

11th January, 2022

The Regular Meeting of the Board was held at 9:00 a.m. in the Commissioner's Chambers observing all COVID-19 protocols currently issued by the State of New Mexico, with the following present : Billy Moore - Commissioner; Robert Baca - Commissioner; Genevieve Jackson - Commissioner; Anthony Dimas, Jr., - County Manager; Brian Money - Deputy County Manager; Doug Decker - County Attorney; Shawna Garnenez - Executive Assistant; Sara Saucedo - Finance; Deziric Gomez - Human Resources; Rodney Skersick - Roads Department; Kristin Lengsfeld - Williams Acres President; Rockelle Lengsfeld - Williams Acres; Wilfred Noble Jr - Chief Deputy Treasurer; Kristi Weeks - Finance Analyst; Muriel Plummer - Grants; James Mariano - MCSO; Ray Griego - F/M; Darrell Jimson - Facilities Management; Tuilian Brown - Facilities Management; Tim Larsen - GIS; Hugo Cano - Managers; Dana Martinez - Gallup Independent; Matea Galindo - Deputy Clerk.

The meeting was convened at 9:00 a.m. and called to order by Commissioner Moore. Roll call was taken.

Commissioner Moore - present Commissioner Baca - present Commissioner Jackson - Present.

The Pledge of Allegiance was led by Commissioner Moore.

Selection of Chairperson (NMSA §4-38-10). Commissioner Moore was selected.

Commissioner Jackson made a motion to approve Commissioner Moore as Chairperson. Commissioner Baca second the motion. Motion carried.

Commissioner Baca "Said I" Commissioner Moore "Said I" Commissioner Jackson "Said I". None - Opposed.

CONSENT AGENDA: This item is placed on the agenda so that the Commission can designate by unanimous consent those routine items that they wish to be approved by one motion. If a Commissioner or if a citizen so

requests, it will be heard individually as a separate item. Motion to approve item(s) 1-2 on the consent agenda.

1. APPROVAL of minutes:
 - a. Regular Meeting Minutes of December 14, 2021.
2. REVIEW AND APPROVE:
 - a. Purchase Order Payment Batch for 12/22/2021-01/01/2022 in the amount of \$168,029.06.
 - b. Ratify Purchase Order Payment Batch from 12/08-22/2021 and on 12/24/2021 in the amount of \$512,108.03.

Commissioner Jackson made a motion to approve items 1 - 2 on the consent agenda. Commissioner Baca second the motion. Motion Carried.

Commissioner Jackson "Said I" Commissioner Moore "Said I" Commissioner Baca "Said I". None - Opposed.

PRESENTATION AND DISCUSSION ITEMS: These items are placed on the agenda so that staff can give Commissioners updates on any information or receiving reports that needs to be shared; and those items from other organizations that are only required no action.

3. Presentation: Update on House Bill 270-Autonomous Vehicles in N.M: Michael Sage, Deputy Director Greater Gallup Economic Development Corporation.

Michael Sage did a presentation and update on the House Bill 270-Autonomous Vehicles in N.M.

4. Presentation: Years of Service Awards
 - a. Tim Larson - GISC
 - b. Raymond Griego - Facilities

NOTE: this will also be the time for public comments regarding any item on the agenda.

No public comments were made or requested

ACTION ITEMS:

5. **REVIEW AND APPROVE:** Resolution No. JAN-22-001 Open Meetings. Douglas W. Decker; County Attorney.

Commissioner Baca made a motion to approve Resolution No. JAN-22-001 Open Meetings. Commissioner Jackson second the motion. Motion carried.

Commissioner Baca "Said I" Commissioner Moore "Said I" Commissioner Jackson "Said I". None - Opposed

6. **REVIEW AND APPROVE:** Resolution No. JAN-22-002 Suspending the Minimum Tax Penalty. Charles Long; Treasurer; Wilfred Noble; Deputy Treasurer.

Commissioner Jackson made a motion to approve Resolution No. JAN-22-002 Suspending the Minimum Tax Penalty. Commissioner Baca second the motion. Motion carried.

Commissioner Jackson "Said I" Commissioner Moore "Said I" Commissioner Baca "Said I". None - Opposed

7. **REVIEW AND APPROVE:** Cooperative Agreement # 22-JAN-002 between the Cibola National Forest and McKinley County for the Roads Department. Rodney Skersick; Road Superintendent; and Douglas W. Decker, County Attorney.

Commissioner Baca made a motion to approve the Cooperative Agreement # 22-JAN-002 between the Cibola National Forest and

McKinley County for the Roads Department. Commissioner Jackson second the motion. Motion Carried.

Commissioner Moore "Said I" Commissioner Jackson "Said I"
Commissioner Baca "Said I". None - Opposed.

8. REVIEW AND APPROVE: Matching funds for design of a Regional Senior Center Facility in Gallup: Louie Bonaguidi, Mayor and City Staff; City of Gallup.

Commissioner Baca made a motion to approve the Matching funds for design of a Regional Senior Center Facility in Gallup. Commissioner Jackson second the motion. Motion Carried.

