

18th April 2023

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: Robert Baca - Commissioner; Danielle Notah - Commissioner; Anthony Dimas, Jr., - County Manager; Doug Decker - County Attorney; Shawna Garnenez - Executive Assistant; Sara Keeler - Finance; Human Resources - Deziric Gomez; County Clerk - Jacqueline K. Sloan; Rodney Skersick - County Roads; Evan Williams - NWNMCOG; Muriel Plummer - Grants; Seve Silversmith - GMADC; G Delgato - GMADC; Jody Sowers - HR; James Diven - Escalante Solar; Nate Runyan - Holland & Hart; Georgene Dimas - MCMMDA; Chris Muirhead - MODRALL Law Firm; James Maiorano III - Sheriff, MCSO; Priscilla Lee - SPPS-NDOT Roads; Lynca Thompson - Roads; Wilfred Noble Jr - Project Manager; Charles Becenti - Assessors Office; Edward Becenti - County Assessor; Marlene Dallago - Treasurers Chief Deputy; Charles Long - Treasurer; Brian Tsingine - Navajo DOT; Dana Martinez - Gallup Independent; Brandon Howe - NWNMCOG; Kevin Mitchell - GMCS Board Member; Michelle Esquibel - Procurement; Tim Berry - Fire; Karneel Bennett - Monitor.

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

Commissioner Baca - present, Commissioner Notah - present, Commissioner Eddy - Absent/Excused.

The Pledge of Allegiance was led by County Commissioner Baca.

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

1. One (1) item §(H)(8) of the Open Meetings Act - the acquisition or disposition of Real Property:

a. Walnut Circle

2. One (1) item under §(H)(7) threatened or pending litigation.

a. Jemez Mountain Electric Co-Op vs. Taxation and Revenue.

3. Action to be taken in Open Session on items discussed in Executive Session if needed.

Commissioner Notah made a motion to go into Executive Session @ 9:02 AM. Commissioner Baca seconded the motion. Motion carried.

Commissioner Notah said "Yes", Commissioner Baca said "Yes". None Opposed.

Commissioner Notah made a motion to come out of Executive Session @ 9:33 AM. Commissioner Baca seconded the motion. Motion carried.

Commissioner Baca said "Yes", Commissioner Notah said "Yes". None - Opposed.

Commissioner Baca made a motion on item #1 as listed for the Executive session to proceed with negotiations on the disposition of the property. Commissioner Notah seconded the motion. Motion carried.

Commissioner Baca said "Yes". Commissioner Notah said "Yes". None - opposed.

Commissioner Baca made a motion on item #2 as listed for the Executive session to intervene with the litigation after the County Manager and County Attorney obtain a cost estimate and amending of the budget. Commissioner Notah seconded the motion. Motion carried.

Commissioner Baca said "Yes". Commissioner Notah said "Yes". None - opposed.

County Attorney Doug Decker stated for the record, items 1 and 2 in the Executive session were the only items discussed.

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) 1-3 on the consent agenda.

1. APPROVAL of minutes:
 - a. Regular Meeting Minutes of April 3, 2023.
2. REVIEW AND APPROVE:
 - a. Purchase Order Payment Batch for 03/29/23-04/11/23 in the amount of \$982,738.33.
3. Review and approve one (1) indigent Burial \$600.00.

Commissioner Notah made a motion to approve items 1 - 3 on the consent agenda. Commissioner Baca seconded the motion. Motion Carried.

Commissioner Baca said "Yes", Commissioner Notah said "Yes". None - Opposed.

PRESENTATIONS 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 informational only and *require no action*.

4. Update on Gallup Balloon Rally. Bill Lee.

County Manager Dimas requested to table item #4 until the next meeting.

5. Regional Transportation Improvement Program recommendations. Rodney Skersick, Road Superintendent.

Rodney Skersick presented the future road projects for county road 1 Mentmore Road, Carbon Coal South Road, Hassler Valley Extension going from White Cliffs to Red Rock Park, the interchange at Thoreau I-40 construction, Prewitt interchange I-40 construction, High Desert Trailhead relocation; possible recreational trail funded, bridge 8085 east side of Gallup

under the railroad tracks and County Road 19 intersection and rail crossing for design.

6. Legislative Report. Brandon Howe, Planner NWNMCOG

Evan Williams presented the Legislative report on the funding bills.

Time for public comments regarding any item on the agenda. Comment time may be limited to three (3) minutes as directed by the Chair.

Call for comments was made by the Chair. Sheriff James Maiorano commented on supporting Action Item #13 in recognition of Gallup High Lady Bengals and Tohatchi Lady Cougars.

ACTION ITEMS:

7. REVIEW AND APPROVE: Recommended award for RFP 2023-02 Audit Services for McKinley County to Hinkle & Landers. Michelle Esquibel, Senior Procurement Buyer.

Commissioner Notah made a motion to approve recommended award for RFP 2023-02 Audit Services for McKinley County to Hinkle & Landers. Commissioner Baca seconded the motion. Motion carried.

Commissioner Notah said "Yes", Commissioner Baca said "Yes". None - opposed.

8. REVIEW AND APPROVE: Resolution No. APR-23-038 for Transportation Project Funds (TPF) for construction of Superman Canyon Phase 3 Bridge #1 application certifying, that McKinley County will refund required 5% match of \$250,000. Rodney Skersick, Road Superintendent.

Commissioner Notah made a motion to approve Resolution No. APR-23-038 for Transportation Project Funds for construction of Superman Canyon Phase 3 Bridge #1 application certifying that McKinley County will provide the required 5% match of \$250,000.00. Commissioner Baca seconded the motion. Motion carried.

