



BOARD OF COUNTY COMMISSIONERS OF MORA COUNTY

Special Meeting – January 14, 2025 – 10:00 a.m.

Mora David Cargo Library NM 518 Mora, NM 87732

1. Call to Order

Chairman George Trujillo called the meeting to order at *10:01 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

County Clerk Vivian Trujillo 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 Joseph Weathers recommended approval of the agenda as presented. **Commissioner J. Trujillo** made a motion to approve the agenda as recommended by the Manager. **Commissioner V. Serna** seconded the motion. *All in favor on a roll call vote:* Commissioner V. Serna – yes; Commissioner J. Trujillo – yes; Commissioner G. Trujillo – yes. *Motion carried.*

5. Discussion/Action: Recommendation by Planning and Zoning Director to Appoint Three Members to the Planning and Zoning Committee

Planning and Zoning Director Brad Sena stated I would like to recommend the following three members to the Planning and Zoning Committee, Carlos Arellano, Richard Bustos and Joseph Garcia for two-year terms.

Interim Manager Weathers stated I concur with Mr. Sena's recommendation. **Commissioner J. Trujillo** made a motion under the recommendation of the Manager. **Commissioner G. Trujillo** seconded the motion.

Commissioner V. Serna asked the Chair if she could ask a question. Brad, could you reiterate the process for advertising and soliciting/choosing of members?

Planning and Zoning Director Brad Sena Well, every year in January, depending on the terms, there's 2-year terms and 1-year terms, or just depending on how it falls and when terms expire. There was an advertisement back in August and again in late September. Usually there's representation from different parts of the County. In this case Mr. Arellano will represent Holman, Mr. Bustos, Cañoncito, and Mr. Garcia, Ocate. That's usually how the members are chosen.

Commissioner V. Serna For the advertisements most recently advertised for one vacancy each, so that's advertising for two vacancies. And I thought they had already approved of Joseph Garcia.

Planning and Zoning Director Brad Sena He was approved but he filled in for Mr. Weathers and Mr. Weathers term ended now in December. Carlos is replacing Mr. Quintana and Richard Bustos is reappointed because his term has ended.

Commissioner V. Serna and they've all submitted letters of interest?

Planning and Zoning Director Brad Sena Yes

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

6. Discussion/Action: Approval of Mora County's Response to Contract Termination letter from Alex Tafoya for CDBG Grant Administration (EMS) with direction to Management Team regarding Timeline for Termination

Interim Manager Weather stated we received a letter from Mr. Tafoya who is terminating his contract with the County with a 60-day time period.

Attorney Ernestine Cruz compiled information on Mr. Tafoya's work for the County to determine the best course of action. The current project must be finalized within the year, involving bidding, construction, and project closure. Given the limited scope and anticipated costs below the \$60,000 threshold, a new RFP is unnecessary. Instead, Adelita is likely to recommend obtaining quotes for services. This approach would streamline the process compared to issuing an RFP, allowing for a quicker decision by the Commission. Consequently, the County may not need to wait for the 60-day notice period before terminating Mr. Tafoya's contract, as his contract requires 30-day notice. It's recommended that the Commission accept Mr. Tafoya's termination letter, honor the 30-day notice, and explore hiring an alternative grant administrator within this timeframe. Mr. Tafoya should be informed of this plan and the need for a smooth transition to the new administrator.

An ongoing discussion took place regarding drawdowns and ensuring necessary payments are made through the various pools of money for the project.

Interim Manager Weathers recommended accepting the resignation of Mr. Tafoya.

Commissioner J. Trujillo made a motion under the recommendation of the Manager.

Commissioner V. Serna seconded the motion. **Commissioner V. Serna** stated I just want to thank Mr. Tafoya for everything he has done for us and getting us to this point. **Attorney Cruz** stated essentially you'd be accepting termination, but with the provisions that I mentioned earlier, which are essentially that the County will honor the 30-day timeline if it is able to retain a grant administrator between day 31 to day 60, the transition period will take place sooner, in the discretion of the management team and in consultation with Mr. Tafoya and Wayne Lloyd and Associates.

