

**NORTH CENTRAL SOLID WASTE AUTHORITY  
BOARD OF DIRECTOR'S  
REGULAR MEETING**

**Wednesday, February 21, 2018 at 9:00 A.M.  
2016 N. Riverside Drive  
Española, New Mexico 87532**

**I. Roll Call**

**Board Members:**

Santa Clara Pueblo	Bernardino Chavarria/Chairman, <i>Absent</i>
City of Española	Pedro Valdez/Vice Chairman, <i>Present</i>
Ohkay Owingeh	Ben Lujan/Secretary, <i>Present</i>
Rio Arriba County	Alex Naranjo, <i>Present</i>
Rio Arriba County	David Trujillo, <i>Present</i>

**Staff Members:**

Interim Manager	Audrey Gonzales
HR Administrator	Janet Saucedo
Executive Assistant	Gavina Velarde
Billing Specialist	Michelle Valencia

**II. Call to Order**

Vice Chairman Valdez called the meeting to order at 9:09 A.M.

**III. Approval of Agenda – Wednesday, February 21, 2018**

Vice Chairman Valdez asks if there are any additions or changes to the agenda; Vice Chairman Valdez would like to add Board Member Comments to item V. Audience Participation/Public Comment.

*Motion made by Secretary Lujan to approve the Agenda, with changes to Item V, for February 21, 2018*

*Motion seconded by Commissioner Naranjo*

*Motion approved and carried 4-0*

**IV. Approval of Meeting Minutes – Regular Meeting January 17, 2018**

*Commissioner Naranjo motions to approve the meeting Regular Meeting minutes for Wednesday, January 17, 2018*

*Secretary Lujan seconds the motion*

*Motion approved and carried 4-0*

**V. Audience Participation/Public Comment – None**

**Board Member Comments -**

Vice Chairman Valdez states that he has enjoyed being part of the NCSWA Board and goes on to thank the Board and staff for their hard work. He asks that The Board continue to focus on working together and building the Authority.

Secretary Lujan thanks Vice Chairman Valdez, on behalf of Ohkay Owingeh, for his years of hard work, not only with NCSWA, but in Espanola and the outlying communities. It has been an honor and privilege to work with Vice Chairman Valdez, and he will be sorely missed. Secretary Lujan states that he hopes the Board can continue Vice Chairman Valdez's legacy, and honor his commitment and dedication to the community.

Member Trujillo thanks Vice Chairman Valdez for serving the people and the community. He appreciates all that Vice Chairman has done for the Board, as well as NCSWA staff and employees.

Commissioner Naranjo thanks Vice Chairman Valdez for his many years of service, as well as always working from the heart. He hopes that the Board will sign the JPA in the near future and continue working together.

**VI. Financial**

**A. Budget to Actual Reports January 2017 (Audrey Gonzales, CFO)**

Interim Manger Gonzales refers to page Exhibit B, page 3. The Authority is reflecting a balance of \$708k, in part due to the yearly's collected. Line item 9030-Vehicles, does not yet reflect the \$230K front loader recently purchased; that will reflect in next month's balances. The Authority will have roughly \$29k-\$30k left in this line item; Interim Manager Gonzales would like to move these funds to Vehicle Maintenance. Commissioner Naranjo inquires if the \$1 million dollars associated with the Century Bank Pledge is listed in today's financials. Interim Manager Gonzales states that Mr. Sandoval advised her, prior to his departure, that the pledge amount is not included in his reports. Interim Manager Gonzales states that Thomas Martinez from Century Bank is here and will address the Board's questions regarding the pledge during item VIII Director's Business.

Commissioner Naranjo goes on to inquire about the status of the Amnesty program. Interim Manager Gonzales advised that RAC Attorney, Adan Trujillo, is still in the process of a legal review of the proposed program. Member Trujillo inquires if the \$708 generated from yearly customers is about average. Billing Specialist Michelle Valencia advises that with the exception of a decline in the month of August, the amount is average.

Commissioner Naranjo goes on to inquire when work on the FY19 budget will begin, as he would like to address employee salaries, among other things. Interim Manager Gonzales stated that she will begin to work on the FY19 budget in April or May 2018.

**VII. Interim Manager's Report**

**A. Financial Subcommittee Summary**

Interim Manager Gonzales states that the Finance Subcommittee has recommended to proceed with terminating the agreement with Zlotnick, Sandoval and Laws, P.C., effective immediately. The Board attorney, Robert Stranahan, has drafted a letter to Mr. Sandoval; it

will be delivered upon the Boards approval of the agreement termination in item VIII Director's Business.

