



BOARD OF COUNTY COMMISSIONERS OF MORA COUNTY

Regular Meeting – November 27, 2024 – 9:00 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 9:02 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/BOE 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 J. Trujillo made a motion to approve the agenda as recommended.

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. Motion carried.

5. Public Comment*

Henry Sanchez stated the gravel pit has put up a crusher adjacent to our ditch, and we're still trying to find some accountability for it. I'm also here to talk to you about the Water Association. We are still trying to secure some funding, maybe some support from the County. I would also ask to entertain the idea of the County taking over the Water Association and running through the County rather than having an independent association. I have yet to run it by all the Board Members, so we're not sure about that, but maybe that's a matter of discussion for you guys for a later date.

Commissioner V. Serna suggested meeting with the Mora Water Alliance. They have brought together five water associations, and RCAC is helping them with funding as well as other grant opportunities, and they have one person doing billing, and they're trying to bring all the resources together with a member from each of the water associations to oversee that operation. I suggest you speak with Arthur Romero who sits on the Board.

Commissioner G. Trujillo stated I am going to suggest Mr. Weathers meet with Mr. Sanchez to discuss the County taking over the Water Association.

6. Discussion/Action – Approval of Minutes

a. November 12, 2024-Special Meeting

Interim Manager Joseph Weathers recommended approval of the minutes of November 12, 2024, Special Meeting.

Commissioner J. Trujillo made a motion to approve the minutes as recommended. **Commissioner V. Serna** seconded the motion. *All in favor on a roll call vote:* Commissioner Veronica Serna – yes; Commissioner John Trujillo – yes; Commissioner George Trujillo – yes. Motion carried.

b. November 12, 2024-Election Canvass Meeting

Interim Manager Joseph Weathers recommended approval of the minutes of November 12, 2024, Election Canvass meeting.

Commissioner J. Trujillo made a motion to approve the minutes as recommended. **Commissioner V. Serna** seconded the motion. *All in favor on a roll call vote:* Commissioner Veronica Serna – yes; Commissioner John Trujillo – yes; Commissioner George Trujillo – yes. Motion carried.

c. November 7, 2024-Emergency Meeting

Interim Manager Joseph Weathers recommended approval of the minutes of November 7, 2024, Emergency Meeting.

Commissioner J. Trujillo made a motion to approve the minutes as recommended. **Commissioner V. Serna** seconded the motion. *All in favor on a roll call vote:* Commissioner Veronica Serna – yes; Commissioner John Trujillo – yes; Commissioner George Trujillo – yes. Motion carried.

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

Interim Manager Weathers read the Veterans report. Mr. Weathers stated the Veterans Committee collaborated with the Mora Schools with memorializing Veterans Day. The Student Council and staff, with leadership of Mrs. Melinda Leyba organized the school assembly lunch for veterans and their families. The student body attended the assembly, and Mr. Tony Trujillo from Buena Vista was recognized as their 2024 Veteran of the Year. The presentation on Mr. Trujillo's military history was done by the students which included a video presentation. The parade was a success, candy for the Veterans float was donated by the Mora Creative Council. Mr. Tom Cordova, architect for Lloyd and Associates, gave the Veterans Memorial Committee an update on their timeliness and cost estimates. We continue to require additional funding for completion of the memorial. We will be requesting approximately \$200,000 in Capital Outlay funding from our Legislators. The Veterans Memorial Committee continues to supplicate your support in reaching out to our legislators for their support. We are optimistic that our project will be initiated in the Spring of 2025.

Commissioner G. Trujillo stated Attorney Tina Cruz, and I visited with the architects yesterday. They are thinking for the Veterans Memorial and the gazebo and the recreation center will start on February 7, the bid opening will probably be on March 3, and then the Commission will approve the lowest bidder on that same day with a meeting at 4pm. They're thinking that the project could be completed by the end of October, so they can have opening ceremony on Veterans Day, November 11.

8. Discussion: Project Status

a. EMS Facility and Communications Repeaters Alex Tafoya

Mr. Alex Tafoya stated the plans and specifications are still being reviewed by Local Government Division (LGD). Adelita Encinias and I have been working to obtain the wage rates. I sent them to architect Wayne Lloyd so he can insert them into the bid documents, and we're still working to obtain the State wage rates. We have to obtain the wage rates from the New Mexico Department of Workforce, solutions, Public Works and access to that system is under the previous Finance Director's name, password, user ID and all that sort of thing. Ms. Encina has been working with them to update everything and obtain the wage rate. We'll come up with an estimated advertising date and an estimated bid opening date, and hopefully get approval by LGD so that we can proceed.

