

New Mexico Land Grant Council (NMLGC)
October 27, 2023 – 3:30pm
Cañones Community Center
41 County Road 197
Cañones NM

**Final Meeting Minutes
Special Council Meeting**

1. Call to Order - Roll Call

Chairman Juan Sanchez called the meeting to order at 3:49pm MDT. Roll call of the Council members: Andrea Padilla, Steve Polaco, and Juan Sánchez were present.

2. Introduction of Guests

Juan Sanchez (NMLGC); Andrea Padilla (NMLGC); Steve Polaco (NMLGC); Arturo Archuleta (NMLGC/LGSP); Greta Archuleta (NMLGC); Anissa Baca (NMLGC/LGSP); Jacobo Baca (NMLGC/LGSP); Enrique Romero (Deputy AG, NM Attorney General’s Office); Melissa Velasquez; Stephen Ross; Linda Gallegos (Juan Bautista Baldés LG); Mary Lou Boies (Juan Bautista Baldés LG); Inez Gallegos; Melvin Apodaca (Tierra Amarilla LG); Moises Morales (Rio Arriba County Commissioner); Diego Serrano (Juan Bautista Baldés LG); Cornelio Salazar (Juan Bautista Baldés LG).

3. Approval of Agenda

Councilor Polaco made a motion to approve the agenda; Councilor Padilla seconded the motion.

Roll call vote:

- Councilor Padilla – aye
- Councilor Polaco - aye
- Chairman Sanchez – aye

The motion was passed.

4. Discussion on Juan Bautista Baldés Land Grant Concerns

Chairman Sanchez began the meeting, stating that the Council came to Cañones because the Council was asked by the board of trustees of the Juan Bautista Baldés Land Grant to meet and address the concerns from the board that the Grant would not receive a FY 2024 distribution. It is the duty of the Council to make sure that all land grants are following statute when getting their distribution. We are here to listen to you and explain why the Council made its decision. Cornelio Salazar, president of the Juan Bautista Baldés Land Grant Board of Trustees, commented that they heard that some land grants were not in compliance but still received a distribution. He stated that the Council can present first and that they would like their professional staff (Melissa Velasquez) to speak on their behalf because she knows more.

Mr. Arturo Archuleta congratulated the newly elected board of trustees on their election and explained the Council’s work with the previous board. It was reported to the Council by the prior Juan Bautista Baldés Land Grant board that previous president Higinia Gallegos was not forthcoming in her records. In order to complete financial reporting and assist with budget reporting, the Council obtained records from the Grant and from Ms. Gallegos and examined the bank statements that showed land grants funds were co-mingled with her own personal accounts.

The misappropriation of land grant funds by Higinia Gallegos was likely at least \$28,000. On August 28, Mr. Archuleta reported that he met with the previous Juan Bautista Baldés Land Grant board to discuss the issue further. The Council found that when the Juan Bautista Baldés Land Grant received the distribution last year (\$111,111) there were no longer issues related to the mismanagement of the grant funds. In this process, there were material concerns that arose when examining land grant records since the distribution of the Land Grant Merced Assistance Fund award in October of 2022.

The land grant was considered ineligible for a FY 2024 Land Grant Merced Assistance Fund distribution because there were discrepancies with the FY 2023 annual report, which did not include meeting minutes that detailed the approval of financial transactions and other board action. The Land Grant general provisions, Chapter 49.1, requires that all land grants maintain an annual report that includes all agendas, meeting minutes and all financial transactions, which need to demonstrate board approval. Also applicable are all laws that apply to local public bodies, from the Open Meetings Act to the procurement code. In the process of assisting the Juan Bautista Baldés Land Grant with budget reporting requirements and audit acquirements, staff noted that three payments for \$15,000 for the professional services contract were charged in three months. Council staff was concerned that the Grant would not have enough monies to fulfill the contract and, when asked, Cy Martínez of the Juan Bautista Baldés Land Grant board stated that he had not seen the contract. Mr. Archuleta recommended that the new board request copies and review the contract, at which point Melissa Velasquez sent her proposal and purported contract to the Council, which then reviewed her submittal.

