



BOARD OF COUNTY COMMISSIONERS OF MORA COUNTY

Special Meeting – October 28, 2024 – 4:00 p.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 4:02 p.m.

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

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

3. Roll Call

Deputy Clerk 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 Manager Joseph Weathers recommended approval of the agenda as presented.

Commissioner G. Trujillo stated we'll table item 5 a and b and approve item c, and then we'll have a recess until the attorney gets here. **Commissioner J. Trujillo** made a motion to approve the agenda as amended. **Commissioner V. Serna** stated I oppose. **Commissioner G. Trujillo** seconded the motion. **Commissioner V. Serna** stated I have reviewed item 5 c & b and item 5 a has not been provided because the meeting was on Friday. *Two in favor. One opposed. Motion carried.*

5. Discussion/Action: Approval of Minutes

a. October 25, 2024-Regular Meeting

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

b. October 22, 2024-Special Meeting

Commissioner J. Trujillo made a motion to *table*. **Commissioner G. Trujillo** seconded the motion. **Commissioner V. Serna** opposed. *Two in favor. One opposed. Motion Carried.*

c. October 11, 2024-Special Meeting

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

Commissioner G. Trujillo asked for a motion to enter a half-hour recess. **Commissioner J. Trujillo** made a motion to enter a half-hour recess. **Commissioner G. Trujillo** seconded the motion. *All in favor. Motion carried.* The Commission entered recess at 4:03 p.m.

Commissioner G. Trujillo asked for a motion to come back into regular session after a 30-minute recess. **Commissioner J. Trujillo** made a motion to reconvene regular session after a recess. **Commissioner V. Serna** seconded the motion. *All in favor. Motion carried.* The Commission reconvened regular session at 4:29 pm.

6. Discussion: Update on SB6 Roads Projects by Thomson Consulting

Thompson Consulting Tom stated have submitted amendment requests to DHSEM for the four priority roads in Project 678073. The team will be meeting with DHSEM tomorrow to discuss the status of these requests and expedite the process. Additionally, they are finalizing amendment requests for the remaining 10 roads and will submit them to DHSEM by the end of this week. This will complete the amendment process for all 14 roads in Project 678073. The roads are A004, A007, A022, A034, A040, A043, B010, B019, B019A, B022, B024, B028A, B030 and C001.

The original RFI deadline was the 25th, but FEMA requested additional information and asked that we request, by close of day today, an extension. A letter was submitted today requesting an extension for Projects 682994, 683003, and 683004. Once the extensions are confirmed, we can work with the assessment team to gather the necessary information to address the RFIs, which range from simple clarifications to complex mitigation proposals and regulatory requirements. Angela Martinez, resident on CR A005 asked, via Zoom, for the status of County Road A005 as she understood that it had been obligated then de-obligated.

John Kropog reported that the status of County Road A005 is the project that is pending obligation, that is one of the roads that is part of this RFI process. We'll have a better understanding of the project timeline after the team meeting.

We are working with our partners, BHI engineering team, to start putting the bid packages together to start getting the repairs done. A042 is one of the projects that is pending additional information, and a status update will be provided at the next meeting.

We're collaborating with Crystal's team to review invoices from the road assessment team to ensure compliance with reimbursement policies. To qualify for reimbursement, the invoices must clearly detail specific tasks performed on eligible roads. Crystal's team is working to add the necessary details to the invoices, which will allow us to assign them to the appropriate projects.

7. Discussion: Update regarding Outstanding Procurement

Procurement Officer Adelita Encinias stated we have three bids that the County had to reissue. They include the invitation to bid for purchase of propane, pit run material, and purchase of the dump truck. They were posted on the Las Vegas Optic. I've reached out to everyone that has previously bid to let them know when the deadlines are, and when we'll have the pre bid openings. I've done my best to contact them to answer and questions they may have. The County website also has the amendments for the dates that changed, posted under the procurement section. The deadline for all of the bids is November 4th. The pre bid conference for the dump truck, is going to be at 11:00 am, propane is at 9:00 am, and the pit run is at 10:00 am. All of them are on October 30th. Everyone is welcome to come in and join us for the pre bid conference.