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

7. Discussion/Action: Approval of Recommendation by Procurement Officer to proceed with Procurement Process for CDBG Grant Administration (EMS)

Interim Manager Weathers recommended approval. **Adelita** stated I am doing everything I can to get the process for procurement followed for this project. **Attorney Cruz** asked if it is the intent to move forward with obtaining quotes as indicated earlier? **Adelita** stated yes.

Commissioner J. Trujillo made a motion under the recommendation of the Manager.

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

8. Discussion/Action: Resolution Authorizing Disposal of Portable Buildings

Interim Manager Weathers stated I recommend you table the item as we are still trying to get the vin numbers for the four portables.

Commissioner J. Trujillo made a motion to *table* the item under the recommendation of the Manager. **Commissioner V. Serna** seconded the motion. **Commissioner G. Trujillo** stated *all in favor on a roll call vote*: Commissioner V. Serna – yes; Commissioner J. Trujillo – yes; Commissioner G. Trujillo – yes. *Motion carried.*

9. Discussion/Action: Authorizing Management Team to Execute Requisite Documents through CES pertaining to retention of Wilson & Company, Inc., Engineers & Architects as Short-Term Disaster Recovery Consultants

Interim Manager Weather recommended approval. **Commissioner J. Trujillo** made a motion under the recommendation of the Manager. **Commissioner G. Trujillo** seconded the motion. **Commissioner V. Serna** stated I see that Wilson and Company are represented by Mr. Mike Guerin and Mr. Edward Cordova. So, these questions are probably for you, *for the record*, your proposals or your agreements did not include your fee schedule, and I understand for engineering and surveying, you needed to provide those fee costs/schedule instead of a percentage, because it does indicate 8% but I don't think that's applicable according to your contract with CES?

Attorney Cruz stated I did receive a packet of proposals from Adelita Encinas that was provided by Wilson and Company. I did indicate to Manager Weathers that it be helpful if we could schedule a team meeting with the management team, Adelita and Wilson and Company so they can walk through those proposals to see if there's any need for cleanup, which is why the item does not appear on your agenda as approving the documents themselves, but instead authorizing the management team to sign requisite documents. Those requisite documents will be signed only after the team meeting takes place to make sure that everybody's on the same page regarding the requirements that are needed. Wilson and Company has exercised their due diligence. They've reached out to CES to ensure that process has been followed. Adelita has had communications with Wilson and Company to ensure the process is followed. There is a need to review the documents more comprehensible as a team, to make sure that any questions are being properly answered. And the question regarding fee schedule is something that certainly could be addressed in that context. If there are any other things that come to mind, now would be the time to make not of those other questions or concerns.

Commissioner V. Serna stated on task number five, they indicated drainage analysis. Are they going to utilize any part of the H and H study that has already been completed, and is this considering a five year or 10-year flood, I mean 50-year 100-year flood event, and how far beyond the roads are they going to go? Because I believe that sometimes it requires a three quarter or one mile distance from the road to the actual watershed. I don't know what that study is going to include, and will it consider that, because once these projects are completed, we need to know if they'll withhold any future flood events that far up?

Attorney Cruz stated Commissioner Serna ill refer to Wilson and Company to answer the specifics on the engineering side, I would say that past communications with John D. Antonio, it's been very, very clear, I think he's actually been one to state this themselves, is that Wilson and Company is not signing on to reinvent the wheel here to the extent that they can pick up past work that's been done, whether it's through the prior study, or work that has been done through Singleton Schreiber's consultant, that they can review, they will obviously take advantage of that preexisting work so as to ensure that they're able to move forward as expeditiously as possible. I think at this point in time, it's a little bit difficult for them to answer some of these questions,

because, quite frankly, they have not been properly onboarded. They haven't seen all the past work that has been done. They have not because there was no intent to move forward with this relationship until the Commission provided guidance and approval and recommendations coming from management. So really, a lot of the initial work that's going to be taking place here is done learning about the work that's been done up to this point, getting more familiarized with the FEMA portal. And then I, likewise, would anticipate that at the upcoming meeting, they would like to visit with you all in open session to explain further at what they predict the next steps would be. But at this point, I would turn things over to Mr. Cordova and the rest of his team to address more specific, what they have in mind at this time.

