



BOARD OF COUNTY COMMISSIONERS OF MORA COUNTY

Regular Meeting – September 23, 2024, 9:00 a.m. Continued September 24, 2024 – 1:00p.m.

Mora Independent School District Board Room – #10 Ranger Drive, Mora, NM

1. Call to Order

Chairman George Trujillo called the meeting to order at *10:00 a.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. A quorum is present.

4. Approval of Agenda

Interim County Manager Clarence Aragon recommended approval of the agenda as presented as no amendments have been brought forth.

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

5. Public Comment*

No Public Comment.

6. Update by the Mora County Veterans Memorial Committee

Veterans Memorial Committee Member Larry Garcia stated the committee met with the architect and Mr. (Tom) Cordova (with Lloyd and Associates), to discuss the Memorial design. They decided to proceed with the existing design plans and plaza. Mr. Cordova is gathering additional details like wall materials, plaques, lighting, and benches. He will soon present his final review to the committee. The committee will then present the final design to the Commission for approval. The committee also discussed using pavers for engraving in the Memorial, similar to those used in Angel Fire. They plan to form a separate committee to address this matter. The budget remains unchanged, but there have been increased expenditures.

County Attorney Ernestine Cruz stated a viable option would be to auction the portables, as is, because there are some deficiencies with the electrical system. That's generally what has been discussed. Adelita Encinas Procurement Officer, she's begun researching the topic, and we'll be visiting with the team to discuss the next steps. Continued discussion took place regarding what will be done with the portable buildings.

7. Discussion: Project Status

a. EMS Facility and Communications Repeaters Alex Tafoya

Deputy Manager Aragon stated Mr. Tafoya's report is provided in the Commission packet. My understanding is that the Environmental Review has been completed, we're just waiting on DFA's review before we can go out to bid.

8. Discussion: Update from the Forest Service Kenny Alcon

Mr. Kenny Alcon provided an update. The Forest Service is in the process of conducting an Environmental Assessment (EA) for the recovery efforts following the wildfire. This is a necessary step before any recovery work can be done on Forest Service lands. The EA will include public input and will be used to develop a plan for long-term recovery. Several areas have been determined with focus for recovery, including forestry, watershed engineering, range, and recreation. In terms of forestry, the Forest Service has secured funding to deliver wood to the community and is working on reforestation efforts. For watershed engineering, the Forest Service is

prioritizing access to the forest by repairing roads and bridges. In terms of range, the Forest Service is rebuilding fences and working on virtual fencing technology. Finally, in terms of recreation, the Forest Service is planning to improve existing campgrounds and trailheads. The Forest Service is encouraging public input throughout the EA process. Comments can be submitted online or in person at local ranger stations. The Forest Service is taking a cautious approach to watershed recovery, prioritizing the health of the ecosystem over immediate restoration. They are working with partners to develop a strategic plan that addresses the long-term needs of the watershed. They are working to remove hazardous trees and restore damaged infrastructure, while also considering the long-term sustainability of these efforts. The Forest Service is aware of the ongoing flooding issues in the area and is working to address them. They have conducted aerial seeding in areas where they believe it will have a positive impact, but they recognize that some of the flooding is due to natural factors like bedrock and heavy rainfall. The Forest Service is exploring watershed projects to mitigate the flooding, but they are also considering the challenges of long-term maintenance and potential downstream impacts. They are encouraging the public to provide input on specific areas that are experiencing flooding issues so that they can prioritize their efforts.

9. Discussion: Update from FEMA Claims Office Director of Operations Jay Mitchell

Operations Jay Mitchell stated the Forest Service is working with the NRCS and other agencies to address the impacts of the wildfire, including hazardous trees, watershed restoration, and water quality testing. The NRCS is providing funding for hazardous tree removal on private land, and the Forest Service is conducting watershed assessments to identify areas that need restoration. FEMA has also contracted with another federal agency to conduct long-term water testing to monitor water quality and identify potential mitigation projects for the next three years. Claims for wildfire-related damages has paid out over \$750 million in the past five months alone. They are also working with the County to ensure that road projects, Senate Bill 6, are eligible for Public Assistance funding. The Forest Service has established a streamlining process for projects that may not be eligible for Public Assistance funding, but they must still go through the Public Assistance process first, as it is not an option, it is required by law to go through this first. While there are portions that may not be paid through Public Assistance. Some of those could be upgrades, mitigation projects, changes in culvert systems and drainage systems, changes in materials, etc.

We are working with USGS and the Argon project as far as watershed recovery, watershed development. That is part of the mitigation projects. They can use that under risk reduction section to look at possible risks due to contamination of water in these filtration systems. We've already done several projects in that regard. The Forest Service has implemented a streamlined process for wildfire recovery projects to expedite the funding process. If a project is ineligible for Public Assistance (PA), it will be streamlined and transferred directly from Public Assistance, Stafford Act to the claims office for potential funding through the HPCC Act. This eliminates the need for the County to go through a separate appeal process. While the streamlined process can expedite funding, it still may require documentation and adherence to federal laws and regulations, including environmental and historical considerations.

The Government is providing mitigation funding for wildfire recovery projects through the 404 and 406 programs. The 404 program provides 5% of the total project cost for mitigation, which in the case of the governments obligations, amounts to over \$10 million. The 406 program provides funding for improved projects, such as roads or bridges that need to be rebuilt to meet new codes and standards. This funding is directly tied to the project and does not go through the State.