Council staff immediately noted that the purported contract was for \$110,000, almost the entirety of \$111,111 distribution that the Juan Bautista Baldés Land Grant received. It appeared that the contract was not properly procured, which led to the request for the annual report, which should have demonstrated the process for obtaining a proposal from and ultimately a contract with Melissa Velasquez. No such documentation was found in the materials received from the land grant. Council staff consulted Mr. Enrique Romero, who is the attorney with the New Mexico Office of the Attorney General and serves as legal counsel to the NMLGC. It was determined that the Council needed to work directly with Juan Bautista Baldés Land Grant Board as Ms. Velasquez was not staff if a contract was not properly procured, as a public body cannot expend monies on a contract that is not properly procured.

Chairman Sanchez commented that the Council has a fiduciary responsibility to ensure that land grants have met all statutory requirements and are operating accordingly. Council staff discussed its findings, including procurement issues with the purported contract with Melissa Velasquez. There are no records of the board of trustees formally drafting and approving a request for proposals, nor evidence of advertisement in a local paper. There is also no record that the board formally met to evaluate any proposals received, nor evidence that the board of trustees offered, negotiated, and approved a contract with Ms. Velasquez in a properly advertised meeting. Further, there is evidence that members of the board of trustees actively discussed hiring Ms. Velasquez as early as July 2022, through September 2022 and into December 2022. These discussions took place prior to the purported RFP. Additionally, Ms. Velasquez was paid \$6,000 for services rendered in 2022, or from 2018-2022, prior to the purported RFP or execution of any contract, and no invoice for services is found in the record, only an e-mail referencing the costs. The timing of the RFP is also questionable, as it was supposedly sent out on December 21, 2022;

Melissa Velasquez submitted her response to the purported RFP in a sealed envelope at the land grant P.O. Box that very day. The deadline for the purported RFP was December 31, 2022, New Years Eve, and no time was listed in the purported RFP, so Council staff presumes the deadline was 11:59pm. Under the purported RFP, the board of trustees would have to have evaluated proposals, selected and approved the contractor and notified that contractor of that award, all on December 31, 2022, after 11:59pm. The purported contract would then have had to have been executed and in effect when the purported contract was signed, on January 3, 2023, one day after observation of the New Years federal holiday on Monday, January 2, 2023. There is no evidence in the records of a properly advertised meeting of the board of trustees of the Juan Bautista Baldés Land Grant from December 31, 2022 to January 3, 2023.

The contract amount and budget also drew concern. The Juan Bautista Baldés Land Grant board of trustees approved a budget of \$20,000 for an administrative service contract in FY 2023 and only either \$30,000 or \$60,000 (it is unclear in the adopted budget provided). The purported contract amount for Melissa Velasquez was for \$110,000 plus expenses and Gross Receipts Tax (GRT), which, at the Rio Arriba County rate of 6.75%, would add an additional \$7,425 to the contract for a total of \$117,425, not including expenses. This is beyond the \$111,111 that the land grant received in FY 2023 from the Land Grant Merced Assistance Fund. The only Budget Adjustment Resolution passed in FY 2023 was to move \$500 from other supplies to printing, therefore, the FY 2023 budget does not support the purported \$110,000+ contract. Melissa Velasquez completed a BAR in the land grants online budget reporting system (LGBMS) to the Department of Finance and Administration on May 31, 2023, moving \$44,475 from various line items into Contract for Professional Services line item, increasing that item from the \$14,000 approved by the Board of Trustees to \$58,475, precisely the amount that she billed the Grant for in FY 2023. The BAR was not supported by an approved resolution from the board and no resolution appears in the record, which also does not demonstrate any meeting held between March 5 and June 4, 2023.

The purported contract also has variation in the billing, which lists deliverable costs as well as an hourly rate, ranging from \$75 to \$100, depending on the type of service provided. At a rate of \$100 per hour, the total cost for a full-time position (at 2080 hours) would be \$208,000, thus indicating that the contract was for only 50% of Ms. Velasquez's time. Two checks have the words "full time" inscribed in the top corner of the duplicate check in the checkbook. Additionally, the purported contract billed website management at \$10,000, when the FY 2023 and FY 2024 budgets only allotted \$2,500 for website management. Website development and website content are listed as separate items Ms. Velasquez's invoice of February 21, 2023 for \$15,251.25. This billing also duplicates other similar items. For instance, legislative hearings, committee hearings and NM State Legislature – House Memorial 41 hearings are all listed in the billing, but no hours are listed, only a cumulative total of 320 total hours for the billing. HM 41 had only one committee hearing on February 16 and a floor vote on the House floor on February 21, at which no testimony can be provided. The approximate hourly rate for this invoice (\$15,251.25) divided by the total hours worked (320) equals \$47.66.