Commissioner G. Trujillo stated Architects are thinking, bidding process, go out January 15 and bid opening February 10, at 2pm with the Commission having a meeting at 4pm to approve the low bidder, and the construction to start by March 3rd.

9. Discussion: Presentation from Nube Group Ruth Espinoza

Presenter Ms. Ruth Espinoza presented on Nube Group. Nube Group is a small technology firm based in Albuquerque, specializes in comprehensive records management solutions for Federal, State, Local, and educational institutions. Nube Group collaborates with the New Mexico Records and Archives Department to ensure compliance with retention schedules and destruction policies. The services include records assessment and disposition, digitization and scanning, enterprise content management (ECM) solutions, and information request management. (see full report in packet)

Presenter Mr. Michael Aguilar stated the biggest part of what we do at Nube is the inception. We printed out our multi-functional units all the way to the end, to digitalization and records management. With the hardware side, we do the multi-functional units, the printers, scanning systems. We do have the State Pricing with the State of New Mexico under the NASPO contract. So, you're able to receive that pricing as a County. You also are able to do the CES contracts. There's a couple of different pricing vehicles that we can utilize. We believe in communication, showing up, making sure that we're able to come out and deal with any kind of issues and repair the equipment when we come out. We'd like the opportunity to have a chance to meet with a you in the near future, to give you a good overview of what the system is.

10. Discussion/Action: Consideration of Approval of Contract with Disaster Recovery Consultant (Wilson and Company)

Interim Manager Weathers recommended to table item 10. **Commissioner J. Trujillo** made a motion to *table* the item as recommended. **Commissioner V. Serna** seconded the

motion. *All in favor on a roll call vote:* Commissioner Veronica Serna – yes; Commissioner John Trujillo– yes; Commissioner George Trujillo – yes. Motion carried.

11. Discussion/Action: AIA Additional Services Agreement with Wayne Lloyd and Associates re EMS Building

Interim Manager Weathers recommended approval. **Commissioner J. Trujillo** made a motion to approve the item as recommended. **Commissioner V. Serna** seconded the motion. *All in favor on a roll call vote:* Commissioner Veronica Serna – yes; Commissioner John Trujillo– yes; Commissioner George Trujillo – yes. Motion carried.

12. Discussion/Action: Appointment of two Planning and Zoning Committee Members

Planning and Zoning Director Brad Sena stated the Planning and Zoning Committee has had two vacancies for some time now. We have pending business that needs to be taken care of, to move forward we need to fill those vacancies. I would like to recommend to the Commission to appoint Joseph Garcia for one position and John Paul Vigil for the other position.

Commissioner J. Trujillo made a motion to approve. **Commissioner G. Trujillo** seconded the motion. *All in favor on a roll call vote:* Commissioner Veronica Serna – no; Commissioner John Trujillo– yes; Commissioner George Trujillo – yes. Two in favor. One opposed. Motion carried.

13. Discussion: Department Reports

Department reports were provided in the Commission packet.

14. Discussion/Action - Expenditure Report/Budget Report

a. Expenditure Report - September & October 2024

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 on a roll call vote:* Commissioner Veronica Serna – yes; Commissioner John Trujillo– yes; Commissioner George Trujillo – yes. Motion carried.

Commissioner G. Trujillo stated the motion was to table item 14 a and b.

b. Budget Report-September & October 2024

The item was tabled during item 14. a.

15. Discussion/Action-Resolutions

a. Budget Adjustment Request

Interim Manager Weathers stated you have a budget adjustment request in your packet, it's for an increase in the Manager budget of \$205,000, a snow removal cost of \$80,000 and the DWI program of \$8000 we respectfully request that you

pass. **Commissioner J. Trujillo** made a motion to approve. **Commissioner G. Trujillo** seconded the motion. **Commissioner V. Serna** stated the budget adjustment does not indicate where the funds are coming from.

Deputy Manager Clarence Aragon stated with the exception of the DWI program adjustment, the 205 and the 80 are going to be coming from the interest account. The breakdown for the 205 is \$60,000 for the accounting firm to reconcile the accounts, \$60,000 for the current contractor that we have working on the Finance Director budgets, and she's the one that created these bars. And then \$60,000 for the Watrous Community Center, and then \$25,000 for the Main Street agreement that's been discussed in previous meetings.

All in favor on a roll call vote: Commissioner Veronica Serna – no; Commissioner John Trujillo– yes; Commissioner George Trujillo – yes. Two in favor. One opposed. Motion carried.