Mora County can tap into the mitigation money by submitting eligible projects for funding. Most of that mitigation will be done through the risk reduction projects of the Claims Office. Some of the mitigation money is what Mora just used for your Hazard Mitigation Plan. These projects must address mitigation needs such as culverts or drainage issues. The County should work with the Forest Service to determine the eligibility of their projects and to ensure that they meet the requirements for funding. The Claims Office is providing some mitigation money directly to local entities, while the Risk Reduction projects are focusing on larger-scale

mitigation efforts. Public Assistance projects are now, for this disaster, under this act (HPCC), 100% federally funded, with no local match requirement. This change has increased the available funding for mitigation projects. The Disaster Recovery Fund (DRF) provides funding for Public Assistance projects and has no funding cap. Other states, like Florida, have to come up with a match and now with this, Mora has no match. This means that there is ample funding available for mitigation projects. Additionally, the DRF provides an extra 5% for administrative costs and 7% for state administration. The remaining 5% goes to the statewide mitigation fund, which is used to support hazard mitigation projects throughout the State.

Engineering is part of the project under A and E (Architectural and Engineering). If engineering is required as part of the project, that is paid for 100%.

Further discussion took place regarding county roads and reimbursements from Grants Ports from Cat B and Cat Z that still need to be drawn down.

10. Discussion/Action: Update from Thomson Consulting regarding SB6 Road Projects

Attorney Cruz provided an update. Mora County received a zero-interest loan of \$41 million from the State to fund disaster recovery projects under Senate Bill 6 (SB6). The County hired Thomson Consulting to assist with FEMA compliance and project management. Thomson identified two key areas where the County needed to comply with FEMA regulations: scope of work and procurement requirements. The County's Procurement Officer was unfamiliar with federal procurement requirements, so Thomson's expertise was crucial.

The County hired Singleton Schriber to assist with its FEMA claim, and Michael Martinez assessed the roads. Mr. Martinez discovered that the initial assessment of the roads was not comprehensive, and there was more damage than previously identified. The County wants to ensure that the roads are properly assessed before putting the repair work out to bid. The County is working cooperatively with State and Federal officials to ensure compliance with FEMA regulations and move the projects forward.

Thomson Consulting Christine Pulver stated Monte Aplanado is a priority road that is part of a project submitted to FEMA but has not yet been obligated due to some issues that need to be addressed (RFIs-Request for Information). FEMA has not yet approved the project, but we are working to resolve the issues and get the project obligated. We are working on four priority roads B019, Encinal, B019A, and A004 that are part of an obligated project 678073. We are finalizing the scope of work for these roads, which will be submitted to FEMA for approval. The original project plans had some gaps, so we are making amendments to include correct dimensions, GPS locations, and culvert replacement information.

Michael Martinez stated that the other four roads A005, A001, B028, A006, and A042 are part of projects that have not yet been obligated, so we cannot make amendments to them. These roads are part of the RFI process and are our focus for moving forward. Ms. Pulver noted that B028A is in the obligated project, while B028 Rio de la Casa is not, allowing us to repair B028A first. Michael Martinez also mentioned that we are prioritizing A005 Monte Aplanado and working with FEMA to submit the necessary request for information before the FEMA person in charge leaves for rotation this week.

Merle Jager stated his concerns for the spray paint that is no longer visible on the road.

Elizabeth Blackwell stated I live in Cleveland. I was told that Mora was going to widen the road. I had no idea about it. She wants to know the plans. She shared additional concerns regarding a fence that was knocked down by the grader. Continued discussion took place regarding a fence that was allegedly knocked down by the County. Deputy Manager will gather information to address the ongoing issue.

John Paul Vigil stated *for the record* about three years ago, that is exactly what happened. I own property in Encinal, and I used to be able to park my vehicle at the gate and open the gate or irrigate without having to enter my property. Now, somehow, there's like no real way of determining how wide the roads are. Somebody goes in another road feel like, you know, you have a fence way over there. I'm going to plow, right next to the fence, because this is County property, and I don't understand how that is happening, because it's affecting me now where I am having to open the gate, or park my vehicle inside my property, to irrigate and make a mess and

muddy because now I don't have a parking and then they go and make the bar ditch bigger. They made it so deep that now every property would need a culvert to enter your land, because I used to be able to just drive in and park. There was not even a bar ditch and now there's bar ditches. It's so deep you need, like, about a foot and a half, 18-inch cover there to be able to exit my property.

Attorney Cruz stated the message you wanted to relate to the Commission today is that the team has been working closely, providing you with the information that you need so that you could then proceed with submitting the amendments up to DHSEM and FEMA so that they can be processed.

Ms. Pulver Morphy Canyon Road, similar to Monte Aplanado, is in a project that has not yet been obligated. We are working to respond to the request for information so that the project can move forward, and we can apply a scope of work amendment to address the gaps in the original project, including road dimensions and culvert replacements. The request for information often focuses on specific dimensions or damage descriptions of the road.

Attorney Cruz acknowledged the public's frustration with the slow progress on the disaster recovery projects. While there has been significant administrative work behind the scenes, the public may not have seen visible progress. The County has assembled a team of specialists to ensure compliance with FEMA regulations and move the projects forward. The County is working diligently to address the issues and put the projects out to bid.

Michael Martinez addressed the concern regarding the spray paint on the road. Mr. Martinez explained that those markings are for the team working on the project and have a tendency to wash away as paint does, but the team also tracks everything with GPS.