The records sent to the Council also contain three separate invoices from Melissa Velasquez dated May 23, 2023. The first totals \$30,181.69, payable in two installments for 536 hours and no GRT is listed on this invoice. This equates to an hourly rate of \$56.31. The second invoice was obtained from Higinia Gallegos and is also for \$30,181.69, but bills at a standard hourly rate of \$100, regardless of the task performed, for a total of 270 hours plus \$750.51 in expenses for

supplies, mileage, phone, mail and fees and \$2,476.18 in GRT. The GRT rate is 8.9375% totaling \$2,476.18 in GRT billed, where the GRT rate for Rio Arriba County covering the community of Cañones during the period was only 6.750%, which totaled \$1,870.21, meaning the Land Grant was overcharged \$606.06 in GRT taxes. This was the only invoice that charged GRT. This invoice is dated May 23, 2023, but was signed by Cy Martinez on May 18, 2023, five days before. The third invoice dated May 23, 2023 appears to be for the second half of the \$30,181.69 billed and, like the first invoice, lists no GRT or other expenses are listed. Invoice 6-16 from Melissa Velasquez, dated June 16, 2023, for \$7,042.06 was for 192 hours completed between June 1 and June 30, 2023. The hourly rate would be \$36.68 and no GRT was indicated on this invoice.

Council staff was also concerned with the board oversight of the contract and general management by the board. The previous board of trustees held a meeting on August 30, 2023, 10 days prior to the election of new members to the board, and passed resolution 2023-30-8, adopting procedures for procuring professional services contract and certifying that the current purported contract met all quantifiable criteria under the new regulations, including:

“A transparent and well documented process that provides clear record of the evaluation criteria, scoring and reasons for selection decision; Following a systematic process for selecting and awarding professional services contract; An evaluation committee shall review and evaluate submitted qualification based predetermined criteria; The Land Grant shall enter into negotiation with the selected professional to establish the terms and conditions of the contract; The Land Grant shall maintain comprehensive records of the selection process, including RFQ documents, evaluations criteria, scoring, committee deliberations, selection decisions, and contract negotiations.”

There is no evidence that any of the above took place during the selection of Melissa Velasquez for the purported professional services contract. Oral communications with the past president and vice-president confirm that no RFP, review, negotiations or drafting of the contract were conducted by the Board of Trustees. Further, it has been alleged that Melissa Velasquez directly participated in the drafting of the purported RFP. If this was the case, under the Governmental Conduct Act, §10-16-13, NMSA 1978, the Land Grant would have barred from accepting a bid or proposal from Ms. Velasquez.

Additionally, the new regulations for selection and award of professional services contract adopted by Resolution 2023-30-8 included a provision that the Land Grant’s governing body or designated authority can review and approve a professional service contract. There is no authority in Land Grant General Provisions (§49-1-1, NMSA 1978) or in the Juan Bautista Baldés Land Grant by-laws that provides for the board of trustees to relinquish or designate their contract approval authority to any one board member or any other group or individual. The only signatory on the purported administrative services contract with Melissa Velasquez is that of the past president Higinia Gallegos, who lacked the authority to unilaterally approve the contract or to bind the Land Grant-Merced into the purported contractual agreement.

It appears an attempt was made to utilize Board Resolution 2023-30-8 to certify the purported contract by including language in Resolution 2023-30-8 stating “the organization has previously approved one professional services contract identified as “Strategic Facilitation Contract” awarded January 3, 2023”; however, an improperly procured contract cannot be remedied via a retroactive

resolution. It appears an attempt was also made to bind the newly elected Board of Trustees on the day they were elected, September 10, 2023, through the passage of the “Addendum to Strategic Facilitation Contract (signed January 3, 2023),”; however the newly elected board lacked the authority to do so for the following reasons: A board of Trustees cannot amend a contract that is void for lack of proper procurement; and the approval of the Addendum was an action item added to the agenda during the meeting itself, which violates §10-15-1(F) of the Open Meetings Act, which requires that meeting agendas be finalized 72 hours prior to the meeting and that the public body can only take action on items that appear on the 72-hour advance final agenda.

