cruz stated you will recall that as a Commission anytime a matter is set for mediation, you identify your County Manager to have full settlement authority contingent upon, of course, final approval of the settlement by the County Commission. The mediation was scheduled I believe on April the 19th. The parties are unable to reach an agreement at that point in time. I have had conversations with Mr. Carlos Quiñones about some questions that I have on your behalf, to better equip you to consider possible options related to settlement. Mr. Carlos Quiñones and I talked last Friday and he was going to provide me with a memo early this week, but he's also preparing for trial. So he didn't have an opportunity to complete that memorandum. I did reach out to him yesterday, and he apologized for the delay, but indicated that he will have that memorandum ready for me early next week so that I can visit with your County Manager on how to reconcile what John Paul Vigil attorney is asking for. As a consequence, I am asking that you provide continued settlement authority to the County Manager. Again, he's not the final decision maker, but he'll be the direct point of contact for Carlos and myself, and then based upon whatever is decided, to the extent that there is any decision to be made on settlement, it will ultimately need to be provided to you all as a County Commission to make a final decision as to whether you want to move forward or not, but I need to have a direct point of contact that I can utilize for purposes of working more closely with Carlos, and that's the request.

Commissioner J. Trujillo made a motion to approve.

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

7. Discussion/Action: Possible Donation to the Mora Little League

Commissioner G. Trujillo recommended approval of donations to Mora Little League.

Commissioner J. Trujillo made a motion to adjourn.

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

8. Discussion: Other Informational Items

Attorney Cruz stated Kristopher Romero indicated to me that he updated the form that we were talking about earlier for the New Mexico Finance Authority and that it's ready for your signature today. It was a simple fix by Mr. Romero, and he took care of it. So this document will be ready for your signature as well. Regarding the Mora Fiestas, Manager, my suggestion would be that regardless of what document was used the year before. Now what we've been doing after the Civil Rights Act was adopted, we're integrating the Civil Rights Act language as well. So, one thing that past County Managers have done is just regenerate the old contract and use it again year after year. My recommendation to you is not to adopt that practice, and instead to say, we'll have our County Attorney, take a look at it and if there's anything that needs to be changed, we'll quickly take care of it. If the past agreement is still a good agreement, we'll utilize that. My other recommendation is that you have that on the agenda by the regular meeting in June, because oftentimes, the request for that approval is coming in July, and it's too close to the fiestas. There's not enough time for planning and coordination. So, you want to be working on that at least a month before the event.

9. Next Regular Meeting – June 20, 2024

The regular meeting is to be changed to June 13, 2024.

10. Signing of Approved Documents

The Commission signed approved documents.


11. Adjournment

Commissioner V. Serna made a motion to adjourn.

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

The meeting adjourned at 1:26 p.m.

MORA COUNTY BOARD OF COUNTY COMMISSIONERS


George A. Trujillo, Chairman


John H. Trujillo, Vice-Chairman


Veronica M. Serna, Member

ATTEST:


Carlos J. Arellano, County Clerk