

SPECIAL MEETING MINUTES
Board of Directors of Timberon Water and Sanitation District
November 16, 2022, 1:00 p.m.
Timberon Community Center, "Lodge"
1 Bobwhite Circle, Timberon, NM 88350

The Chairman of the Board of Directors of the Timberon Water and Sanitation District called a special meeting.

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 and Acting Secretary Noreen Gonzalez, all present.

In attendance of the meeting were Corina Armendariz and Travis Kelsey, CWA Union Stewart.

Approval of Agenda

Director Mark Harding made a motion to approve the agenda, Treasurer Terri Borzoni seconded the motion. Chairman Michael Gonzalez called for a vote. Director Harding voted aye, Treasurer Terri Borzoni voted aye, and Chairman Michael Gonzalez voted aye, the motion to approve the agenda passed.

Director Tod Barker and Vice Chairman Jules Neal arrived at the meeting.

Chairman Michael Gonzalez read the procedure to enter into a closed session as stated in the Open Meeting Act. **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 (§ 10-15-1 (I)(2)).

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)).

Return from Executive closed session in compliance with the Open Meetings Act, "NMSA 1978 Sections 10-15-1 to 10-15-4.

Closed Session:

Director Mark Harding made a motion to enter into a closed session for "Limited personnel matters" To discuss/evaluate the performance of the Timberon Water and Sanitation District bookkeeper. Vice Chairman Jules Neal seconded the motion. Chairman Michael Gonzalez called for a roll call vote. Vice Chairman Jules Neal voted aye, Treasurer Terri Borzoni voted aye, Director Mark Harding for aye, Director Tod Barker voted aye and Chairman Michael Gonzalez voted aye. The motion to approve going into closed session was passed.

The Board of Directors of the Timberon Water and Sanitation District entered into closed session at 1:11 pm.

A roll call vote of each member to come out of closed session was taken at 1:44 to enter back into an open meeting.

Director Mark Harding made a motion to come out of closed session back into an open session meeting. Director Tod Barker seconded the motion. Chairman Michael Gonzalez called for a roll call vote. Vice Chairman Jules Neal voted aye, Treasurer Terri Borzoni voted aye, Director Mark Harding for aye, Director Tod Barker voted aye and Chairman Michael Gonzalez voted aye. The motion to enter from a closed session into an open session was passed.

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)).

Return from Executive closed session in compliance with the Open Meetings Act, "NMSA 1978 Sections 10-15-1 to 10-15-4.

Chairman Michael Gonzalez stated that only the subject announced or voted upon prior to closure by the policymaking body were discussed in a closed meeting. No decisions were made during the closed session.

Open Session:

Chairman Michael Gonzalez read part of the Timberon Water and Sanitation District's Interim General Managers Plan. Which states that any suspension, hiring/firing of an employee will be presented to the Board of Directors for approval prior to such action being taken. This plan was adopted and approved by the Board of Directors of the Timberon Water and Sanitation District on the 26th day of April, 2022.

Discuss/Decide/Act on Limited Personnel Matter, discuss possible disciplinary action against an employee. As per the Interim General Managers Plan approved by the Board of Directors of the Timberon Water and Sanitation District April 26, 2022:

Which States, "Any suspension, hiring/ firing of an employee will be presented to the Board of Directors for approval prior to such action being taken."

Director Mark Harding made a motion to fire/terminate the current bookkeeper Corina Armendariz. Treasurer Terri Borzoni seconded the motion. Chairman Michael Gonzalez called for a roll call vote. Vice Chairman Jules Neal voted aye, Treasurer Terri Borzoni voted aye, Director Mark Harding for aye, Director Tod Barker voted aye and Chairman Michael Gonzalez voted aye. The motion to approve the firing/terminating the current bookkeeper Corina Armendariz was passed.

Director Mark Harding made a statement for the record:

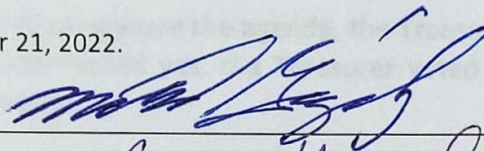
For the record. I want to state my contempt for the State of New Mexico, the Federal government, lawyers and unions for having to make a decision like this in this type of forum. It is unkind and dehumanizing for the employee especially and the TWSD Board.

Corina Armendariz thanked the board for the opportunity.

Director Mark Harding made a motion to adjourn the meeting, Director Tod Barker seconded the motion. Chairman Michael Gonzalez called for a roll call vote. Vice Chairman Jules Neal voted aye, Treasurer Terri Borzoni voted aye, Director Mark Harding for aye, Director Tod Barker voted aye and Chairman Michael Gonzalez voted aye. The motion passed to adjourn at 1:52 pm.

Minutes approved November 21, 2022.

Chairman Michael Gonzalez



Acting Secretary Noreen Gonzalez

