

28th July, 2022

The Regular Meeting of the Board was held at 6:00 p.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; Anthony Dimas, Jr., - County Manager; Brian Money - Deputy County Manager; Douglas Decker -County Attorney; Shawna Garnenez - Executive Assistant; Sara Keeler - Finance; Deziric Gomez - Human Resources; Jacqueline K. Sloan - County Clerk; Edwin J. Begay - Navajo DOT; Wilfred Noble Jr. - Chief Deputy Treasurer; Rodney Skersick - Roads; Lynca Thompson - Roads Dept.; Mary Walker - Hospital; April Forman - Hospital; Bruce Forman - Hospital; Janice Peterson - Roads; Priscilla Lee - NNSPPS; Constance Lui - Hospital; Margi Begay - Navajo DOT; Toni Tanner - Citizen; Warner Anderson; Jean Philips - RMCH Community Member; Janiece Hall - Constituent; JoAnn Benenati - Constituent; Valerie Arviso - Thoreau Chap. Pres; Hannah Pikaart - Citizen; Pamela Yardley - Citizen; Gerald W. Joehum - Retired; Patricia Sheely - Citizen; Rose Marie Cecchini - Gallup Diocese; Georgene Dimas - MCMDA; James Maiorano III - MCSO; Radeam Yazzie - Visitor; Walt Eddy - Constituent; Rich - Visitor; Jerry Brown - Citizen; Jennifer Brown - Citizen; Caleb Lauber' Brett Hartline - Citizen; Kristi Weeks - Finance Analyst; Larry King - Visitor; Carol Lauben - Citizen; Leanne Gillson - Visitor; Betsy Windisch - CHAG; Joyce Graves - CHAG; Anne Porter - CHAG; Chris Henry; Tim Pikaart; Barbara O'Keefe - LDA; Judy Platero - Thoreau Chapter; Crystal Masingale; Chris Lang; Robert Whitaker - RMCHCS; Rhonda Ray - RMCHCS; Blaise Bondi - RMCHCS; Dana Martinez - Gallup Independent; Thomascina Becenti - Monitor.

The meeting was convened at 6:00 p.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.

PUBLIC COMMENT(S):

1. Maryann Armijo made a public comment on Vacancy in County Commission District 1 after the announcement of the resignation of Ernest Charles Becenti III. McKinley County Democratic Party needs to appoint the person on the November 2022 ballot, a Meeting is to be called on August 13, 2002. MCDP will do an election on County Central Committee, the County Central Committee will elect the person that will be on the ballot for County Commission District 1. A declaration form will need to be filled out by the candidate(s) by August 10, 2022. There are only two (2) candidates currently.

No action was taken or needed.

EXECUTIVE SESSION: To discuss items under the Audit Act, NMSA 1978 section 12-6-5:

1. One (1) item under the Audit Act, NMSA 1978 section 12-6-5: Audit Entrance Conference.

Commissioner Jackson made a motion to go into Executive Session at 6:07 pm. Commissioner Baca seconded the motion. Motion Carried.

Commissioner Jackson said "Yes", Commissioner Moore said "Yes", Commissioner Baca said "Yes". None - Opposed.

Commissioner Jackson made a motion to come out of Executive Session at 6:26 pm. Commissioner Baca seconded the motion. Motion carried.

The only item discussed in this portion of the Executive Session was the Audit Conference.

Commissioner Baca said "Yes", Commissioner Moore said "Yes", Commissioner Jackson said "Yes". 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 July 11, 2022.
- b. Special Meeting Minutes of July 18, 2021.

2. REVIEW AND APPROVE:

- a. Purchase Order Payment Batch for 07/07/2022 - 07/19/2022 in the amount of \$75, 959.60.

Commissioner Jackson made a motion to approve the Consent Agenda item(s) 1-2. Commissioner Baca seconded the motion. Motion Carried.

Commissioner Moore said "Yes", Commissioner Baca said "Yes", Commissioner Jackson said "Yes". None - Opposed.

ACTION 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.

3. RATIFY: Resolution No. JUL-22-072 in the amount of \$5, 200 to increase budgeted revenues and expenses in the property tax distribution, Trust & Agency funds. This action is needed because of a technical glitch with the public viewing of the July 28, 2022 special meeting. Sara Keeler, Finance Director.