John Kropog addressed Morphy Canyon Road. The road is not paved, but chip sealed. The road damage will be taken into consideration for repairs. In the meantime, there's probably going to be more damage to the road so it's probably better that all the damage is going to occur prior to it being fixed.

11. Closed Session: Personnel Matter- Hiring Process Involving the Interim County Manager Position; Threatened Litigation including, Pending Charges of Discrimination (Karen Vigil Weathers and Antonio Lovato), HPCC Claim and Agua Pura Restraining Order; Pending Litigation: John Paul Vigil Matter and HPCC Federal Dec. Action

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 Serna – Yes; The Commission entered closed session at *10:48 a.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 Serna – Yes. The Commission reconvened regular session at *11:43 a.m.*

Commissioner G. Trujillo stated for the record, no action was taken, or decisions made.

12. Discussion/Action: Approval of Interim County Manager Contract

Commissioner J. Trujillo made a motion to approve. **Commissioner G. Trujillo** seconded the motion.

Commissioner G. Trujillo asked if there is any discussion.

Commissioner V. Serna stated as a commissioner with a fiduciary responsibility and a voice for the people, I still, as I said last time, feel that we have a Deputy County Manager to fill the void until we fill the position of a County Manager permanently. **Commissioner G. Trujillo** stated *all in favor on a roll call vote:*

Commissioner John Trujillo – Yes; Commissioner Veronica Serna – No; Commissioner George Trujillo – Yes. *Two in favor. One opposed. Motion carried.*

Interim County Manager Joseph D Weathers stated I would like to thank those of the Commission who voted for me, and Commissioner Serna I look forward to gaining your confidence in my ability to learning the job.

Resume Closed Session: Personnel Matter- Hiring Process Involving the Interim County Manager Position; Threatened Litigation including, Pending Charges of Discrimination (Karen Vigil Weathers and Antonio Lovato), HPCC Claim and Agua Pura Restraining Order; Pending Litigation: John Paul Vigil Matter and HPCC Federal Dec. Action

Attorney Cruz stated the Commission will resume closed session to address the remaining matters that appear under the closed session item. The only item that was discussed was the hiring of the Interim County Manager.

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 John Trujillo – Yes; Commissioner Veronica Serna – Yes; Commissioner George Trujillo– Yes. The Commission entered closed session at 11:48 a.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 Serna – Yes. The Commission reconvened regular session at 3:44 p.m.

Commissioner G. Trujillo stated *for the record*, no action was taken, or decisions made.

Attorney Cruz stated during the first closed session, the Commission attended to personnel matters, hiring process involving the Interim County Manager position during the second closed session that just terminated, the items that were considered are as follows, the County Commission heard from the Singleton Schriber team on the HPCC claim and the HPCC federal dec (federal declaratory judgement) act, matters regarding the Agua Pura restraining order and also the John Paul continued matter.

13. Discussion/Action: Resolution Designating Start and End Point of B-006 Pursuant to Judge Jeffrey Shannon's Order involving Litigated Matter styled: John Paul Vigil, Plaintiff v. The Board of County Commissioners, et al., Defendants, and Agua Pura Mutual Domestic Page 1 Consumers Water Association, Intervenor, D-430-CV-2022-00008. (Fourth Judicial District Court, Mora County)

Attorney Cruz presented the resolution. The resolution was the result of a lengthy legal process involving motions for summary judgement and a hearing before Judge Jeffrey Shannon. The resolution defines the start and end points of a road, B006, and directs the County departments to update relevant maps and road logs. The resolution also acknowledges that the County takes no position on whether the road is public or private beyond the designated endpoints. See attached resolution.

Commissioner G. Trujillo stated since the Deputy Manager and Manager are new, I am going to recommend we approve this resolution. Do I hear a motion?

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

Commissioner G. Trujillo stated is there further discussion? **Commissioner G. Trujillo** further stated I guess it would be fair to say that I'll speak for myself, I apologize to you, Mr. Vigil for all the inconvenience that it took for actually taking your land. I truly am sorry. *All in favor. Motion carried.*

Commissioner G. Trujillo stated I entertain a motion to recess until 1:00 p.m. tomorrow. **Commissioner J. Trujillo** made a motion to enter recess until 1:00 p.m. tomorrow. **Commissioner V. Serna** seconded the motion. *All in favor. Motion carried.* The Commission entered recess at 3:58 p.m. until tomorrow at 1:00 p.m.

Commissioner G. Trujillo stated entertain a motion to come back to regular session after a 21-hour recess. **Commissioner J. Trujillo** made a motion to reconvene regular session. **Commissioner V. Serna** seconded the motion. *All in favor. Motion carried.* The meeting reconvened regular session at 1:02 p.m.

14. Discussion/Action – Approval of Minutes

a. **September 16, 2024-Special Meeting**

Interim Manager Weathers recommended approval.

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

b. **September 11, 2024-Special Meeting**

Interim Manager Weathers recommended approval.

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

c. **September 6, 2024-Special Meeting**

Interim Manager Weathers recommended approval.

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

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

a. **Elected Official(s):**

County Assessor – No report.

County Clerk – Deputy Clerk/BOE Vivian Trujillo stated, currently the Clerk's office is gearing up for the 2024 General Election. Early and absentee starts October 8th through November 1st, Monday through Friday, 8:00 a.m. to 4:00 p.m. with one Saturday, November 2nd from 10:00 a.m. to 6:00 p.m. Election Day is November 5th from 7:00 a.m. to 7:00 p.m. The office is still busy with providing documents for FEMA claims. The Clerk's office was awarded both grants we applied for, one for \$5,000 and one for \$6,000 to improve our election system and add security. I have already started the proceedings on how to get a mobile unit.