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

County Attorney Ernestine Cruz stated for item 16, 17 and 18 we are in the process of finalizing these resolutions. The hope is that next week, we'll be able to have the in-person meeting with the Sheriff and with Adelita, so that these resolutions can be finalized, and they'll be ready for your approval at the next meeting. The recommendation would be that items 16, 17, and 18, be tabled until that coordinated meeting takes place.

Interim Manager Weathers recommended to table item 16. **Commissioner J. Trujillo** made a motion to *table* the item. **Commissioner V. Serna** seconded the motion. *All in favor on a roll call vote:* Commissioner Veronica Serna – yes; Commissioner John Trujillo– yes; Commissioner George Trujillo – yes. Motion carried.

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

Interim Manager Weathers recommended to table item 17. **Commissioner J. Trujillo** made a motion to *table* the item. **Commissioner V. Serna** seconded the motion. *All in favor on a roll call vote:* Commissioner Veronica Serna – yes; Commissioner John Trujillo– yes; Commissioner George Trujillo – yes. Motion carried.

18. Discussion/Action: Approval of Resolution for MSCO to Donate Tasers to Taos County

Interim Manager Weathers recommended to table item 18. **Commissioner J. Trujillo** made a motion to *table* the item. **Commissioner V. Serna** seconded the motion. *All in favor on a roll call vote:* Commissioner Veronica Serna – yes; Commissioner John Trujillo– yes; Commissioner George Trujillo – yes. Motion carried.

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

Attorney Cruz stated the agreement has been drafted. Mr. Weathers just needs to provide it to Mr. Roybal for his review. It's consistent with the conversations and negotiated

agreement that they've engaged in. In addition to that, to ensure that there's no questions related to procurement, there's been conversation with Adelita Encinias regarding this item, and she has been involved in conversation, and we'll make sure that she's making the final recommendation for approval of this lease agreement when it's presented to you for final approval. For now, it was just added to the agenda as a reminder that it's an item that does need to be addressed. It needs to be tabled today.

Interim Manager Weathers recommended to table item 19. **Commissioner J. Trujillo** made a motion to *table* the item. **Commissioner V. Serna** seconded the motion. *All in favor on a roll call vote:* Commissioner Veronica Serna – yes; Commissioner John Trujillo– yes; Commissioner George Trujillo – yes. Motion carried.

20. Discussion/Action: Consideration of recommendation to eliminate Accounting Tech. position

Interim Manager Weathers recommended approval. **Commissioner J. Trujillo** made a motion to approve. **Commissioner V. Serna** seconded the motion. *All in favor on a roll call vote:* Commissioner Veronica Serna – yes; Commissioner John Trujillo– yes; Commissioner George Trujillo – yes. Motion carried.

21. Discussion/Action: Consideration of request to utilize cost savings from eliminated Accounting Tech. position to better fund Deputy County Manager, Finance Director and Deputy Finance Director Positions, in the discretion of the Interim County Manager

Interim Manager Weathers stated we're asking that we use the cost savings from that position to better fund the other positions. **Commissioner J. Trujillo** made a motion to approve. **Commissioner V. Serna** seconded the motion. Commissioner V. Serna stated on second thought, why do we have to eliminate the positions? Can't we just leave the position and just reauthorize the budget? You can have a position existing, just not fill it in the event that future administrators want to fill that position, at least it exists.

Attorney Cruz stated the idea was to eliminate the position to use the cost savings to better support the positions of Deputy County Manager, Finance Director and the Deputy Finance Director positions. Deputy County Manager was included because he is doing a lot of work within finance as well, and his rate of pay likewise, needs to be competitive. **Commissioner V. Serna** stated I think this is a moot discussion. I think this calls for a budget adjustment rather than the discussion we're having now.

Attorney Cruz stated I would say that it's not exactly moot, because you've already voted to eliminate the position, so the other items all flow out of eliminating the position, which is why you're now being asked to consider items number 21 and 22

Commissioner V. Serna stated for the record I would like to rescind my yes vote on item 20.

Commissioner G. Trujillo stated *all in favor on a roll call vote:* Commissioner Veronica Serna – no; Commissioner John Trujillo– yes; Commissioner George Trujillo – yes. Motion carried. (The motion was *not* brought back to the table for Commissioner V.

Sernas initial second of the motion. The roll call vote indicated “no” for Commissioner V. Serna)

22. Discussion/Action: Authorization for Management Team and Human Resources Coordinator to revise job descriptions of Finance Director and Deputy Finance Director and to increase pay range for both positions

Interim Manager Weathers recommended approval. **Commissioner J. Trujillo** made a motion to approve. **Commissioner V. Serna** seconded the motion. *All in favor on a roll call vote:* Commissioner Veronica Serna – yes; Commissioner John Trujillo– yes; Commissioner George Trujillo – yes. Motion carried.