In FY 2023 the Juan Bautista Baldés Land Grant expended, \$58,475.00 on an improperly procured professional services contract. The total expended exceeds the Land Grant’s budget allocation for a professional services contractor by \$38,475.00. The \$58,475 paid to Melissa Velasquez includes \$6,000 paid on 12/28/22, prior to the purported contract execution date of 1/3/23 and the deadline for the purported Request for Proposal/Bids of 12/31/23. The 12/28/22 billing was for services from 2018-2022. The record indicates that there was no contract in place for such services [see: July 14, 2022 email from Cy Martinez item 6: Where are we with Melissa Velasquez hiring?; September 9, 2022 email from Cy Martinez (page #29) item 6. Status on hiring of Melissa Velasquez; December 17, 2022 Meeting Agenda (page 27), agenda item Hire Help – hand written note Melissa.] Only record for payment was an email from Melissa Velasquez to Higinia Gallegos on 12/20/22 proposing a payment of \$5,919.23 for 2022, which included work back to 2018 for USFS meetings (item #2) and assistance with presentations, letter writing and daily operations etc. (item #5). Approval for expense total \$6,000 (\$80.77 above the amount indicated in December 22, 2022) was signed by Cy Martinez on December 29, 2022 without evidence of actual action by the Board of Trustees. No board meeting between December 17, 2022 and March 5, 2023 for approval to have taken place.

A letter dated February 8, 2023 (page 91) – Authorizing Melissa Velasquez complete authority to negotiate and accept [contracts/agreements] on behalf of the land grant is improper for the following reasons: There is no authority in Land Grant General Provisions (§49-1-1, NMSA 1978) or in the Juan Bautista Baldés Land Grant by-laws that provides for the board of trustees to relinquish or designate their contract approval authority to any group or individual; As a public body, all actions taken by the Board of Trustees, including approval of all contracts/agreements must be done in a properly advertised public meeting where the approval appears on the meeting’s 72-hour advance agenda. There is no record of the board of trustees approving this authorization at any public meeting. The only public meetings held in the timeframe of February 8, 2023 were held on December 17, 2022 and March 5, 2023. If this relates to duties under the improperly procured contract that was not in effect until January 3, 2023 which would place it after the December 17, 2022 meeting where no such authorization is documented in the record. The purported authorization from the February 8, 2023 meeting was granted nearly one full month before the board would next convene on March 5, 2023.

The letter to the Land Grant Council dated September 15, 2023, contains a synopsis of work completed in 2023 with associated costs totaling \$110,000. Based on the knowledge and expertise of Council Staff for actual work requirement for completion of certain task it appears some of the items listed appear to be overpriced for the amount of work required, for example: \$2,500 for ICIP – Having an already completed ICIP in the online system only minimal updates are necessary, estimated to take approximately 5 to 10 hours of work to complete, including trainings.

This would mean that the billable hourly rate for this deliverable is between \$250 to \$500 per hour. Several of the items listed but billed separately appear to be double billed for the same work. For example, JBVLG Advisory at \$6,000; Meeting Attendance at \$2,500; and Advisor at \$5,000 appear to all require advising the Board of Trustees and attending meetings of the Board. Community Center Manager at \$50,000 requires collaboration with 12 local organizations that utilize the center; Partnership Management at \$6,000 requires working with 12 local organizations and, also include assisting with the Advisory Group which as listed above has a separate billing cost of \$6,000.

Board Resolution # 2023-27-6-2 (page 64) – indicates that the board of trustees approves expenditures via phone “calls, texts messages, and other forms of communication due to meetings only held quarterly.” This implies potential violations of: §49-1-14 (C), NMSA 1978, which requires that the a majority of the Board of Trustee approves expenditures; and the Open Meetings Act, §10-15-1, NMSA 1978, a majority of the Board take cannot take action outside of a public meeting, nor via phone call, text messages or other form of communication.

Finally, the Council found concerns with the September 10, 2023 election. Under the State Law, §49-1-5(H), NMSA 1978 and the Land Grant Bylaws, Article VI – J. the board of trustees is required to appoint one election judge and two clerks. Both the Statute and Bylaws state “No person shall be qualified for appointment or service as an election clerk or judge, or as a member of a canvassing board, who is a spouse, parent, child or sibling of any candidate to be voted for at the election.” It appears that the election judge and clerks were appointed by Melissa Velasquez, as monitor not the board of trustees. It is unclear what, if any, relationship exists between the election judge and canvassing member Joe Boise and candidate Marylou Boise? If Mr. Boise is a parent, child, spouse, sibling of Ms. Boise than a potential violation of §49-1-5(H) occurred.