Commissioner Baca "Said I" Commissioner Moore "Said I"
Commissioner Jackson "Said I". None - Opposed.

9. REVIEW AND APPROVE: Resolution No. JAN-22-004 Updating Policy No. P-004 Code of Conduct Policy, review and updated at least every 4 years. Douglas W. Decker, County Attorney; and, Anthony Dimas Jr., County Manager.

Commissioner Jackson made a motion to approve Resolution No. JAN-22-004 Updating Policy No. P-004 Code of Conduct Policy, review and updated at least every 4 years (with changes requested and made part of the motion at §2.3.10, §6.3, and §6.6. Commissioner Baca second the motion. Motion Carried.

Commissioner Jackson "Said I" Commissioner Baca "Said I"
Commissioner Moore "Said I". None - Opposed.

10. REVIEW AND APPROVE: Resolution No. JAN-22-005 Updating Policy No. P-020 Travel Per Diem and Mileage Policy. Sara Keeler; Finance Director.

Commissioner Jackson made a motion to approve Resolution No. JAN-22-005 Updating Policy No. P-020 Travel Per Diem and Mileage Policy. Commissioner Baca second the motion. Motion Carried.

Commissioner Jackson "Said I" Commissioner Moore "Said I" Commissioner Baca "Said I". None - Opposed.

11. REVIEW AND APPROVE: Resolution No. JAN-22-009 Authorizing and approving the Execution and Delivery of a Water Project Fund Loan/Grant Agreement, with McKinley County as Obligor on the loan amount of \$90,000.00. Rockelle Lengefeld; Williams Acres Water and Sanitation District.

Commissioner Baca made a motion to approve Resolution No. JAN-22-009 Authorizing and approving the Execution and Delivery of a Water Project Fund Loan/Grant Agreement, with McKinley County as Obligor on the loan amount of \$90,000.00. Commissioner Jackson second the motion. Motion Carried.

Commissioner Baca "Said I" Commissioner Moore "Said I" Commissioner Jackson "Said I". None - Opposed.

12. REVIEW AND APPROVE: Request for a Resolution of Support regarding the loan component for the 2022 WTB application funding cycle (Resolution No. JAN-22-013). Rockelle Lengefeld; Williams Acres Water and Sanitation District.

After discussion, it was decided to make the Resolution supporting the Match needed for a Grant and not the loan component. Commissioner Jackson made a motion to approve the Request for a Resolution of Support regarding the Matching amount needed of up to \$450,000.00 for the 2022 WTB application funding cycle (Resolution No. JAN-22-013). Commissioner Baca second the motion. Motion Carried.

Commissioner Moore "Said I" Commissioner Jackson "Said I"
Commissioner Baca "Said I". None - Opposed.

13. REVIEW AND APPROVE: Capital Appropriation Project 21-F2804 for Battered Families design, construct, renovate and equipment improvement in the amount of \$1,568,000. Muriel Plummer; Grants Manager.

Commissioner Jackson made a motion to approve the Capital Appropriation Project 21-F2804 for Battered Families design, construct, renovate and equipment improvement in the amount of \$1,568,000. Commissioner Baca second the motion. Motion Carried.

Commissioner Baca "Said I" Commissioner Moore "Said I"
Commissioner Jackson "Said I". None - Opposed.

14. REVIEW AND APPROVE: Resolution No. JAN-22-003 for the FY21 Annual Financial Audit report. Farley Verner; Hinkle & Landers, Sara Keeler; Finance Director.

Commissioner Baca made a motion to approve Resolution No. JAN-22-003 for the FY21 Annual Financial Audit report. Commissioner Jackson second the motion. Motion carried.

Commissioner Jackson "Said I" Commissioner Moore "Said I"
Commissioner Baca "Said I". None - Opposed.

15. REVIEW AND APPROVE: Resolution No's JAN-22-006, JAN-22-007, JAN-22-008, JAN-22-010, and JAN-22-011.

- a. JAN-22-006 in the amount of \$50,000 to increase budgeted revenues and expenses for heating, cooling, ventilation, and fire system improvement for Rehoboth Christian Hospital from State Capital Funds.

- b. JAN-22-007 to increase budgeted transfer money between several funds and the General Fund that assisted in paying expenses from the COVID pandemic that net to \$0.
- c. JAN-22-008 in the amount of \$100,000 to increase budgeted expenses using carryover cash as a NMFA loan match for Williams Acres WTB Grant/Loans water systems improvements.
- d. JAN-22-010 in the amount of \$1,568,000 to increase budgeted revenues and expenses to design, construct, renovate and equipment improvement for Battered Families received from DFA.
- e. JAN-22-011 in the amount of \$250,000 to increase budgeted expenses to assist the City of Gallup to plan, design, construct, and purchase equipment for a Regional Senior Center.

Commissioner Jackson made a motion to approve the Resolution No's JAN-22-006, JAN-22-007, JAN-22-008, JAN-22-010, and JAN-22-011. Commissioner Baca second the motion. Motion Carried.

Commissioner Jackson "Said I" Commissioner Moore "Said I" Commissioner Baca "Said I". None - Opposed.