Commissioner Baca said "Yes", Commissioner Notah said "Yes". None - opposed.

9. REVIEW AND APPROVE: Amended Resolution No. NOV-22-130 for a time extension with the Transportation Road Fund for agreement project control no. HW2M600812. Muriel Plummer, Grants Manager.

Commissioner Notah made a motion to approve amended Resolution No. NOV-22-130 for a time extension with the Transportation Road Fund for agreement project control no. HW2M600812. Commissioner Baca seconded the motion. Motion carried.

Commissioner Notah said "Yes", Commissioner Baca said "Yes". None - opposed.

10. REVIEW AND APPROVE: Request for McKinley County to complete the 2.3-million-dollar road improvement for West Tsayatoh Road project. Pricilla Lee, Navajo Nation DOT.

Commissioner Notah made a motion to approve the request for McKinley County to complete the 2.3-million-dollar road improvement for West Tsayatoh Road project with contingencies to be worked into the Approved Exhibit "B" to the Master IGA with Navajo Nation. Commissioner Baca seconded the motion. Motion carried.

Commissioner Baca said "Yes", Commissioner Notah said "Yes". None - opposed.

11. REVIEW AND APPROVE: Resolution No.'s APR-23-034 to APR-23-036. Sara Keeler, Finance Director.

a. APR-23-034 to increase budgeted transfers to correct fund balance for money transferred to the wrong fund for CARES and APRA funding.

b. APR-23-035 to decrease budgeted expenses for the FY22 Fire Grant Stipend Award.

c. APR-23-036 to increase budgeted expenses for the final contractual payment to CorrHealth paid in August of 2022, and to pay for unpaid invoices for inmate food/meals and mattresses.

Commissioner Notah made a motion to approve item 11. (a) Resolution APR-23-034, (b) Resolution APR-23-035, and (c) Resolution APR-23-036. Commissioner Baca seconded the motion. Motion carried.

Commissioner Baca said "Yes", Commissioner Notah said "Yes". None - opposed.

12. REVIEW AND APPROVE: Ordinance No. 2023-APR-008 Authorizing the issuance and sale of McKinley County, New Mexico taxable Industrial Revenue Bonds (Escalante Solar Project) in one or more series, in the maximum aggregate principal amount of \$280,000,000 to provide funds to finance acquisition, construction, equipping and installation of the project. Chris Muirhead, Bond Counsel from Modrall Sperling; Douglas W. Decker, County Attorney.

Commissioner Notah made a motion to approve Ordinance No. 2023-APR-008 Authorizing the issuance of and sale of McKinley County, New Mexico taxable Industrial Revenue Bonds (Escalante Solar Project) in one or more series in the maximum aggregate principal amount of \$280,000,000 to provide funds to finance acquisition, construction, equipping and installation of the project. Commissioner Baca seconded the motion. Motion carried.

Commissioner Baca said "Yes", Commissioner Notah said "Yes". None - opposed.

13. REVIEW AND APPROVE: Resolution No. APR-23-037 Proclamation celebrating and acknowledging the achievements of two Gallup McKinley County School Districts high school girls' basketball teams. Robert Baca, County Commissioner; Mike Hyatt, GMCS Superintendent.

a. Gallup High Lady Bengal 4A State Champions.

b. Tohatchi Lady Cougars 3A State Champions.

Commissioner Notah made a motion to go into recess at 10:44 AM. Commissioner Baca seconded the motion. Motion carried.

Commissioner Baca said "Yes", Commissioner Notah said "Yes". None - opposed.

Commissioner Notah made a motion to come out of recess at 10:59 AM. Commissioner Baca seconded the motion. Motion carried.

Commissioner Baca said "Yes", Commissioner Notah said "Yes". None - opposed.

Commissioner Notah made a motion to approve Resolutions No. APR-23-037 Proclamation celebrating and acknowledging the achievement of two Gallup McKinley County School Districts high school girls' basketball team. Gallup High Lady Bengals and Tohatchi Lady Cougars. Commissioner Baca seconded the motion. Motion carried.

Commissioner Baca said "Yes", Commissioner Notah said "Yes". None - opposed.

ANNOUNCEMENTS:

Next Commission Meeting:

- Regular Meeting May 2, 2023 at 9:00 am
- Regular Meeting May 23, 2023 at 9:00 am.

ADJOURNMENT:

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

Commissioner Notah "Said Yes", Commissioner Baca "Said Yes". None - Opposed.

The meeting was adjourned at 11:07 a.m. on April 18, 2023.



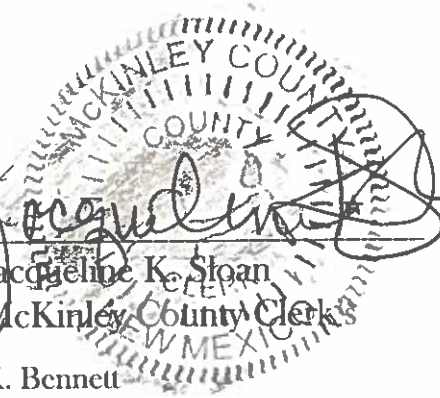
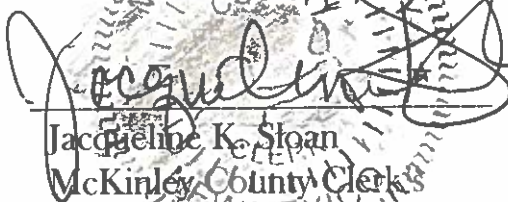
ROBERT BACA
COMMISSIONER



DANIELLE NOTAH
COMMISSIONER



WALT EDDY
COMMISSIONER



Jacqueline K. Sloan
McKinley County Clerk
K. Bennett