

# COUNTY OF LINCOLN

## New Mexico Special Meeting Board of County Commissioners

Todd F Proctor, Chair  
Jon F Crunk, Vice Chair

Samantha J Serna, Member  
Mark G Fischer, Member  
Pierre S Pfeffer, Member

### Minutes Wednesday September 27, 2023

Minutes of the Special Meeting of the Lincoln County Commission held at 8:30 AM on September 27, 2023, in the County Commission Chambers, Lincoln County Courthouse, in Carrizozo, New Mexico. The meeting was also accessible via Zoom.

#### 1. Call to Order

Chair Proctor called the Special Meeting of the Board of County Commissioners to order at 8:30 AM.

#### 2. Roll Call

##### Roll Call.

**Present:** Commissioner Fischer, Commissioner Serna via zoom, Commissioner Pfeffer, Commissioner Crunk via zoom, Chair Proctor.

Others present included Alan Morel, County Attorney; and Shannan Hemphill, County Clerk.

#### 3. Invocation

The Invocation was presented by Chair Proctor.

#### 4. Pledge of Allegiance

- a. Pledge – USA Flag
- b. Salute – NM Flag

#### 5. Approval of Agenda

**Motion:** Acceptance of the Agenda and authorized the Chair to move items as necessary.

**Action:** Approve, **Moved by** Commissioner Fischer, **Seconded by** Commissioner Pfeffer.

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5).

**Yes:** Commissioner Fischer, Commissioner Serna, Commissioner Pfeffer, Commissioner Crunk, Chair Proctor.

#### 6. Consideration and Approval of Solid Waste Collection and Disposal Services Contract with Universal Waste Systems Inc.

Commissioner Fischer questioned the tipping fees as it is stated the County would pay the first \$10,000/month, however it stated during phase 1 the County would pay ½. Attorney Morel explained the County would pay half, up to \$10,000. Commissioner Fischer questioned the fuel charges and the possibility of adjustments in March of each year if the price was \$1.00 over the \$4.50, however there was no stipulation if the price was \$1.00 under the \$4.50. UWS agreed there could be adjustments on March 1 of each year if \$1.00 lower than \$4.50. Attorney Morel stated they would add language to provide for the County's ability to request a reduction if it was \$1.00 under the \$4.50.

**Motion:** Approve the contract with Universal Waste Systems Inc. as amended, **Action:** Approve, **Moved by** Commissioner Crunk, **Seconded by** Commissioner Pfeffer.

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5).

**Yes:** Commissioner Fischer, Commissioner Serna, Commissioner Pfeffer, Commissioner Crunk, Chair Proctor.

**7. Consideration and Approval of County Manager Contract with Makayla Zonfrilli-Lang**

Attorney Morel explained a contract of employment was issued to Makayla Zonfrilli-Lang. Attorney Morel stated a Commissioner requested the ability to have a quarterly or semi-annual contract review instead of yearly, however he did not write it into the contract as the Commissioners always had the right to add any concerns to the Executive Session list. Commissioner Serna stated she would like to have it written into the contract so they could verify the Goals and Objectives and if they were being met. Commissioner Fischer requested the quarterly reviews be the first year only, then yearly thereafter. Commissioner Pfeffer didn't feel a quarterly review was necessary and stated they didn't need to micro-manage the County Manager. Commissioner Crunk didn't feel a quarterly review was necessary. Chair Proctor felt the contract should be left as presented.

Commissioner Serna questioned if sick leave was in the contract. Attorney Morel stated sick leave was not in the contract, they listed it at three weeks of vacation time. Attorney Morel explained they don't address sick leave as it relates to Attorneys and Managers, they are entitled to three weeks' vacation and are expected to do the job. Ms. Zonfrilli-Lang stated she felt the three weeks was a total PTO package, not solely for vacation. Commissioner Serna questioned if there could be notification added to the contract when leaving for more than 1 week. Attorney Morel explained the contract already had language requiring her to provide 2 weeks' notice when she would be out of the office for a week or longer.

Commissioner Fischer stated he felt the resume was too thin to justify the agreed upon amount and \$160,000 was too high of a salary. Commissioner Fischer also felt the telework on Fridays was unacceptable for the County Manager position.

**Motion:** Approve the County Manager Contract with the change from 3 weeks' vacation time to 3 weeks PTO, **Action:** Approve, **Moved by** Commissioner Pfeffer, **Seconded by** Commissioner Crunk.

**Vote:** Motion passed (summary: Yes = 4, No = 1, Abstain = 0).

**Yes:** Commissioner Serna, Commissioner Pfeffer, Commissioner Crunk, Chair Proctor.

**No:** Commissioner Fischer.

**8. Approval to Issue a Request for Proposals (RFP) to Contract for Youth Mentoring and Positive Active Programming in Lincoln County**

Attorney Morel stated the request was to issue an RFP to contract for youth mentoring and positive active programming in Lincoln County. Attorney Morel explained the responses would be due by October 13, 2023, at 10:00 am, and they would be scored and a recommendation would be provided at the next regular Commission Meeting.

Commissioner Serna would like to add the ability for the Commission to make it a multi-award contract in case there were multiple agencies who had the opportunity to provide this type of service to the youth in the County. Commissioner Serna stated the funds could be broken up into several organizations instead of all the funds being provided to only one organization.

Toni Foligno, Chief Procurement Officer, stated the proposals could be hand delivered, or sent through the US mail or courier. Ms. Foligno stated she could make a simple change in the wording of the RFP to state they reserved the right to award to multiple agencies.

**Motion:** Approve the issuance of a Request for Proposal to contract for youth mentoring and positive active programming in Lincoln County, **Action:** Approve, **Moved by** Commissioner Pfeffer, **Seconded by** Commissioner Fischer.

**Vote:** Motion carried by unanimous roll call vote (summary: Yes = 5).

**Yes:** Commissioner Fischer, Commissioner Serna, Commissioner Pfeffer, Commissioner Crunk, Chair Proctor.

**9. Next Meeting: October 17, 2023, Regular Commission Meeting**

**10. Adjourn**

**Motion:** Adjourn, **Action:** Adjourn, **Moved by** Commissioner Fischer, **Seconded by** Commissioner Pfeffer.

**Vote:** Motion carried by unanimous roll call vote (summary: Yes = 5).

**Yes:** Commissioner Fischer, Commissioner Serna, Commissioner Pfeffer, Commissioner Crunk, Chair Proctor.

There being no further business to come before the Board of County Commissioners, Chair  
Proctor adjourned the meeting at 9:03 am.

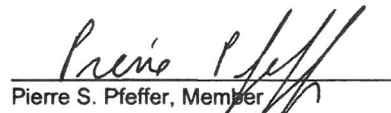
County of Lincoln  
Board of Commissioners

  
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Todd E. Proctor, Chair

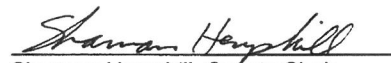
  
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Mark G. Fischer, Member

  
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Pierre S. Pfeffer, Member

ATTEST:

  
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Shannan Hemphill, County Clerk

October 17, 2023  
Date Approved