Mr. Cordova stated we definitely will be looking at past documents, like Ms. Cruz said, we are not going to reinvent the wheel.

Attorney Cruz stated in a meeting that took place with FEMA and DHSEM, we did make note of the fact that this team with Wilson and Company would be onboarded short term so they could get things moving. And FEMA and DHSEM both indicated that once that took place, they would be certainly amenable to scheduling a meeting so they could be able to answer any questions and concerns that Wilson and Company are going to have from an engineering perspective, and then at that point, they'll be much better informed and more familiarized with where things are at so they can provide more robust answers at future meetings.

Commissioner V. Serna stated on task seven, you talk about construction observation as part time, what do you anticipate your construction observation will be during the construction period?

Mr. Cordova stated we haven't even talked out that far yet. Depending on how we're packaged these projects, it's good that we depended on our approach to the scope of work on these projects is that we're contracted to do, and what we feel is necessary. We don't want to have an inspector there full time.

Commissioner V. Serna stated you talk about boundary surveys, and I guess my question is to our County Manager. I know in a lot of the areas, fencing may have burnt down or been taken down by flood events, or some of the property owners have moved their fences up against the road. How are we going to address that when construction starts?

Interim Manger Weathers stated we're going through our roads review now. We're going to actually put widths on our new roads report. So, we're going to abide by those road reports. I think we have some instances in the Rio de la Casa road that the landowner has moved their fences on the road. I'll have to consult with the attorney if we have to go through what process to move the roads back. But with our roads report that we submit to this state, it's going to have widths on it.

Commissioner V. Serna stated you may want to consider adopting a policy from DOT. I know FEMA had an issue with us not having a written policy about the widths, and culverts and driveways and those right of ways.

Ongoing discussion took place regarding establishing easement for future road projects.

Commissioner V. Serna stated my final question is, based on these agreements, it could be up to \$1.9 and a half million that we're burdening our taxpayers with because it's probably not going to be eligible for FEMA reimbursement because of the process that we procured. I have no doubt that Wilson and Company are equipped with all the staff and resources that they need to deal with this, and I understand Mr. D'Antonio is a very qualified engineer and has a lot of experience with this, so I'm confident you guys will do well, I just don't know how Mora County is going to pay

for this, because we're going to need to issue a PO. I don't know what funds that's going to come from. The maximum is going to be \$1.9 million, is what I understand, plus GRT?

Commissioner G. Trujillo stated that is why we are doing an RFP to hire someone so we can bill Senate Bill 6 money. This is temporary work now so we can get started. According to Mr. Gentles, we already have a road that got obligated yesterday, so we got to start fixing roads, and we've got to start spending that money. So that's why these people are coming on board temporarily.

Commissioner V. Serna stated I understand that, but their temporary contracts are for \$1.9 million plus GRT, where's that money coming from?

Attorney Cruz stated that's one of the topics that I wanted to visit with Wilson and Company about is the estimates set forth in the agreements are fairly significant amounts, and based upon prior conversations, they understood, of course, it was a short-term assignment, so cleaning up that language in terms of what's anticipated as an expense initially.

Commissioner G. Trujillo do I hear a motion to accept the recommendation by the County Manager? **Commissioner J. Trujillo** made a motion as recommended by the Manger.