County Treasurer – Chief County Treasurer Josephine Montoya stated we are rolling out our tax roll soon. Taxes will be going out November 1st. We are waiting on the automated system. We are hoping to have it set up by November 1st.

Sheriff's Office -No report.

b. **EMS** – EMS report was provided in the packet. See the attached report.

Deputy Manager Clarence Aragon stated Brenda was communicating to me that they're just waiting for approval from their oversight to move the pharmaceuticals in order to completely vacate the portables, and she hasn't heard back from them. So, until she gets that authorization, they actually come and help move the pharmaceuticals from the building. And I think that would complete the exit from the portables, from all staff. They're the last ones there, and that's the reason why they're waiting.

c. **Planning & Zoning – Planning & Zoning Director Brad Sena** stated the Planning and Zoning office has issued over 30 address verifications for FEMA telephone and internet service and also for driver's license. Two plats have been reviewed for recording. The Planning and Zoning Committee did not meet last month, but is scheduled to meet next month, October 9, and we're going to be meeting in the afternoons. We will now have two vacancies for the Planning and Zoning Committee, so I will put out the advertisement for those vacancies.

County Attorney Ernestine Cruz discussed two recent conversations with Mr. Sena. The first conversation was about Rancho Escondido site visit that Mr. Sena conducted. The public is interested in

this project and that Mr. Sena will be following up on the site visit. The second conversation was about the need for a Road Viewers Committee meeting. There has been some delay in setting up the meeting due to uncertainty about who would Chair the committee.

- d. **County Manager** – Discussion took place regarding the remaining departments that need to be moved from the portable buildings. It was determined that the Extension Office and the Economic Development office will be moved to the building next to the Sheriff’s office. An office for the Manager has yet to be determined. There was discussion on renting a building to house the Manager.
Deputy Manager Aragon stated just an update on the buildout for the top two rooms. The proposal from R and M and the purchase order from the County to CES has been uploaded to the portal. They’re requesting additional information from R and M, I think that we’re missing a page on their proposal, but that process is taking place, and hopefully, once they get all the information they need, then they’ll attain a wage determination, and then hopefully by the end of the week, they’ll direct R and M to start the build out.
Commissioner V. Serna stated I don’t know whose report this is, but they talk about construction being started on the two rooms upstairs, which have been empty, and sheetrock has been removed in order for construction to start. The electrician has started wiring the rooms. So, isn’t the contractor going to do that because I saw his proposal listed electrical work?
Mr. Aragon stated I am not sure what the breakdown was as far as the general and their subcontractors. There was some discussion that Michael was going to do some of that work under his existing agreement that he has with the County, and R and M was going to do the rest.
Commissioner V. Serna stated, what I am trying to avoid is taxpayers having to pay for the electrician to do the work now and then paying this contract on top of that. I just don’t want to duplicate the work and have to pay extra for something we don’t need to.
Mr. Aragon stated one of the items that they had requested from CES from R and M, is a more detailed scope of work, hopefully that will be delineated out.
- e. **Human Resources** – HR report provided in the packet.
- f. **County Commission** – No report.
- g. **Road & Solid Waste Department** – **Road Superintendent John Romero** shared some requests he had regarding the purchase of maintenance equipment from John Deere. Mr. Romero asked the Commission to purchase 20 loads of material to put on Quemado road B008. Continued discussion took place regarding the roads and proper procurement for material.
Commissioner V. Serna stated *for the record* we have a request regarding A005 by Angela Martinez, if you could mow down some of that scrub oak because it’s narrowing the road and scratching their vehicles.
Solid Waste Supervisor Robert Lee discussed his frustration regarding the purchasing process. Continued discussion took place regarding making a better process for ordering equipment. Further discussion took place regarding recycling. In the Solid Waste department, things are operating normally. There are three projects that have been started that were mentioned at the last meeting. Progress has been made on each one. When complete, a report will be provided to the Commission. The main thing we need to do is get with Tina and work on the Solid Waste Ordinance.
- h. **IT Manager** – No report.
- i. **Fire Administrator** – **Fire Administrator Kristofer Romero** stated the CHET project is moving forward. There is an issue with the tank pressure system it’s not working with where the water table is at. I will be talking to the contractor about that. By next week, we’ll have the electricity in. Probably in two weeks, and we should be completed with that project so we could get out of our hands. Another thing is we need to discuss that grant that I received for the firefighters as soon as possible. I’ve been trying to stay connected with them. Wildland Coordinator Daniel is working on the grant from the Forest Service.

j. Maintenance Supervisor – No report.

k. DWI – No report.

l. MVD – MVD Manager Nicole Martinez stated the MVD rolled out a new system on September 19th that went from appointments rather than walk ins. We usually see about 40 to 50 customers a day. Since we went to the appointment and walk ins only, we've only had maybe 20 a day. So, I think what's happening is people were freaked out, and they just couldn't go online to make their appointment or couldn't scan the code. We've been trying to help, especially our elderly, because they have no way of being able to do it. When I came in in June, I did have an audit at the end of July, and we did pass it. **Commissioner G. Trujillo** asked the Manager to meet with the MVD staff to discuss the part-time employee they requested at the last meeting.