Commissioner Jackson made a motion to ratify Resolution No. JUL-22-072 in the amount of \$5, 200 to increase budgeted revenues and expenses in the property tax distribution, Trust & Agency funds. This action is needed because of a technical glitch with the public viewing of the July 28, 2022 special meeting. Commissioner Baca seconded the motion. Motion carried.

Commissioner Jackson said "Yes", Commissioner Moore said "Yes", Commissioner Baca said "Yes". None - Opposed.

4. REVIEW AND APPROVE: Request for funding in the amount of \$350,000 to continue daily operations for Lexington Hotel. Steve Decker; Erin Buck, Heading Home.

Commissioner Baca motioned to table the Request by Lexington Hotel for funding to continue daily operations for Lexington Hotel until the amount of

operations is adjusted for the 9 months of the fiscal year from October 1, 2022 to June 30, 2022. Seconded by the chair. Motion carried.

Commissioner Baca "Yes", Commissioner Moore "Yes", Commissioner Jackson "No". Two in favor, one opposed.

5. REVIEW AND APPROVE: Resolution JUL-22-073, FY22 year-end 4th quarter report and the FY23 Final Budget due to DFA by July 31, 2022. Sara Keeler, Finance Director.

Commissioner Baca made a motion to approve Resolution JUL-22-073, FY22 year-end 4th quarter report and the FY23 Final Budget due to DFA by July 31, 2022. Commissioner Jackson seconded the motion. Motion carried.

Commissioner Jackson said "Yes", Commissioner Moore said "Yes", Commissioner Baca said "Yes". None - Opposed.

6. REVIEW AND APPROVE: Resolution No, JUL-22-075 of the Liquor Excise Tax ballot question for November 2022 elections. Denisse Riffle, Community Services Director.

Commissioner Jackson motioned to approve Resolution No, JUL-22-075 of the Liquor Excise Tax ballot question for November 2022 elections. Commissioner Baca seconded the motion. Motion carried.

Commissioner Jackson said "Yes", Commissioner Moore said "Yes", Commissioner Baca said "Yes". None - Opposed.

7. REVIEW AND APPROVE: Memorandum of Understanding for CR 15A, CR17A, CR30B, CR77A, and CR 77B located within Church Rock Chapter and on our McKinley County Road Inventory. Rodney Skersick, Road Superintendent.

Commissioner Jackson motion to approve Memorandum of Understanding for CR 15A, CR17A, CR30B, CR77A, and CR 77B located within Church Rock Chapter and on our McKinley County Road Inventory. Commissioner Baca seconded the motion. Motion carried.

Commissioner Baca said "Yes", Commissioner Moore said "Yes",
Commissioner Jackson said "Yes". None - Opposed.

8. **REVIEW AND APPROVE:** Resolution No. JUL-22-074 Notice of Cancellation of Community Development Grant Agreement No. 19-C-NR-I-01-G-20 White Cliffs MDWUA Water System Improvement Project. Muriel Plummer, Grants Manager.

Commissioner Baca motion to approve Resolution No. JUL-22-074 Notice of Cancellation of Community Development Grant Agreement No. 19-C-NR-I-01-G-20 White Cliffs MDWUA Water System Improvement Project.
Commissioner Jackson seconded the motion. Motion carried.

Commissioner Moore said "Yes", Commissioner Baca said "Yes",
Commissioner Jackson said "Yes". None - Opposed.

9. **REVIEW AND APPROVE:** Resolution No. JUL-22-076 Policy and Procedures for Acceptance of Electronic Payments (SOP-P-028). Charles Long, Treasurer; Willfred Noble Jr., Project Manager.

Commissioner Jackson motion to approve Resolution No. JUL-22-076 Policy and Procedures for Acceptance of Electronic Payments (SOP-P-028).
Commissioner Baca seconded the motion. Motion carried.

Commissioner Jackson said "Yes", Commissioner Moore said "Yes",
Commissioner Baca said "Yes". None - Opposed.

10. **REVIEW AND APPROVE:** Appointees to committees and boards. Anthony Dimas Jr., County Manager.

Commissioner Baca motion for the RMCHCS Board to consider Dr. Anderson for the position of Board Member. Commissioner Jackson seconded the motion.
Motion carried.

Commissioner Jackson said "Yes", Commissioner Moore said "Yes",
Commissioner Baca said "Yes". None - Opposed.

11. **REVIEW AND APPROVE:** Request by RMCHCS to increase the Mill Levy from three mills to four. Robert Whittaker, RMCHCS CEO.