These concerns are remediable, but staff needed to recommend that the grant be considered ineligible for FY 2024 LGMAF distribution. Mr. Salazar commented that the Council exists to help land grants conduct business and added that obviously the previous chairwoman wasn’t advised on how to conduct business. He added that the past board were the ones that hired Melissa and the Council and the state should be obligated to honor her contract. Mr. Archuleta responded that the Council has helped in the past, especially regarding litigation, but that the board of trustees needs to contact the Council and request assistance. Regarding the contract, there is no record the board ever approved the contract and the amount spent would have required an RFP process, which appears to not have happened. There is no evidence of an RFP and no advertisement between December 21 and December 31. There was no evidence that the contract was properly procured or adopted by the board. All of this transpired between meetings since they only meet quarterly. Past president might’ve acted outside of her authority, but the idea that the board is bound by the actions of previous board isn’t necessarily true if the contract was not properly procured.

Mr. Salazar responded that Cy Martínez was on the board for a long time and wondered how he could not have known about the contract. Mr. Archuleta clarified that Cy knew about the purported contract being in place, but had not seen it, and he believed that it was not for a lot of money (e.g. \$20,000.00). The annual report was requested as it is the official record of the board. It had agendas, but not official meeting minutes and no agenda items were present that would adopt previous meeting minutes as official. Mary Lou Boies (Juan Bautista Baldés Land Grant

board of trustee member) asked if every land grant remitted perfect records. Mr. Archuleta responded that every land grant has to have an annual report, by statute. Not all land grants remit to the council and are not required to do so and in the certification that was required by the Council, it asked land grants to certify that they had an annual report with minutes, agendas and financial transactions. The reason that Council asked questions was once we received the contract, which we did not request, but was nonetheless provided, our review of this brought about concerns. All land grants must comply with IPRA and not all land grants had these material concerns.

The Council provide a program of support to all land grants that are organized and recognized as political subdivisions of the State of New Mexico. We have helped the Juan Bautista Baldes Land Grant in the past, especially through legal services. The Council assisted the Tierra Amarilla Land Grant in the past, when a previous board took monies from the grant. The Land Grant Council is willing to “get in the weeds” and help a board when they have been asked. Linda Gallegos (Juan Bautista Baldés board member) asked, why did the Council look so closely now? Why is this current board being looked at but the previous president was not? Because of Melissa? She has done a lot for the community. Mr. Archuleta clarified that the issues that the Council has found by and large happened under the previous board and the present board inherited these issues. The current board has the fiduciary responsibility to abide by state law when using these funds. The only action taken by this board was the September 10 addendum, which cannot be added to the agenda the day of the meeting because it is in violation of the Open Meetings Act. It was also unfair for the board to be asked to sign the addendum on a contract that they know nothing about. If it was public knowledge, that might have been different, but the board could not have taken action anyway since agenda cannot be modified on the fly. Finally, the issues that were found by the Land Grant Council were more material as land grants are receiving public funds through the Land Grant Merced Assistance Fund.

Ms. Gallegos asked how the board can get trained if we do not have funds. Chairman Sanchez responded that the Council is a state agency that is obligated to protect state funds and that the Council will provide training. The grant is concerned that it does not have funding for training. The Council shares the funding concern, especially as the \$110,000 of the \$111,111 distribution went to one person. Councilor Padilla added that this meeting and the Council’s intervention are not an attack. Land grants that attend Council meetings and Consejo meetings knew of new regulations and the Council advised land grants about the requirements and certifications. Most land grants worked with the Council’s staff to get caught up and the Council hired Greta Archuleta to assist with budget and budget reporting requirements to DFA. The Town of Tomé Land Grant only started paying our treasurer \$50.00 per month, and she relies on Greta for assistance. And land grants don’t need money for the trainings that are offered for free. She encouraged the land grant to keep lines of communication open with Council. Now that the state is appropriating monies, there is a concern that it might reflect badly on all land grants.

Councilor Polaco added that the Tierra Amarilla Land Grant raised monies with bake sales and relies on volunteers. The Council assisted the Grant with legal services. The Council is not here to blame anyone; we are all following the rules of the state. We need to be united: if help is needed, we can help and all agencies are there to help as land grants are units of government like the county. Ms. Velasquez stated that she wants the opportunity to respond to the findings and stated that people forget the facts and occurrences or are not willing to stand up for what they said. She

added that she was not on the board and is still not on the board and she cannot answer for previous board members. She plans to respond via a letter.