8. Discussion/Action: Approval of Resolution Authorizing Pay Increase for EMS Director

Interim Manager Weather recommended approval. **Commissioner J. Trujillo** made a motion to approve. **Commissioner V. Serna** seconded the motion. **Attorney Cruz** stated to be clear it is a motion to approve the recommendation.

Commissioner G. Trujillo stated *all in favor*.

Commissioner V. Serna stated how soon can this take effect?

Manager Weathers stated by the next pay period.

Attorney Cruz stated, not exactly. The resolution reflects that you all will hear from your Finance Office to confirm the funding mechanism, and then once you confirm the funding mechanism, you then will be presented with the budget adjustment request. Once that happens, you'll be able to start implementing the pay increase. One of the reasons why you need to have the conversation, regarding where the funding comes from, you'll recall, at the last meeting, there were questions about the firefighter/EMS grant and whether that funding could potentially be used for other purposes. I don't believe that it's something that could be applicable here, I think that's specific to EMS trained employees, but it's something that can be looked at. At a minimum, you want to make sure that the funding is vetted by your Finance Department.

Commissioner V. Serna stated I do think it's early on in the fiscal year, and we've had salary savings because we're short staffed so it doesn't seem like it would be a problem starting it now.

Attorney Cruz stated I didn't anticipate it would be a problem, but the Commission oftentimes, will ask the question, do we have the funding? Which is why, when the resolution was presented to me for review, I included the language that the funding mechanism would be confirmed.

9. Discussion/Action: Approval of RAVE System (Notification System)

Attorney Cruz stated this is an item that can be considered at an upcoming meeting to allow Procurement time to continue the review of the quotes.

Interim Manager Weathers recommended to table the item. **Commissioner J. Trujillo** made a motion to *table*. **Commissioner V. Serna** seconded the motion. *All in favor. Motion carried.*

10. Discussion/Action: Approval of Request to hire CPA firm to Reconcile Accounts in Finance Department, Subject to Procurement Under \$60,000

Attorney Cruz stated it would be helpful for the County to retain the services of a CPA firm in the same way that it did last March or April, to take a quick look at the status of accounts and reconcile them to better assist the Finance Department and review the accounts.

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

11. Discussion/Action: Approval of Lease Agreement for Tower

Attorney Cruz stated it is expected that this item can be put up for a vote at the November regular meeting. This will give time for procurement to follow work through the procurement process. In reviewing the lease, the expiration is the end of February, so you have flexibility.

Interim Manager Weathers recommended to table the item. **Commissioner J. Trujillo** made a motion to *table*. **Commissioner V. Serna** seconded the motion. *All in favor. Motion carried.*

12. Discussion/Action: Approval of Request to hire External Support for the Finance Department, Subject to Procurement Under \$60,000

Interim Manager Weathers recommended approval. **Commissioner J. Trujillo** made a motion to approve. **Commissioner G. Trujillo** seconded the motion. **Commissioner V. Serna** stated I don't understand what additional support is needed for finance?

Attorney Cruz stated to ensure continuity in the Finance Department, we may need to consider temporary external support, especially if we experience delays in hiring a new Finance Director.

This could involve a CPA or public finance expert to assist with critical tasks like GL creation, PO generation, and fund transfers. This approach is crucial to maintain essential financial operations and avoid potential disruptions.

Commissioner V. Serna asked why the County can't just reach out to Triadic.

Attorney Cruz stated while Triadic can provide advice, they're not responsible for managing the County's finances. To ensure smooth operations, hiring a temporary public finance consultant to support the Finance Department is especially important given the recent resignation of the Finance Director and the emerging challenges.

Deputy Manager Aragon stated I think in the interim, we can process basic purchase orders that come from specific departments where they can identify their line items and their budgets. But when you start talking about expenses that are outside budgets, or monies that need to be transferred in, or especially this interest money that needs to be assigned to specific GLs for expenditure, that's something that's beyond our capabilities, and we need to get somebody that can assign those GL so that we can expend that money properly and document it.

Commissioner G. Trujillo stated *all in favor*. **Commissioner V. Serna** stated I oppose. *Two in favor. One opposed. Motion carried.* There was question if the audio caught the vote.