23. Discussion/Action: Consideration of recommendation to temporarily suspend hiring process for County Manager position

Commissioner J. Trujillo made a motion to approve. **Commissioner G. Trujillo** seconded the motion. *All in favor on a roll call vote:* Commissioner Veronica Serna – no; Commissioner John Trujillo– yes; Commissioner George Trujillo – yes. Two in favor. One opposed. Motion carried.

Attorney Cruz stated the County is about to engage in a lot of important matters over the next three months. You've assembled a management team that are currently working really strongly together, they've developed systems that have resulted in more efficiencies, and the thought was that it would be helpful, as these pending important matters such as the Legislative Session are going to be happening, that it would be very difficult to be managing the transition at this point in time. Anybody that's applied would be informed that the County will be proceeding with the hire, but the process is being temporarily suspended. I anticipate that you would essentially be resuming this process sometime in early to mid-February.

24. Discussion/Action: Consideration and approval of Addendum to Contract of the Interim County Manager

Attorney Cruz stated it's an additional three months. I believe that Mr. Weathers signed his contract on the 23rd of September. The addendum is essentially going to be short; it's only going to say that Mr. Weather's contract is extended by three months to that date, and every provision of his existing contract remains in place. There's no salary increase. It's just increasing the term by three months.

Commissioner J. Trujillo made a motion to approve. **Commissioner G. Trujillo** seconded the motion. *All in favor on a roll call vote:* Commissioner Veronica Serna – no; Commissioner John Trujillo– yes; Commissioner George Trujillo – yes. Two in favor. One opposed. Motion carried.

25. Discussion/Action: Consideration and approval of Addendum to contract of Deputy County Manager

Interim Manager Weathers stated the Deputy County Manager has resumed additional responsibilities. I recommend approval.

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

Attorney Cruz stated the addendum to the Deputy County Manager's contract doesn't change anything within the existing contract. His term runs through June 30th. All the other terms of the contract remain the same. The only change in his contract, by way of this addendum, is going to be his salary.

Commissioner V. Serna stated that was the just of my question, if it's a salary increase, it doesn't state that here, and if it's less than 10% does it have to come to the Commission? And if it's going to be more, there should be a more descriptive item if we were going to vote on it.

Attorney Cruz stated it doesn't need to be more descriptive because it's an addendum. That's why you have discussion and you're discussing it right now, and the addendum is essentially a salary increase.

Interim Manager Weathers stated the amount is to increase the salary to \$85,000 which is more than 10% of his current salary.

Commissioner G. Trujillo stated *all in favor on a roll call vote*: Commissioner Veronica Serna – yes; Commissioner John Trujillo– yes; Commissioner George Trujillo – yes. Motion carried.

26. Discussion/Action: Consideration and approval of 2025 ML & LE Deductible and Coverage Options through New Mexico Counties

Attorney Cruz stated I don't know that the Sheriff's Office responded to the request for feedback on the deductible for the Law Enforcement component, so I am going to recommend that you table this item until next week's meeting, so that there could be further discussion with the Sheriff's Office, and then you all can also engage in further conversation regarding what deductibles options you want to select for purposes of your coverage for the year through New Mexico County's insurance coverage.

Commissioner J. Trujillo made a motion to *table*. **Commissioner V. Serna** seconded the motion. *All in favor on a roll call vote*: Commissioner Veronica Serna – yes; Commissioner John Trujillo– yes; Commissioner George Trujillo – yes. Motion carried.

27. Discussion/Action: Proposed Composition of Committee Structure for Opioid Settlement Program

Attorney Cruz stated to effectively utilize opioid settlement funds, we need to establish a committee. Proposed members include representatives from the Sheriff's Office, DWI Office, Mental Health, Mora Independent School District, and the District Attorney's Office.

Additionally, the Commission can nominate additional members to ensure a diverse perspective. By approving this committee, we can promptly implement programs to address the opioid crisis.

Interim Manager Weathers recommended approval.

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

Commissioner V. Serna suggested including Public Health as they have been very active in this as well.

Commissioner G. Trujillo stated *all in favor on a roll call vote*: Commissioner Veronica Serna – yes; Commissioner John Trujillo– yes; Commissioner George Trujillo – yes. Motion carried.

28. Discussion: Mora County Day during the 2025 Legislative Session

Commissioner G. Trujillo stated we can discuss the item at the next meeting after a meeting with Senator Campos.