Commissioner V. Serna requested the MVD audit be provided to the Clerk's office to be added to the minutes.

m. Disaster Recovery Construction Manager – No report.

Commissioner V. Serna stated I guess we put the rooms upstairs out to bid and it was awarded to a contractor, right? On an attached report, I saw that the two rooms are having sheetrock pulled off and electrical work done.

Geno Maes stated yes, that is part of that contract. Michael is working for the contractor. The County is not paying Michael Martinez for that work, it is part of that contract. It's a contract because Michael knows about the 277 power that we have up there. It's a different kind of power, and if we get somebody on the outside it will cost us a lot more. It's kind of a difficult situation. It's legitimate and part of Michael's subcontract, and he's going to come in here and start doing the sheetrock. Michael is a subcontractor to R and M, which is a CES contractor.

Commissioner V. Serna stated so he is a subcontractor, and he already started working on it before we issue a PO?

Geno Maes stated basically.

Commissioner G. Trujillo stated maybe we got to wait until we get that PO and all the paperwork together before we continue the work. Just wait until we get all the paperwork.

Geno Maes stated it was just something that was started off, that we didn't want to take any responsibility and save Michael for our own in-house electrician, so we use what we have budgeted for that.

Commissioner V. Sera stated the reason I am asking is because I don't want the County to pay for the work twice.

Geno Maes stated I'll bring that information in the next few weeks, when they do start closing up the walls and put in insulation. I also mentioned to Michael that his pay request will be going through CES contract who is R and M, not to us.

Commissioner G. Trujillo stated *for the record*, our County Attorney just got here.

n. Emergency Manager – Eugene Pino stated the Hazard Mitigation Plan was set up for public comment with one response from the Stanley Ranch in Ocate. They wanted to put specific projects in the plan, but I told them not to put the specific project in the plan, because if we do that for one landowner, we might have to do that for everyone. There are hazards that have to be addressed, but not specific plans for landowners. That's open for anybody in the future, if there's a problem on their property, we look at the Hazard Mitigation Plan and go from there. We got \$30,000 to update the CWPP plan that we have. The plan was developed five or six years ago and needs to be updated. All we have to do is go out to RFP and hire a contractor to update the plan.

16. Discussion/Action: Authorization of Interim County Manager or Deputy County Manager to sign requisite FEMA Portal Based projects subject to recommendation by Singleton Schreiber and Direction to Interim County Manager and Deputy County Manager on how to handle FEMA Public Assistance going forward

Attorney Cruz recommended that the Commission approve the item as written, that you're providing authorization to either the Interim County Manager or Deputy County Manager to sign requisite FEMA based projects subject to, it says, recommendation by Singleton Schreiber, and then you're also providing direction to the Interim County Manager and Deputy County Manager to coordinate with legal counsel on moving PA forward. Interim County Manager is primary, and Deputy Manager is secondary.

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

17. Discussion/Action: Authorizing Deputy County Manager to Have Full Settlement Authority in the pending EEOC Mediation Involving Karen Vigil Weathers subject to final approval of any proposed settlement by County Commission

Attorney Cruz stated this is an item for Commission approval in an open meeting, that's why I'm allowing Mr. Weathers to sit through this. Let me provide some context to the Commissioners and members of the public as to what's going to happen with this matter. We're talking about an administrative proceeding, something that has been filed with the Equal Employment Opportunity Commission. Because the County has been assigned legal counsel by New Mexico Counties, the firm will be attending that mediation, and they will need to have somebody from the administrative team attending that mediation. Because Mr. Weathers is Ms. Weathers father, he cannot participate in that mediation. That's an actual conflict of interest. At this point, we just need to know that you all as a Commission want to authorize the Deputy County Manager to have full settlement authority. Long, Komer & Assoc., who was not able to attend yesterday's meeting, will show up and participate in closed session to update you on the status of the file, to update you on how the mediation will go and what their recommendation is for settlement authority. Mr. Weathers will not participate in that closed session because we have what's known as a firewall. Which means anything that's confidential or very specific to the claim, he's not going to be participating in any of that.

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

Commissioner J. Trujillo made a motion to take a 10-minute recess as recommended by the County Attorney. **Commissioner V. Serna** seconded the motion. *All in favor on a roll call vote:* Commissioner John Trujillo – Yes; Commissioner Veronica Serna – Yes; Commissioner George Trujillo. The Commission entered recess for 10-15 minutes at 2:25 p.m.

Commissioner G. Trujillo asked for a motion to reconvene regular session after a 10-minute recess.

Commissioner J. Trujillo made a motion to reconvene regular session after a 10-minute recess. **Commissioner V. Serna** seconded the motion. *All in favor on a roll call vote:* Commissioner John Trujillo – Yes; Commissioner Veronica Serna – Yes; Commissioner George Trujillo. The Commission reconvened regular session at 2:37 p.m.

18. Discussion/Action: Approval of Professional Contract Agreement between Mora Creative Council and Mora County Ilka Villarreal

Attorney Cruz stated that Ms. Ilka Villarreal would like the item approved. The item is similar to past agreements and enables a professional relationship with Mora Creative Council. Ms. Cruz suggested a meeting with Creative Council and Mora Main Street to better understand the programs. The main concern in past years was the type of services provided and the compensation amount of \$25,000. Ms. Cruz recommended to table the item.

Interim Manager Weathers recommended to table item 18 based on the Attorneys recommendation.