#### **B. Caselle Software – Replace with Incode**

Billing Specialist Michelle Valencia advised the Board that she reached out to Incode in regards to the Board's concerns with the conversion from Caselle to Incode. She was advised that Incode has previously done many conversions with Caselle users and does not foresee any issues in moving forward. Per Member Trujillo's request, Ms. Valencia also reached out to Bernalillo County in regards to their billing software. She was told that the County has a 3rd party vendor which handles their billing. Member Trujillo thanks Ms. Valencia and invites her, and Interim Manger Gonzales, to meet with the Rio Arriba County to review their billing software as well. Member Trujillo believes it is in the Authority's best interest to run the software programs simultaneously, until the conversion is successful, but would like to know the cost for the Authority up front. Vice Chairman Valdez inquires as to when the conversion can begin. Ms. Valencia advises that Incode has stated that they are not available to make the conversion until September 2018.

#### **C. Contract Audit Update**

Interim Manager Gonzales advises the Board that she and Executive Liaison, Gavina Velarde, are in the process of reviewing the Authority's contracts. She sates that thus far they have found approximately 8 contracts that were fully executed correctly and 2 contracts that were strictly verbal. There are approximately 8-10 more contracts to review; some vendors have 2 (two) or 3 (three) different folders which are being compiled in the review process.

#### **D. NCSWA Maps Update**

Interim Manager Gonzales reminds the Board that the contract created with Ms. Vaughn for the production of the routing maps was never signed or properly executed by Former Manager Romero. The Authority has paid Ms. Vaughn \$10k+ for Phase I of the contract since services were already rendered, and the maps were delivered to Former Manager Romero. Interim Manager Gonzales is still not clear why the maps were requested in the first place and has asked Ms. Vaughn to cease Phase II of the contract, until the Board can advise her on how to proceed. Commissioner Naranjo states that RAC can provide the same services provided by Ms. Vaughn at no additional expense to the Authority. Secretary Lujan recalls Former Manager Romer advising the Board of the contract and asks Ms. Velarde to research past meeting minutes. Ms. Velarde acknowledges. Ernie Byers with Universal Waste Systems advises that the routing maps were created at the request of Former Manager Romero. Vice Chairman Valdez states that the Authority is under no commitment to continue with Phase II since the contract was never signed. He recommends that the Board revisit this item at the next regular Board meeting.

### **VIII. Director's Business**

Thomas Martinez from Century Bank presents to the Board today to answer any questions they may have regarding the pledge from Century Bank. Commissioner Naranjo inquires if there is in fact a \$1 million-dollar pledge at Century Bank. Mr. Martinez acknowledges that there is a \$ 1million-dollar pledge. He goes on to state that the FDIC insures individual accounts for up to \$250k, and that Century Bank follows the state statute regarding public

accounts, such as the Authority's. Century Bank will pledge 50% of the average daily balance in these types of account; the Authority's account is currently pledged above that 50%. Mr. Martinez advises that the \$1 million-dollar pledge is meant to ensure the Authority's account in the event that the bank fails; the pledge limit will also fluctuate in accordance with the account balance. Mr. Martinez advises that a signed copy of the pledge has previously been provided to the Board. Commissioner Naranjo states that it may be in the best interest of the Authority to have multiple accounts with different institutions. Interim Manager Gonzales states that she believes the Authority currently has 3 (three) or 4 (four) different bank accounts. Member Trujillo suggests that Interim Manager Gonzales meet with Mr. Martinez at a later date to determine the actual account balance at Century Bank. Mr. Martinez is happy to oblige, and thanks the Board.

*Thomas Martinez leave at 9:58 a.m., as does Ms. Valencia.*

**A. Resolution 2018-001**

Vice Chairman Valdez advises that the Board has been provided with a Draft Copy of Mr. Stranahan's letter to terminate the agreement with Mr. Sandoval and Zlotnick, Sandoval and Laws, P.C.

*Motion to terminate the agreement with Zlotnick, Sandoval and Law P.C., via Resolution 2018-001 made by Commissioner Naranjo  
Motion seconded by Member Trujillo*

Mr. Stranahan advises that the agreement with Zlotnick, Sandoval and Laws, P.C. does not have a termination component. That said, Mr. Sandoval is an at-will vendor and a 30-day notice is necessary; nor is Resolution 2018-001. Mr. Sandoval did acknowledge this at the Finance Subcommittee meeting and will submit his final billing for services rendered to the Authority. Ferro and Fierro can be used for accounting services moving forward, Auditing services can go out for bid. Mr. Stranahan strongly suggests the Authority use very specific language in the agreement with Fierro and Fierro; and for all vendors in general moving forward. He also suggests the Authority specify the scope of work for each vendor, respectively.

