

## **SPECIAL MEETING MINUTES**

**Board of Directors of Timberon Water and Sanitation District**

**Saturday, May 21, 2022 3 p.m.**

**Timberon Community Center, "Lodge"**

**1 Bobwhite Circle, Timberon, NM 88350**

### **Invocation and Pledge of Allegiance**

**Salute to the New Mexico Flag** "I salute the flag of the state of New Mexico, the Zia symbol of perfect friendship among united cultures."

### **Roll Call**

Chairman Michael Gonzalez, Vice Chairman Jules Neal, Treasurer Terri Borzoni, Director Mark Harding, Director Tod Barker late, Secretary Sharon Vails.

### **Approval of Agenda**

Vice Chairman motions to approve the agenda, Director Harding seconded the motion, the Chairman calls for a roll call vote, Chairman Michael Gonzalez voted yes, Vice Chairman Jules Neal voted yes, Treasurer Terri Borzoni voted yes, Director Mark Harding voted yes, Director Tod Barker voted yes, the agenda is approved.

The chairman reads the rules of OMA to close a portion of this meeting since it is a closed meeting.

Vice Chairman Jules Neal motions to close the session, motion is seconded by the Treasurer Terri Borzoni, to close the session, the Chairman calls for a roll call vote, Chairman Michael Gonzalez voted yes, Vice Chairman Jules Neal voted yes, Treasurer Terri Borzoni voted yes, Director Mark Harding voted yes, Director Tod Barker voted yes. The session was closed at 3:08 PM

### **Closed session:**

Union collective bargaining agreement discussions due to extreme financial distress from payment to PERA and other financial issues facing the district.

Closed Sessions – Procedures (§ 10-15-1 (I)) To properly close a portion of an open meeting, the following actions must be taken (§ 10-15-1 (I) (1)): **A motion stating the specific provision of law authorizing the closed meeting and a reasonably specific description of the subject to be discussed.**



**A roll call vote on the motion to close the meeting in the open session. The vote of each member is recorded in the minutes Only the matters stated in the motion to close are discussed in the closed session.**

**Generally, action on an item discussed in a closed session must be taken in an open meeting (§ 10-15-1 (H)) After a closed meeting is completed, a statement affirming that the matters discussed in the closed meeting were limited to those stated in the motion to close is recorded in the minutes (§ 10-15-1 (J)). For closed meetings of a public body held separate from an open meeting, the above criteria apply except: Instead of a motion to close, appropriate public notice is provided that includes the specific provision of law authorizing the closed meeting and a reasonably specific description of the subject to be discussed (§ 1015-1 (I)(2)).**

- 1. Following completion of the closed meeting, a statement is entered into the minutes of the next open meeting specifying that the matters discussed in the closed meeting were limited to those stated in the notice of the closed meeting (§ 10-15-1 (J)).**

**A roll call vote of each member to come out of closed session back into an open meeting.**

Vice Chairman Jules Neal motions to come back into open session, Director Mark Harding seconded the motion, the Chairman called for a roll call vote, Chairman Michael Gonzalez voted yes, Vice Chairman Jules Neal voted yes, Treasurer Terri Borzoni voted yes, Director Mark Harding voted yes, Director Tod Barker voted yes, the motion is passed.

The matters were limited to those stated in the notice of the closed meeting.

Vice Chairman Jules Neal motioned to take a 15 minute recess at 4:15 PM. Director Barker seconded the motion, the Chairman called for a roll call vote Chairman Michael Gonzalez voted yes, Vice Chairman Jules Neal voted yes, Treasurer Terri Borzoni voted yes, Director Mark Harding voted yes, Director Tod Barker voted yes, the motion is passed to take a recess beginning at 4:21 PM.

The meeting resumed at 4:32 PM.

#### **New Business**

- 1. Discuss/Approve workforce reorganization and job descriptions.**



Director Harding drew an organizational chart showing how there could be a breakdown of employee rolls, minimizing the number of employees needed, how a reduced hour work week could function efficiently. He suggested elimination of Heavy Equipment Operator, position, laborer, meter reader, water operator 3, small system operator and advanced small system operator. Ideas to put forth into negotiations.

Treasurer motioned to approve, Vice Chairman seconded the motion the Chairman called for a roll call vote, Chairman Michael Gonzalez voted yes, Vice Chairman Jules Neal voted yes, Treasurer Terri Borzoni voted yes, Director Mark Harding voted yes, Director Tod Barker voted yes, the motion is passed.

**2. Discuss/Approve 30-day notification of reorganization and personnel changes due to "CBA" Collative Bargaining Agreement.**

Vice chairman motions to approve 30 day notification of reorganization and personnel changes due to "CBA" Collative Bargaining Agreement, the treasurer seconded the motion, roll call vote, all agree motion is approved.

**3. Discuss/Approve drafting a letter to the Union under Article 20 Union of the Collective Bargaining Agreement (CBA) pertaining to Layoff and Recall. Section 20.3 At least 30 days prior to implementing a layoff, the employer shall notify the Union and, if requested to do so, will bargain with the Union in good faith.**

Vice chairman motions to give notice At least 30 days prior to implementing a layoff, the employer shall notify the Union and, if requested to do so, will bargain with the Union in good faith to impasse "if needed "as contemplated by the PEBA. Director Harding seconded the motion, Chairman called for roll call vote, Director Barker votes yes, Treasurer votes yes, Vice Chairman votes yes, Director Harding votes yes, the Chairman votes yes motion approved.



**4. Discuss/Approve transfer of money from Water Asset Management Restricted Reserve to be deposited into Operational account due to PERA payment.**

Director Harding motioned to approve the transfer of \$65,000, Vice Chairman seconded the motion, roll call vote is called for, Director Barker votes no, Treasurer votes yes, Vice Chairman votes yes, Director Harding votes yes, the Chairman votes yes, the motion to approve passed.

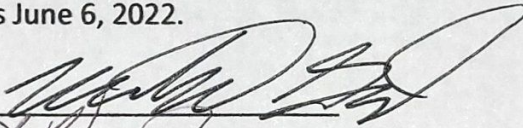
Vice Chairman motioned to adjourn the meeting. The Treasurer seconded the motion, the Chairman called for a roll call vote, Chairman Michael Gonzalez voted yes, Vice Chairman Jules Neal voted yes, Treasurer Terri Borzoni voted yes, Director Mark Harding voted yes, Director Tod Barker voted yes, the motion is passed. The meeting is adjourned at 5:39 PM

**Directors Remarks**

The Chairman spoke on the need for unity of purpose he read from Scriptures 1 John 4:18-21.

Approval of meeting minutes June 6, 2022.

Chairman Michael Gonzalez



Secretary Sharon Vails