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

19. Discussion/Action: Approval of Intergovernmental Services Agreement Between Economic Development Department and Mora County Ilka Villarreal

Attorney Cruz stated the issue with the Intergovernmental Services Agreement with the Economic Development Department is you're not putting any money on the table. Instead, you're receiving the \$100,000 so you don't have the financial obligation. You're actually going to be in receipt of money from the Economic Development Department. But the issue with that agreement is a three-year term, they say this agreement shall terminate on June 30, 2024.

Continued discussion took place regarding the items that were purchased with the \$100,00. Ms. Cruz recommended to table the item.

Interim Manager Weathers recommended to table item 19 based on the Attorneys recommendation.

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

20. Discussion/Action: Approval of MOU between New Mexico Mainstreet Program, Mora County & Mora Mainstreet and Arts & Cultural Compound Ilka Villarreal

Attorney Cruz stated my question with regard to this agreement is it's for a two-year term, and I don't know that as a County, you want to enter into an agreement on a two-year term without first hearing from New Mexico Main Street as to why they're asking for a two-year term. You all can table the item because we need to ask for a meeting with Ms. Villarreal, the local representative, and the Economic Development Department and New Mexico Main Street, so that you all can get better informed regarding how these initiatives work and why these recommendations are being made and the way they're being presented to you for consideration.

Interim Manager Weathers stated I would just like, in an open meeting, to make the statement that the Arts and Cultural Compound, I was one of the initial founders of that. I just want to disclose that I have not been involved in it in years. I do recommend that you table it.

Commissioner J. Trujillo made a motion to *table*. **Commissioner V. Serna** seconded the motion.

Commissioner V. Serna stated reiterating what the Attorney said, the County Manager and Deputy Manager will discuss the details, and this will be brought back to the Commission.

All in favor. Motion carried.

21. Discussion/Action - Expenditure Report/Budget Report

a. Expenditure Report - August 2024 Jesus Baquera, Finance Director

b. Budget Report - August 2024 Jesus Baquera, Finance Director

Commissioner G. Trujillo asked for a motion to table item 21 a and b since Mr. Baquera is not present.

Commissioner J. Trujillo made a motion to *table* item 21 a and b. **Commissioner V. Serna** seconded the motion. *All in favor. Motion carried.*

22. Discussion/Action: Approval of Resolution to Adopt the FY 2025-2030 Infrastructure Capital Improvement Plan (ICIP)

Deputy Manager Aragon stated the items that were prioritized at the ICIP meeting are the ones that made it onto the ICIP plan. I recommend approval.

Attorney Cruz stated I will have a resolution for consideration that's just going to say that the Mora County Commission had a meeting to discuss the ICIP priorities from 2024 to 203 and lists the requests. Ms. Cruz went over the list with the Commission. Continued discussion took place regarding which department takes priority.

Ms. Cruz read the resolution as it was drafted with edits. There was discussion regarding revisions from the Commission.

Sheriff Americk Padilla asked if the ICIP included the property next to the Sheriff's office.

Attorney Cruz requested a 10-minute break to meet with the Sheriff to discuss his request.

Commissioner G. Trujillo ask for a motion to enter a 10-minute recess. **Commissioner J. Trujillo** made a motion to enter a 10-minute recess. **Commissioner G. Trujillo** seconded the motion. *All in favor on a roll call vote:* Commissioner John Trujillo – Yes; Commissioner Veronica Serna – Yes; Commissioner George Trujillo – Yes. The Commission entered recess at 4:15 p.m.

Commissioner G. Trujillo ask for a motion to reconvene regular session. **Commissioner J. 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. The Commission reconvened regular session at 4:39 p.m.

Attorney Cruz met with the Sheriff to address his request. The Sheriff's request is closer to \$7 million.

Attorney Cruz stated the recommendation on item number 22 is as follows, Manager, I recommend that you ask your Commission to approve the resolution to adopt fiscal year 2026 to 2030 Infrastructure Capital Improvement Plan (ICIP), subject to the two additional items that need to be filled in in terms of the anticipated purchase price. See attached revisions for final resolution.

Interim Manager Weathers recommended approval.

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

The Commission returned to item 22 after item 35 then back to item 36 after vote was taken on item 22.

23. Discussion/Action: Approval of MOU with MISD for use of Facilities to Conduct Commission and Committee Meetings

Commissioner G. Trujillo stated after discussion with Miguel Martinez, I think yesterday's meeting was overwhelming to the school. It wasn't safe because a lot of people are out there. It was discussed having meetings on Fridays when the kids are not in school. Mr. Martinez provided a calendar and the days the school is not in session is marked yellow. He also stated that we could have emergency meetings or special meetings after 4:00 p.m. I don't know if you need to change our Open Meeting Act resolution because I think that's part of our meeting schedule.

Attorney Cruz stated I am recommending to table this item in order to meet with Mrs. Cavasos. In addition to that, you will have the companion resolution to amend the Open Meetings Act resolution.

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

Commissioner G. Trujillo asked the Manager to look into purchasing the property next to the Sheriff's office right away, so they don't lose the opportunity to purchase.

Sheriff Padilla discussed the possibility of bringing back the Cleveland Park so it can be utilized.

24. Discussion/Action: Approval of MOU Between Mora County and North Central New Mexico Economic Development District to Administer Capital Outlay Funds

Attorney Cruz recommended to table item 24 and 25 until the next meeting. We need to get your management team to talk to North Central about how they're going to administer those funds and what their internal process is going to be.

Interim Manager Weathers recommended to table item 24.