Public comments were made by Jaylyn Hinkley, Kelly Arendsen, Erin Lorerrez, Kathy Mezoff, Sarah Hoogaerf.

Commissioner Jackson motion to table for a second time the request by RMCHCS to increase the Mill Levy from three mills to four until the next meeting. Commissioner Baca seconded the motion. Motion carried.

Commissioner Jackson said "Yes", Commissioner Moore said "Yes", Commissioner Baca said "Yes". None - Opposed

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

2. Four (4) items under the §(H)(8) of the Open Meeting Act-the Disposition or Acquisition of Real Property:
 - a. Red Rock Park
 - b. East Downtown
 - i. Two locations
 - c. North Tower Lease
 - d. West side Gallup
3. One item under §(H)(2) of the Open Meetings Act - Personnel Matters:
 - a. Contract Review - County Manager.
4. Action in Open Meeting if needed on any times as listed above.

Commissioner Baca made a motion to go back into Executive Session at 7:48 pm with a 5-minute recess to discuss items 2 and 3 on the executive section agenda. Commissioner Jackson seconded the motion. Motion Carried.

Commissioner Moore said "Yes", Commissioner Jackson said "Yes", Commissioner Baca said "Yes". None - Opposed.

Commissioner Baca made a motion to come out of Executive Session at 8:18pm. Commissioner Jackson seconded the motion. Motion carried.

Commissioner Jackson said "Yes", Commissioner Baca said "Yes" Commissioner Moore said "Yes". None - Opposed.

Commissioner Moore stated the only items discussed in the Executive Session were as listed on the agenda, for items #2 and #3 pursuant to of the Open Meetings Act.

Commissioner Baca made a motion on Item No. 2a, to move forward and approve the agreement with the City of Gallup for Red Rock Park. Commissioner Jackson seconded the motion. Motion Carried.

Commissioner Jackson said "Yes", Commissioner Baca said "Yes", Commissioner Moore said "Yes". None - Opposed.

Items 2(b)

Commissioner Baca made a motion to continue the negotiations on Item 2(b). East Downtown-Two Locations for the hotel properties to include the information from the assessment reports. Commissioner Jackson seconded the motion. Motion Carried.

Commissioner Baca said "Yes", Commissioner Jackson said "Yes", Commissioner Moore said "Yes". None - Opposed.

Items 2(c)

Commissioner Baca made a motion for the County Manager and County Attorney to take the next steps needed to continue negotiations for the acquisition or lease of the North Tower property. Commissioner Jackson seconded the motion. Motion carried.

Commissioner Baca said "Yes", Commissioner Jackson said "Yes", Commissioner Moore said "Yes". None - Opposed.

Item 2(d) Commissioner Jackson made a motion to continue negotiations with GMCS on acquisition to include trading. Commissioner Baca seconded the motion. Motion Carried.

Commissioner Baca said "Yes", Commissioner Jackson said "Yes", Commissioner Moore said "Yes". None - Opposed.

Items 3. (a) One item under §(H)(2) of the Open Meetings Act - Personnel Matters:

a. Contract Review - County Manager.

Commissioner Jackson made a motion to approve the latest version of the County Managers contract as finally negotiated. Commissioner Baca seconded the motion.

Commissioner Jackson said "Yes", Commissioner Baca said "Yes", Commissioner Moore said "Yes". None - Opposed.

Announcements:

County Manager Anthony Dimas Jr. announce that the Counsel of Governments (COG) is having their 50th Anniversary next week. Also, there is a change in Board Members, on the COG that will take place then. Commissioner Baca asked to be an alternate and that DCM Brian Money serve as a COG board member.

Gallup Inter-Tribal Ceremonial—parking lot to McKinley Courthouse will be blocked off next week for the drop offs for tourists.

Next Commission Meeting:

- Regular Meeting AUG 09, 2022, at 9:00 pm.
- Regular Meeting AUG 23, 2022, at 9:00 am.

ADJOURNMENT:

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

Commissioner Jackson said "Yes", Commissioner Baca said "Yes", Commissioner Moore said "Yes". None - Opposed.

Meeting was adjourned at 8:26 P.M. on July 28th, 2022.

Billy Moore

BILLY MOORE
COMMISSIONER

Robert Baca

ROBERT BACA
COMMISSIONER

Genevieve Jackson

GENEVIEVE JACKSON
COMMISSIONER

Edmund Bennett - Chief Deputy Clerk

K. Bennett