Commissioner G. Trujillo stated *all in favor on a roll call vote*: Commissioner J. Trujillo – yes; Commissioner V. Serna – opposed; Commissioner G. Trujillo yes. *Motion carried.*

13. Discussion/Action: Rescinding vote Authorizing Issuance of RFP to Retain Legal Counsel to advise on Procurement Related Matters (August 20, 2024 - Item No. 8)

Attorney Cruz stated at the August 2024 Commission meeting, the Commission voted to authorize the issuance of an RFP to retain legal counsel to advise on procurement related matters regarding the road projects through the Senate Bill 6. My continued recommendation to the management team has been that you have a legal counsel who can provide review and support to make sure that process is being followed. We know that there is a lot that comes into play with utilizing the monies that are going to be allocated for the Senate Bill 6 roads you need to comply with, not only state procurement, but also federal procurement, while your disaster recovery team, Thompson consulting, is going to provide the support that's needed on procurement, we also know that if you don't follow federal procurement, you will not receive the authorization to get reimbursement from FEMA. There are two scenarios that result in public entities not receiving FEMA reimbursement, the first being failing to follow the scope of work. The second being failure to follow the procurement requirements. It can be as high as 25%, and you're dealing with \$40 million on the Senate Bill 6 loans, that means that Mora County could potentially not receive reimbursement of as high as \$10 million and you need to pay that money back. My recommendation is that you err on the side of being overly cautious, and you have outside legal counsel who can review the procurement processes.

Procurement Office Encinias stated I think it is a great idea to have help as I am still learning the process. I don't want to do something I am not sure of. I would like to have support from legal counsel as well as the finance team and Managers.

Attorney Cruz stated in conversation with your legal counsel, Singleton Schriber, it was agreed that if you obtain quotes at this time, so you have procurement under \$60,000, that will carry you through the end of this fiscal year. If at that point in time, Adelita has had the support she needs and she feels like she's comfortable, then you don't need to move forward with legal counsel. If Adelita would like to continue to have that support, you could then move forward with an RFP.

Interim Manager Weathers recommended approval. **Commissioner G. Trujillo** asked for a motion. **Commissioner J. Trujillo** made a motion to approve the recommendation. **Commissioner G. Trujillo** seconded the motion. *All in favor. Motion carried.*

14. Discussion/Action: Authorizing Mora County to obtain Quotes to Hire Outside Legal Counsel to review County's state and federal based procurement through the end of the Fiscal Year (Procurement Under \$60,000)

Interim Manager Weathers recommended approval. **Commissioner J. Trujillo** made a motion to approve the recommendation. **Commissioner G. Trujillo** seconded the motion.

Commissioner V. Serna stated Thompson has been doing this for years and they have extensive experience and knowledge, shouldn't they have the extended expertise to handle Federal procurement?

Attorney Cruz stated Thompson has represented, and I trust that when John Kropog spoke about this at a recent meeting, that they have a team that's equipped to do this, that they're going to be able to provide a solid working document that can be utilized for this procurement. What I want you all to be able to say to individuals like Dr. Klass, who's participating on behalf of DHSEM, and I think it's an assurance that you're providing to the State of New Mexico, is that not only do you have a trained procurement officer, Adelita Encinas, who's passed the State certification, you also have retained the services of a disaster recovery team and Thompson Consulting, and because you understand the significance of needing to pay back the \$40 million to the State of New Mexico by way of the contracts that you've signed with the State of New Mexico, that you're going to err on the side of being overly cautious, and you're going to have legally trained professionals on State and Federal procurement who will be able to confirm that the procurement vehicle that's being utilized is an appropriate one. I think that's a sign of good faith to the State of New Mexico, and more importantly, it safeguards the County from potential liability down the road. **Commissioner G. Trujillo** stated all in favor. **Commissioner V. Serna** stated I oppose; I still don't see that this makes sense. I don't know how we are going to pay for this. **Attorney Cruz** stated you all received interest in Senate Bill 6. That's an investment in being able to ensure that you pay back on those Senate Bill 6 funds. *Two in favor. One opposed. Motion carried.*

15. Discussion/Action: Approval of Resolution of Resell of Firearms to Santa Fe Pawn

Attorney Cruz stated items 15, 16 and 17 are a work in progress. The procurement officer will coordinate with the Sheriff's Office in order to finalize those resolutions. My recommendation is to table the items.