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

25. Discussion/Action: Approval of MOU Between Mora County and North Central New Mexico Economic Development District to Administer EDA Grant

Interim Manager Weathers recommended to table item 25.

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

26. Discussion: Update regarding Pending Procurement related Matters

Attorney Cruz stated there were some logistical issues with regard to some invitations to bid that were issued. They've been re advertised; I believe you have a deadline of September 30 for the response. They will be opened in a public type of environment, and then a recommendation is going to come to the Commission. The website needs to be improved. The procurement section only shows RFPs, but there are also invitations to bid. Since you're in the midst of this upcoming deadline, there are opportunities with regard to procurement, you have the invitation to bid for pit run material, for a dump truck, and for propane. Those are the three that are outstanding, and something that needs to be circled back to soon. There's also been discussion about a request for proposals on banking.

27. Discussion/Action: Approval of payment to LJ Pacheco for material hauling to Los Hueros in the amount of \$5,249.83

Attorney Cruz discussed the procurement process with the new management team reiterating how important it is to meet with the Procurement officer, Adelita Encinas prior to making a purchase of any kind. Due to the procurement process not being followed, you do have an individual who delivered a service, and he needs to be paid. The item you'll ultimately be voting on is approval of payment to LJ Pacheco for material to Los Hueros and Los Febres in the amount of \$5,249.83. I would recommend that you vote to amend item number 27, so it reads approval of payment to LJ Pacheco for material delivered for Los Hueros and Los Febres roads in the amount of \$5,249.83. Continued discussion took place regarding the language of the item, ultimately Ms. Cruz recommended to table the item.

Commissioner V. Serna made a motion to *table* the item. **Commissioner G. Trujillo** seconded the motion.

Commissioner J. Trujillo abstains. *All in favor on a roll call vote:* Commissioner John Trujillo -Abstained.

Commissioner Veronica Serna – Yes; Commissioner George Trujillo – Yes. *Two in favor. One abstained Motion carried.*

28. Discussion/Action: Renewal of Lease Agreement involving El Alto Lot (Marty Romero)

Interim Manager Weathers recommended approval.

Commissioner J. Trujillo made a motion to approve. **Commissioner V. Serna** seconded the motion if there is no cost to the County for six months.

Attorney Cruz stated paragraph four of the agreement reads as follows, Lessor agrees that he will not seek any additional compensation aside from that which County previously committed to under the original lease agreement.

All in favor. Motion carried.

Geno Maes stated we called over 150 people, and we got a little over 100 people who have showed up. We are short-handed on trying to keep everybody safe. There's a lot of people that don't want to follow the rules, so we got to ask them to leave, and it is a burden. We do need more help out there. We had the Sheriff Department volunteering on Saturday to deliver to the handicap and older people. As long as you guys have me there, I will do as much as I can to give wood to the people that are in need. There's a lot of people that want to go through three,

four times, and there's a lot of people that are still in need. We're following the list as we see it. There's a lot of people that don't go and a lot of people show up.

Commissioner G. Trujillo suggested a meeting with the necessary individuals to create a plan. We are also waiting for the \$100,000 from the US Forest Service to hire some contractors to process whatever they can. Other individuals have been working on processing the remaining wood. I think the best thing to do is give them that letter that Tina prepared and have them read it. If they don't agree with that letter, you send them out.

29. Discussion/Action: Authorizing Waiver of Liability for Volunteers Who Plan to Deliver Wood to Members of the Public in Mora County

Attorney Cruz stated the initial concern was that the County needed a waiver for people to go on-site and block their own wood. This waiver would remind them about safety, inform them about the prohibition of using trailers, and require them to do the work themselves. Later, it was decided that a waiver was also needed for volunteers who would deliver wood to the public. This waiver would acknowledge that the County is not responsible for their volunteer efforts and require them to provide proof of insurance. The County will retain a copy of the waiver and proof of insurance.

Commissioner G. Trujillo stated I would like to change the age from 16-year-olds to 10-year-olds, because there have been a lot of kids that are really hustlers and really doing a good job helping the parents load the wood.

Interim Manager Weathers recommended approval.

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

30. Discussion: Update regarding Wood Distribution from the Wood Lot in El Alto

Mr. Maes presented earlier on the agenda regarding the wood lot.

Commissioner V. Serna asked for a schedule so she can let the people know when they call.

Attorney Cruz recommended setting up that schedule on a weekly basis because it's a fluid situation and the schedule can be regularly updated.

Continued discussion took place regarding the list of individuals who are waiting on wood along with continued discussion on creating a list and getting more volunteers.

Commissioner G. Trujillo stated *for the record*, I called Debra because I was going down the list, but she didn't answer and then one of the times, the phone lines were broken. Then the phone was busy, busy. I called Friday or Saturday, maybe Tuesday or Wednesday. I called the number that was on the list.

Item 15 Department Reports – Commissioner G. Trujillo stated I would like to go to back to item 15 to allow Geno Maes to continue the discussion regarding the complex.

Geno Maes stated there is an issue with six units on the rooftop of the complex with three completely out and three that could fall apart at any time. We need to have a mechanical contractor come out.

Deputy Manager Aragon discussed the difficulties in procuring contractors for a project. They are trying to expedite the process but are encountering challenges with contractors who are either unresponsive or charging excessive fees.

Geno Maes stated all six units could be replaced for \$125,000 we need to expedite it right away.

Commissioner G. Trujillo suggested Geno meet with the Managers to do what needs to be done to correct the ongoing issue.