*Commissioner Naranjo amends the motion to terminate the agreement with Zlotnick, Sandoval, and Laws, P.C., via Resolution 2018-001, effective today  
Commissioner Naranjo then withdraws the motion to act on Resolution 2018-001*

*New motion to terminate the agreement with Zlotnick, Sandoval, and Law P.C., effective today, made by Commissioner Naranjo.  
Motion seconded by Member Trujillo  
Motion approved and carried 4-0*

Commissioner Naranjo inquires if the Authority can utilize Fierro and Fierro for accounting services without going out for bid. Mr. Stranahan advises that the Authority is quasi-government and, as such, does not fall under the DFA Procurement Code. Fierro and Fierro can be obtained without an RFP; Interim Manager Gonzales has confirmed this with DFA.

*Motion to hire Fierro and Fierro for accounting services, effective immediately, made by Commissioner Naranjo  
Motion seconded by Secretary Lujan*

Secretary Lujan suggest that Mr. Stranahan review the proposed agreement with Fierro and Fierro prior to it being executed. Member Trujillo agrees, and offers to provide a copy of the RAC template to Mr. Stranahan.

*Motion properly seconded by Secretary Lujan  
Motion approved and carried 4-0*

## **B. Manager's Position – Interview Questions**

HR Administrator, Janet Saucedo has prepared interview questions for the Board; Member Trujillo also contributed. There are currently 26 questions, which may be time consuming; the Board may choose to filter down the number of questions. The questions must be universal, for all applicants. Ms. Saucedo has also provided a list of illegal interview questions. Ms. Saucedo goes on to explain the presentation aspect of the interview process; each candidate will be required to do a 15-minute presentation explaining their interest in the position, their expertise, and perhaps, a plan of action. Commissioner Naranjo inquires if the out of state candidate will be appearing via conference call. Ms. Saucedo advises that the candidate has elected to appear in person. Ms. Saucedo asks that the Board provide her with their list(s) of filtered down questions by Friday, February 23, 2018.

## **IX. Old/New Business**

### **A. Universal Waste Systems**

Ernie Byers from Universal Waste Systems presents to the Board and thanks them for their business over the last 2 (two) years. He advises that UWS has an agreement with Sandoval County landfill that extends through 2025, in which they have established a long-term price agreement. Mr. Byers would like to offer the Authority an opportunity to extend its agreement with UWS for another 7 (seven) years; locking in the current rate for the term of the agreement. Mr. Byers also states that he is available to provide the Authority with contractual services to assist in establishing routes and boundaries, employee job duties, policy and procedure, etc. Commissioner Naranjo voices his concern regarding a 7-year extension, as disposal technology may change in the near future. Vice Chairman Valdez recommends the board review the proposed agreement and act on it and the next Regular Board Meeting.

Member Trujillo inquires about the scope of work; are added value and services still honored in the current contract. Mr. Byers confirms, and offers to visit the Alcalde Transfer station, and some of the routes/areas, where there are ongoing concerns, to offer his assistance/input.

*Commissioner Naranjo steps out at 11:20 a.m.; he returns at 11:21 a.m.*

Mr. Byers thanks the Board for their time, and consideration with the proposed extension agreement.

*Mr. Byers leaves at 11:21 a.m.*

**B. Unifirst Agreement**

Interim Manager Gonzales reminds the Board that this item was tabled at their last meeting. She states that, prior to his retirement, Former Manager Romero wanted to go out to RFP for a new uniforms vendor. Interim Manager Gonzales has reviewed the agreement with UniFirst and is happy with their terms. She would like to continue to utilize UniFirst as the Authority's uniform vendor.


*Motion to continue the uniform agreement with UniFirst made by Secretary Lujan  
Motion seconded by Commissioner Naranjo  
Motion approved and carried 4-0*

**X. Next Meeting – March 21, 2018 at 9:00 a.m.**

**XI. Adjournment**

*Motion made by Secretary Lujan to adjourn at 11:31 a.m.  
Motion seconded by Commissioner Naranjo  
Motion approved and carried 4-0*

APPROVED AND ADOPTED THIS 21 DAY OF March, 2018

  
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Bernadino Chavarria, NCSWA Chairman

ATTEST:

  
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Ben Lujan, NCSWA Secretary