Interim Manager Weathers recommended to table item 15. **Commissioner V. Serna** made a motion to *table* the item as recommended by the Interim Manager. **Commissioner J. Trujillo** seconded the motion. *All in favor. Motion carried.*

16. Discussion/Action: Approval of Resolution to Transfer Ford Explorer to the Village of Wagon Mound

Interim Manager Weathers recommended to table item 16. **Commissioner V. Serna** made a motion to *table* the item as recommended by the Interim Manager. **Commissioner J. Trujillo** seconded the motion. *All in favor. Motion carried.*

17. Discussion/Action: Approval of Resolution for MCSO to Donate Tasers to Taos County

Interim Manager Weathers recommended to table item 17. **Commissioner V. Serna** made a motion to *table* the item as recommended by the Interim Manager. **Commissioner J. Trujillo** seconded the motion. *All in favor. Motion carried.*

18. Discussion/Action: Approval of Amended ICIP Resolution

Attorney Cruz stated the resolution amends the September 23rd ICIP resolution related to Planning and Zoning request for GIS. The GIS system request from Planning and Zoning, valued at \$2,000 to \$3,000, is not suitable for ICIP funding. Therefore, the amended resolution removes this item. It is recommended that the Commission approve item 18, the amended ICIP resolution. **Interim Manager Weathers** recommended approval. **Commissioner J. Trujillo** made a motion to approve. **Commissioner V. Serna** seconded the motion. *All in favor. Motion carried.*

19. Discussion/Action: Approval of Location for DOT Regional Board Meeting

Commissioner G. Trujillo stated I had a chance to speak with Mr. Walter Adams, he wants to have the meeting July 2025, he will let me know the date and time. Because the item will not be until late into 2025, we will let this item die and revisit it when it gets closer to the recommended date.

20. Discussion/Action: Authorization for County Attorney to submit response to Complaint filed by Commissioner Veronica M. Serna with the New Mexico Department of Justice regarding the July 2024 filing of a Federal Court Declaratory Judgment Action

Attorney Cruz stated Mr. Daniel Rubin is an attorney with the New Mexico Department of Justice, who is participating via Zoom. I received an email from Mr. Rubin attaching a complaint involving the Federal Declaratory Judgment action that was filed by your legal counsel, Singleton Schreiber, in July of 2024. In a circumstance of this type, because it does involve a concern raised by Commissioner Serna, would not be presumptuous to just go and file a response, which is why I'm requesting that you approve my submitting that response to the New Mexico Department of Justice. I respect and honor Commissioner Serna's concern, and she has every right, as any Commissioner does, if you feel that there's something that has not been done in a way that you would hope and if it makes you feel unsettled, or concerned, by all means, raise the concern. The same is true for staff. I certainly am deferential to Commissioner Serna's right to raise her concern. I need your authorization to provide that response.

Commissioner J. Trujillo made a motion to approve allowing Attorney Cruz to submit the response. **Commissioner G. Trujillo** seconded the motion. *All in favor on a roll call vote:* Commissioner John Trujillo – yes. Commissioner V. Serna stated I will recuse myself since the complaint is from me. Commissioner G. Trujillo – yes. *Motion carried.*

21. Discussion: Other Informational Items

Commissioner G. Trujillo stated the next meeting is November 6th.

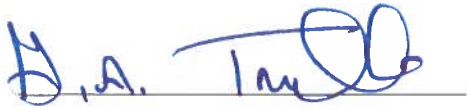
22. Signing of Approved Documents

The Commission signed the approved documents.

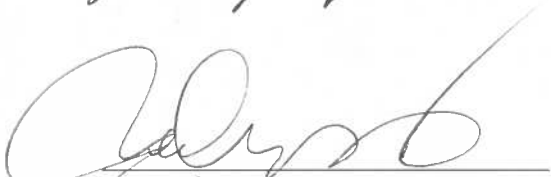
23. Adjournment

Commissioner J. Trujillo made a motion to adjourn. **Commissioner V. Serna** seconded the motion. *All in favor. Motion carried.* The meeting adjourned at 5:14 p.m.

MORA COUNTY BOARD OF COMMISSION


George A. Trujillo, Chairman


John H. Trujillo, Vice-Chairman


Veronica M. Serna, Member




Carlos J. Arellano, County Clerk