Geno Maes stated another issue is the transformer that needs to be replace. We need to put the generator back in place so that the Sheriff Department has it open for an emergency basis. I think we should all have battery backups in case of an emergency.

31. Discussion/Action: Approving lease agreement for 5 Courthouse Road between Mora County and Christine Wolf

Attorney Cruz stated there is some initial additional conversation that needs to be had with Ms. Wolf and the Manager's office regarding this item, I would recommend that you table the item.

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

32. Discussion/Action: Authorizing County Manager's Office to Proceed with Watrous Community Center Repairs and Oversight by Community Members

Attorney Cruz stated the request from community members is that the Watrous Community Center be open and asked for permission to be able to oversee use of the facility. The Commission needs to authorize the Manager's office to proceed with repairs at the community center and provide direction to the Manager's office about developing a plan for community oversight of the facility. The plan will then be presented to the Commission for final approval.

Interim Manager Weathers recommended approval.

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

33. Discussion/Action: Authorizing County Manager's Office to Coordinate Establishing the Mora County Safety Plan and Training Process

Attorney Cruz stated the item is being addressed due to the incident involving the transformer. The County needs a better coordinated training plan for all employees, including different types of training for those who are operating equipment. It is important to have a clear training record for legal and safety purposes. It's suggested that the Commission provide direction to the Manager's office to start coordinating this process.

Interim Manager Weathers recommended approval.

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

34. Discussion: Mora County Personnel Handbook

Attorney Cruz stated there's a process that needs to be followed under your existing personnel handbook as to how we move that along. We are going to commit to a timeline as to when it's going to get to the Commission for ultimate discussion and approval. Some of the other counties have their personal handbook as an ordinance while others have it as a resolution. I'm looking at that more closely, because it's much easier to change policy by way of resolution versus by way of ordinance. If there's a way to run it through the resolution route, that would be my recommendation, because it gives you more flexibility. But we're going to move that forward so that by the end of this year, the Commission's voted on your updated handbook.

35. Next Regular Meeting – October 17, 2024

Attorney Cruz stated you will likely be having your regular meeting on Friday, October 25 based upon the school schedule. The next Special Meeting will be October 3, 2024, at 4:00 p.m.

Went back to Item 22

36. Discussion: Other Informational Items

Commissioner G. Trujillo stated that he was contacted by Walter Adams, the NMDOT secretary for the highway commission. Adams wants to hold a meeting in Mora in a couple of months. Trujillo requested the Managers

office look into finding a location that can accommodate 60 to 70 people. Adams wants to bring everyone to Mora so they can see what's being done on the roads.

Commissioner V. Serna stated I just wanted to ask and remind everyone, for all of our sakes, that, I know that Stephanie had a deadline for materials to be submitted for the packet, and there was a lot of stuff that I just saw yesterday that didn't make it to the packet before, and it just makes it hard to review before the meeting. And I know some of those documents were yours, Tina, but I think it would be easier to stick to a deadline, even, like a week before.

Attorney Cruz stated we need to sit down so you can start developing systems as to how you best run that office.

Closed Session: Personnel Matter- Hiring Process Involving the Interim County Manager Position; Threatened Litigation including, Pending Charges of Discrimination (Karen Vigil Weathers and Antonio Lovato), HPCC Claim and Agua Pura Restraining Order; Pending Litigation: John Paul Vigil Matter and HPCC Federal Dec. Action

Attorney Cruz stated we have two items. One relates to Karen Weathers, so I will ask the Manger to step out for that, and then the other one relates to Antonio Lovato.

Commissioner G. Trujillo asked for a motion to enter closed session to discuss pending charges of discrimination Karen Vigil Weathers and Antonio Lovato.

Commissioner V. Serna made a motion to enter closed session. **Commissioner J. Trujillo** seconded the motion.

All in favor on a roll call vote: Commissioner John Trujillo – Yes; Commissioner Veronica Serna – Yes; Commissioner George Trujillo– Yes. The Commission entered closed session at 5:25 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 Serna – Yes. The Commission reconvened regular session at 5:38 p.m.

Commissioner G. Trujillo stated for the record, no action was taken, or decisions made.

37. Signing of Approved Documents

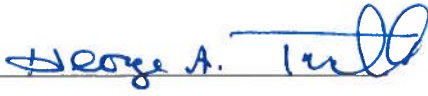
The Commission signed the approved documents.

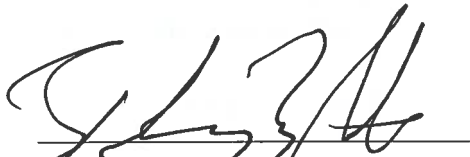
38. Adjournment

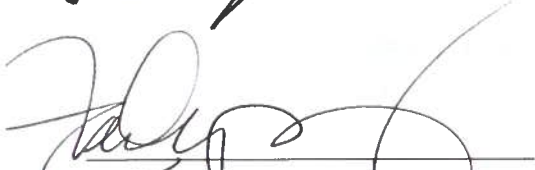
Commissioner V. Serna made a motion to adjourn the meeting. **Commissioner J. Trujillo** seconded the motion.

All in favor. Motion carried. The meeting adjourned at 5:41 p.m.

MORA COUNTY BOARD OF COMMISSION


George A. Trujillo, Chairman


John H. Trujillo, Vice-Chairman


Veronica M. Serna, Member

ATTEST 

Carlos J. Arellano, County Clerk