Commissioner G. Trujillo seconded the motion. *All in favor on a roll call vote:* Commissioner V. Serna – no; Commissioner J. Trujillo – yes; Commissioner G. Trujillo – yes. *Two in favor. One no. Motion carried.*

10. Discussion: Other Informational Items

Mr. Gentles stated in regard to the project that was obligated on January 6, it's north of \$5 million and it's for several roads. It also has cost embedded in there for engineering. So, if there was a need to engineer, because when you're doing a road, you have to have some type of engineering, there'd be a cost for that in there. The roads are Canada del Carro, Agua Fria, and La Morada Road. The monies for that project were sent from the Federal Government to the State. However, the SB 6 funding that you received earlier is also in your domain, so you have the monies for that recovery of those roads in two different places. But in order for you to have the realization is that you have the money in your account to implement the repairs, the recovery, and then when you have your invoices, your receipt your expenditures, you could then submit it to the State and put the money back in your account, which then you should turn around and give it back to where you got it. That's the transition. They're not going to pay it back for you. You have to send the bill to them. They'll give it to you for you to give it back to SB 6.

Commissioner G. Trujillo stated so it's ready to be put out to bid? And do we follow the assessment that was done by Michael Martinez?

Mr. Gentles stated I believe you have a more advanced assessment that was done by the attorney's crew at the time that have things that were omitted. So, I would present those to myself and Henry, and then we will version the project that's already been obligated to include those to increase the cost and the scope.

Commissioner G. Trujillo stated we are going to be in Santa Fe next week. Can we have a meeting to discuss with Wilson and Company?

Attorney Cruz stated I do think that having an in-person meeting would be beneficial for Wilson and Company, because I've been familiarized enough with what's going on here and I, myself, am struggling keeping track of what you all are talking about today. So, I can only imagine that it's that much more difficult for Wilson and Company to keep track of what it is that is being discussed.

Interim Manager Weathers will set up a meeting in Santa Fe at his office. The meeting was determined to be held on Tuesday, January 21, 2025, at 4:30 p.m.

Commissioner G. Trujillo stated Gregory Gentles, I have a question for you regarding Canada del Carro road, there's a lot of damage on top of that mountain that's private. If FEMA or the landowners don't fix that it's no use in spending money down the road, but it's not going to last.

Mr. Gentles stated they are fully aware of the impacts that's going to happen over and over. The word that they use is cascading events. There's no way to circumvent that, other than if you were to implement some type of seeding, some type of terrain cutting, etc. When it comes to private property, you cannot dictate what they do to their property, because it's private, you could only do what it is that you have jurisdiction or ownership of, which is the road. So, if you fix it and then it gets impacted again, they'll pay for it again. And they're aware that you have two times for the year where this is most likely could happen, which is your monsoon season, and coming up here shortly your snow melt. That would be eligible for category C permanent and also category B. Let's say you had a rapid rise in temperature and your snow was melting right now, you have where all your watersheds and the new ones from the burn scar, you'd have washouts right now, you'd have to go back and fix those roads temporarily. They would pay for that as well. On the one that was just awarded those roads, you would want to put out an RFP based on that. But we would like to take a look at the report to see if there's something missing. So that way, when you do put out the RFP, it could have those scopes included, because I think it's narrow, and what your survey did, or your analysis did, they found more things that were not there. So, we need to make sure when we put it out to bid, for exactly what it is that needs to be done or included.

Attorney Cruz stated Greg could you provide assistance in providing access to the portal for the team at Wilsom and Company, or do you need the County to take the lead on that?

Mr. Gentles stated either one, but I would need an email from someone saying that you want me to put these folks on and also that that you're providing me with the person's name. I already have a primary and a secondary at this juncture, they're only allowed to, I believe, as far as signatures, so you'd have to swap one out.