29. Closed Session: Pending litigation involving FEMA Federal Declaratory Judgement Action, Mora County v. USA (HPCC) federal lawsuit, John Paul Vigil v. Mora County, and Agua Pura v. Mora County

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 Veronica Serna – yes; Commissioner John Trujillo– yes; Commissioner George Trujillo – yes. Motion carried. The Commission entered closed session at 9:58 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 Veronica Serna – yes; Commissioner John Trujillo– yes; Commissioner George Trujillo – yes. Motion carried.

Commissioner G. Trujillo stated it's 10:32 am after a half hour closed session, no action was taken or decisions made.

30. Discussion/Action: Approval of Settlement involving John Paul Vigil v. Mora County litigation

Interim Manager Weathers recommended approval of settlement of \$216,269.34. The insurance paid \$75,000 and the County paid \$141,269.34

Attorney Cruz stated the release has been drafted by your outside counsel, Carlos Quinones, and the amounts that Mr. Weathers shared would be the amounts that would be apportioned amongst New Mexico Counties and by Mora County. The reason why Mora County needs to make a contribution is because when the County filled out its coverage, it did not select coverage for the inverse condemnation. As a consequence, the County is responsible for any costs, expenses related to the inverse condemnation claim. There are two pending claims that have survived the litigation. Initially, there were three claims submitted by Mr. Hill. The first was trespass, which has been dismissed under the New Mexico Tort Claims Act. The next claim is a Civil Rights Act claim that is covered by your insurance. The final is the inverse condemnation. Upon the current posture of the case and the prior rulings of Judge Jeff Shannon, who is the assigned as a District Judge,

this is a fair and reasonable settlement. More importantly, it's prudent for the County to bring this matter to impose a disjuncture, versus allowing the matter to proceed to trial for the County's exposure to be far more significant.

Commissioner V. Serna stated Mr. Weathers or Mr. Aragon could you tell us what fund this will come out of?

Mr. Weathers stated the money will come from the interest fund and the Road Department.

Commissioner G. Trujillo stated *all in favor on a roll call vote*: Commissioner Veronica Serna – yes; Commissioner John Trujillo– yes; Commissioner George Trujillo – yes. Motion carried. (A motion and a second was not mentioned on the audio recording)

31. Next Regular Meeting –December 20, 2024

Commissioner G. Trujillo stated the next regular meeting will be held on December 20, 2024. The architects will be here on a final plan from the EMS building. JD so you get EMS personnel at this meeting, because it's going to be the final plan for their building.

32. Discussion: Other Informational Items

Attorney Cruz stated for the items that were tabled today, there will be a need for a meeting next week. In addition to that, the management team has been working to identify a fiscal agent for the EDA non construction grant, and Adelita is working on that as well; she's waiting for any quotes to be submitted sometime early next week, so you will be able to vote on that.

Attorney Cruz requested a visit with the Manager about the scheduling of the next meeting.

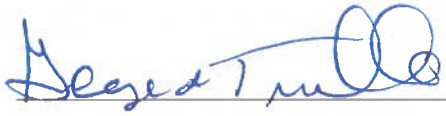
Continued conversation took place regarding the light poles that fell during the windstorm. It was determined that the downed light poles be stored at the Solid Waste Department for possible use of parts. An insurance claim has been submitted for the light poles.

33. Signing of Approved Documents

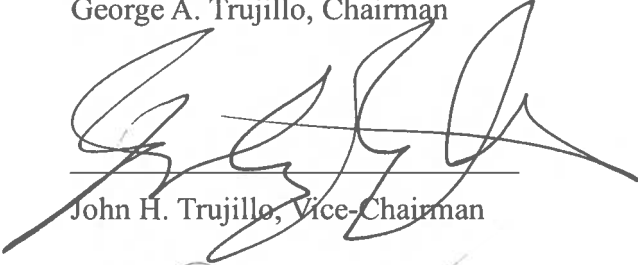
The Commission signed the approved documents.

34. Adjournment

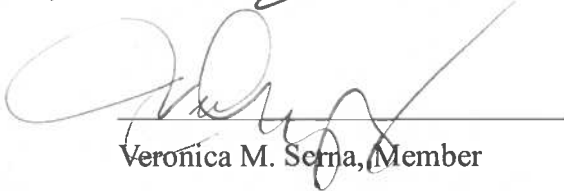
Commissioner J. Trujillo made a motion to adjourn. **Commissioner V. Serna** seconded the motion. *All in favor on a roll call vote*: Commissioner Veronica Serna – yes; Commissioner John Trujillo– yes; Commissioner George Trujillo – yes. Motion carried. The meeting adjourned at 10:42 a.m.



George A. Trujillo, Chairman



John H. Trujillo, Vice-Chairman



Veronica M. Serna, Member

ATTEST:



Carlos J. Arellano, County Clerk