16. REVIEW AND APPROVE: Resolution No. JAN-22-012 McKinley County's Vaccination, Testing, and Face Covering Policy, Policy No. P-015. Douglas W. Decker; County Attorney.

Commissioner Baca made a motion to approve Resolution No. JAN-22-012 McKinley County's Vaccination, Testing, and Face Covering Policy, Policy No. P-015. Commissioner Jackson second the motion. Motion Carried.

Commissioner Jackson "Said I" Commissioner Moore "Said I" Commissioner Baca "Said I". None - Opposed.

17. **APPROVE:** Authorize a letter of support to be drafted supporting proposed Hydrogen legislation in the 2022 session. Anthony Dimas Jr.; County Manager.

Commissioner Jackson made a motion to move the authorize a letter of support to be drafted supporting proposed Hydrogen legislation in the 2022 session. Commissioner Baca second the motion. Motion Carried till next meeting.

Commissioner Jackson "Said I" Commissioner Moore "Said I" Commissioner Baca "Said I". None - Opposed.

18. **REVIEW AND APPROVE:** Resolution No. JAN-22-014 To acknowledge the intent to create a gross receipts tax ordinance that amends and consolidates the uses and establishes new increments as authorized by law. Authorize staff to proceed with public hearings and adoption. Anthony Dimas Jr.; County Manager, Douglas W. Decker; County Attorney.

Commissioner Baca made a motion to approve Resolution No. JAN-22-014 To acknowledge the intent to create a gross receipts tax ordinance that amends and consolidates the uses and establishes new increments as authorized by law. Authorize staff to proceed with public hearings and to bring back to commission for adoption. Commissioner Moore second the motion. Motion Carried.

Commissioner Jackson "Abstained" Commissioner Moore "Said I" Commissioner Baca "Said I". Motion Carried with 1 Abstain.

EXECUTIVE SESSION: To discuss items under NMSA 1978 §10-15-1(H) of the Open Meetings Act.

1. One item under §(H)(7) threatened or pending litigation (Opioid/legal action)

Commissioner Jackson made a motion to ratify item (1) under Executive Session. Commissioner Baca second the motion. Motion carried.

Commissioner Jackson "Said I" Motion Baca "Said I"
Commissioner Moore "Said I". None - Opposed.

2. Two items under §(H)(8) of the Open Meetings Act - the Disposition or Acquisition of Real Property:
 - a. Access to and on Red Rock State Park.
 - b. Access to and property near Carbon Coal Road.

Commissioner Jackson made a motion to go into Executive Session at 12:26 p.m. Commissioner Baca second the motion. Motion Carried.

Commissioner Baca "Said I" Commissioner Moore "Said I"
Commissioner Jackson "Said I". None - Opposed.

Commissioner Baca made a motion to come out of Executive Session at 1:26 p.m. Commissioner Jackson second the motion. Motion Carried.

Commissioner Moore "Said I" Commissioner Baca "Said I"
Commissioner Jackson "Said I". None - Opposed.

Commissioner Baca made a motion to approve items (2a) and (2b) authorizing the County Manager to proceed and negotiate on acquiring an interest in the projects as discussed. Commissioner Jackson second the motion. Motion Carried.

Commissioner Moore "Said I" Commissioner Baca "Said I"
Commissioner Jackson "Said I". None - Opposed.

Commissioner Jackson made a motion to approve Item on the Executive Session List, with authorization granted to the Chairperson and/or the County Manager to continue with settlement negotiations and authority to resolve the issues that are in settlement processes. Commissioner Baca second the motion. Motion Carried.

Commissioner Jackson "Said I" Commissioner Moore "Said I" Commissioner Baca "Said I". None - Opposed.

3. Action in open Meeting if needed on any items listed above. See motions on items 2 and 1 above.

Doug Decker, echoed by Commissioner Moore stated the only items discussed were items under NMSA 1978 10-15-1(H) of the Open Meetings Act as listed on the executive session portion of the agenda.

ANNOUNCEMENTS:

Next Commission Meeting:

- Regular Meeting February 1, 2022 at 9:00 am
- Regular Meeting Feb 22, 2022 at 9:00 am

ADJOURNMENT:

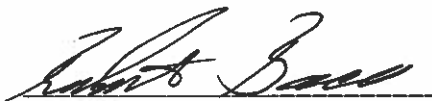
With no other business to come before the Board, Commissioner Baca made a motion to adjourn. Commissioner Jackson seconded the motion. Motion Carried.

Commissioner Baca "Said I", Commissioner Moore "Said I". Commissioner Jackson "Said I". None - Opposed.

Meeting was adjourned at 1:31 p.m. on January 11th, 2022.



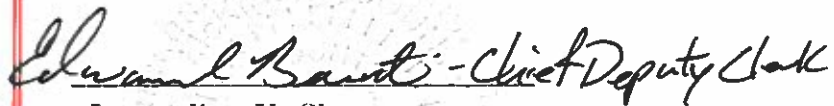
BILLY MOORE
COMMISSIONER



ROBERT BACA
COMMISSIONER



GENEVIEVE JACKSON
COMMISSIONER



Jacqueline K. Sloan
McKinley County Clerk's

M. Galindo