Attorney Cruz stated I'll send you an email regarding the information that's needed, and then you can just provide a comprehensive list as to everything that is required. I then will send an email to you, Greg, copying the management team regarding the request, and then you can move forward from there. At that point, Edward, you and your team will have access to the portal so you can get more familiarized with what is currently in the system. The other thing that I wanted to add Commissioner Serna, is that while you received three agreements that were somewhat specific, we also know that there's been conversation with FEMA about other opportunities for public assistance, and the fact that the disaster recovery team would help the County explore other PA related opportunities. So, there will be discussion about additional agreement that reflects a more expansive scope of work that Wilson and Company would be authorized to attend to based upon these meetings that will be happening with FEMA.

Mr. Gentles stated I heard that the contract will be temporary in nature. Are you going to put in the background a more permanent contract for someone that will be for the long term? Because a road recovery is going to be more than 90 days, more than six months, it's going to be years. So, you should have something out there in the interim.

Attorney Cruz stated the RFP, will be ready for posting, not this Friday, but the following Friday is the timeline that's being targeted. I'll be working with Adelita to get that copy over to DHSEM for review, and once they provide their feedback, ideally, everything will be finalized and ready for posting next Friday.

Mr. Gentles stated to be fair the contractor or the engineering firm that has a temporary contract should be allowed to bid as well, because they have at least familiarity and traction already. But it still has to be fair and open. When you do your scheduling and you check off what is the best basis, it shouldn't just be on price, it should be on location; it should also be on all the factors that helps that kind of recover, whatever factors you see. And basically, generally, if they've already been here with you for 90 days, they have some type of traction, so they should be allowed to put in a bid as well.

Commissioner G. Trujillo stated anything Mr. Gentles said be reflected *for the record*.

Attorney Cruz stated I would add that that was the thought that Wilson and Company certainly would have the opportunity to submit a response to that RFP, for purposes of clarity, they have not been engaged at all in any conversation regarding the content of that RFP or how that RFP is being crafted. Any conversations that have been had with them have been very limited, conversations about the short term retention, and as you all have seen today, they really have not been shown anything of great substance up to this point, because the County wanted to be very deliberate and purposeful about ensuring that the internal process that the Commission needs to follow was adhered to before sort of coming to a conclusion that they had this contractor would be doing this work, they participated in a preliminary informational meeting in person that was informational, just to sort of give them a sense to lay of the land and what would be needed. And then at that point, it was primarily conversations on the CES side and waiting for Commission direction as to what the next steps would be. So, at this point, Mr. Gentles, there is going to be a fairly significant learning curve. Wilson and Company is going to need to get very familiarized with all things related to the disaster recovery process, and that's why providing them access to the portal is really going to be helpful. So, thank you for your efforts in that regard, and thank you for your feedback on the RFP I do think that for purposes of transparency, and so that the public is well aware, Wilson and Company has not been involved at all on the RFP side, they, like any other offer, will learn about the RFP when it's posted. They will be able to respond to the RFP, and to be clear, they will be asking no questions of the County, the County Attorney, the Procurement Officer, Commissioners or the Management team regarding the RFP. They will participate as blindly as any other Offeror will participate. There will be no advantage that will be deferred to them in light of the fact that they're serving in this short-term capacity.

Commissioner V. Serna stated *for the record*, Mr. Weathers, I understand, well, let me ask you first, have you guys decided when you're making the move and who's going to be in which offices?

Interim Manager Weathers stated at this point, we've already moved the Finance Office upstairs, and that includes the Roads at this point in the office. The squarer office directly above the stairwell, it will be Ms. Stephanie, DWI and the IT Travis. We're working right now on carpeting and painting the old finance room downstairs; Planning and Zoning will be moving into that. DesMarie will be moving into Planning and Zoning. We will be onboarding a Deputy Finance Director, and she will go in with the with the finance team.

Commissioner V. Serna stated I think that HR being front and center has raised some concerns for some of your staff. It's not a comfortable place for them to have to just go in to discuss any HR issues. And I think it being right in the front offices as you walk in is not feasible, but something for you to consider.

Interim Manager Weathers stated I understand your concern, Commissioner, but we have limited space, and it's been a request from both the Chairman and from employees that Ms. Des

Marie be in an area by herself. I could move her back in and into that area. But I want to address the concern with the room that we have available at this point.

Commissioner V. Serna stated how about where DWI is vacating?

Interim Manager Weathers stated DWI is not completely vacating. Chairman, it will just be Geraldine going up into the office upstairs. Yolanda Medina still requires a room where she can meet with her clients.

Commissioner V. Serna stated and Mrs. Abeyta?

Interim Manager Weathers stated she will be upstairs in the same room with IT and Stephanie.

Commissioner G. Trujillo stated so HR is going to the middle office where Brad is at right now? Well, she has a door, could she close the door?

Commissioner V. Serna it's not that they don't have privacy there, but its people seeing who goes into the office, and just the fact that the confidentiality of someone going into HR could be an issue.

Attorney Cruz stated the space issue is less than ideal, but this is a vast improvement over what was happening in the past. HR was located in the front office with the Executive Assistant, where they were working in one open space together, that was the very front office in the portables, where everybody could see who was going in and out to visit with HR. So, in that regard, that is something that's been at play for a long while, and it's an unfortunate reality of not having sufficient space. However, it is definitely a significant improvement that HR would now be in a standalone office with a door so as to ensure that there's adequate privacy. But in terms of going in and out and visiting with the HR coordinator, that's something that's been taking place for a very significant period of time.

Commissioner V. Serna stated I realize that, and this is temporary. How temporary?

Chairman G. Trujillo stated it could be 10 years.

11. Closed Session: Personnel matter subject to Section 10-15-1(H)(2)

Commissioner J. Trujillo made a motion to enter executive session. **Commissioner V. Serna** seconded the motion. *All in favor on a roll call vote:* Commissioner V. Serna – yes; Commissioner J. Trujillo – yes; Commissioner G. Trujillo – yes. *Motion carried.* **Commissioner G. Trujillo** stated we will excuse Manager Weathers from executive session. The Commission entered executive session at 11:05 a.m.

Commissioner G. Trujillo asked for a motion to reconvene regular session. **Commissioner V. Serna** made a motion to reconvene regular session. **Commissioner J. Trujillo** seconded the motion. *All in favor on a roll call vote:* Commissioner V. Serna – yes; Commissioner J. Trujillo – yes; Commissioner G. Trujillo – yes. *Motion carried.* **Commissioner G. Trujillo** stated after 20-minute executive session, no action was taken or decisions made on personnel matters. The Commission reconvene regular session at 11:33 a.m.

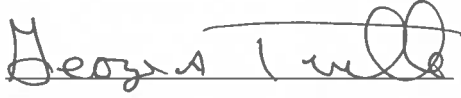
12. Signing of Approved Documents

There were no documents to sign.

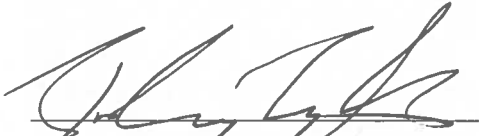
13. Adjournment

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 11:34 a.m.

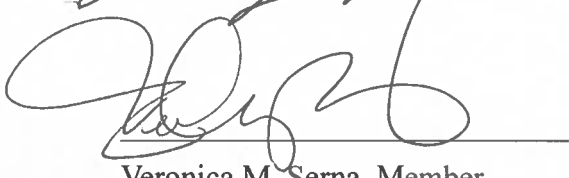
MORA COUNTY BOARD OF COMMISSION



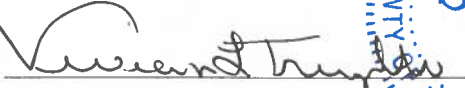
George A. Trujillo, Chairman



John H. Trujillo, Vice-Chairman



Veronica M. Serna, Member

ATTEST: 

Vivian L. Trujillo, County Clerk