Moises Morales (Rio Arriba County Commissioner) commented that the land grant got the building back because of Ms. Velasquez. Ms. Velasquez stated that she loves her community and that motivates her work. She asked if they remove her contact, if the grant can still get the assistance fund monies. Chairman Sanchez responded that they cannot as the process is complete. Ms. Velasquez and Ms. Boies stated that they attended an October 17 meeting of the Merced del Pueblo Abiquiú and they revealed that they were not bonded and are receiving a distribution. They also asked for minutes and were told they would not be ready anytime soon. Ms. Velasquez added that she spoke with Rafael Jaramillo, the manager for the Anton Chico Land Grant and works on a \$24,000 contract that is renewed year after year. She stated that if she had the time and interviewed all land grants, there may be violations galore. She asked if all land grants were reviewed as thoroughly as the Juan Bautista Baldés Land Grant. Mr. Archuleta thanked them for the information on Abiquiú and stated that he would contact them and see if they have a bond. Regarding Anton Chico Land Grant, if the contract was properly procured and less than \$60,000, it does not need to have a full RFP, but three attempted quotes. The issue is not land grants hiring staff; its that the grant needs to follow proper procedures when doing so.

Ms. Velasquez commented that she never asked for employment. She spoke about her résumé and past experience and stated that she is not a predator. She commented that she declined an offer from the New Mexico Attorney General's office and that she's willing to not take pay because her contributions have fulfilled her. She asked Mr. Archuleta why he did not reach out to her directly with the Council's concerns. She believed that Mr. Archuleta was upset because we had removed Higinia and accused Mr. Archuleta of giving Higinia Gallegos ideas on her debt to the grant. Mr. Archuleta stated that he tried calling multiple board members and emailed the letter to all the board members to collect the information. He did meet with Higinia because that was the only way to get copies of the bank records. He was coordinating with the board to make a meeting and met with Higinia because she had mistakenly taken his keys when she dropped off bank statements. The Council worked with Higinia as it was providing direct services to current president at that time and was interested in protecting the integrity of the land grant as an entity.

Councilor Padilla added that the Council's intervention is not personal. The Council simply has guidelines. When we contact a land grant, we usually contact the president and we follow the chain of command. There are issues with what the former board was doing and the current board needs to specify responsibilities of the board and the manager. We don't want this to ever happen again. The Council is here to help you and the Consejo will provide a space and even food for trainings. We need to start looking towards the future. Councilor Polaco added that the Juan Bautista Grant needs to redo the contract correctly, but we need to talk to the board and work with the contractor if it is procured correctly. Mr. Salazar commented that Higinia Gallego's using her personal account was the issue and asked why it was not caught sooner. He added that wouldn't have done any good to talk to me and asked why Higinia was asked about Melissa's contract if it was too late in the game.

Mr. Archuleta responded that the Council will always contact the president, who is usually the main point of contact. In terms of us reviewing the issue sooner, we only do that if we are contacted by the land grant. We looked further into it because it was budgeted for \$20,000. Ms.

Velasquez asked if Higinia was called and if she had signed the contract. Mr. Archuleta responded that he talked to her and asked if she signed the contract, which she did. Then we noticed that the record had been changed. There are still questions, no RFP and no review, etc. Previous payment, retroactive payment, no BAR and other things reported in the record raised questions. It raised the question about whether or not the board was aware of the contract. Ms. Boies commented that if Cy is a CPA, how did this happen? Mr. Archuleta responded that the Council had a lot of the same questions. Ms. Boies asked if the board complied with all requirements in the first distribution and Mr. Archuleta responded that bonding was not required last year. We are growing and evolving and trying to perfect our process.

Ms. Velasquez asked if there were no concerns from 1999 to 2022. Mr. Archuleta responded that the Council assisted when asked. Mr. Salazar asked if Higinia was operating unilaterally, how did this go on so long. Councilor Padilla responded that land grants have some sovereignty. We are giving you some leeway to do what you need to do. Once this money became available we had to start following different set of rules. We are only going to check if something raises a flag. Ms. Velasquez commented that she was hired to do a multiple amount of things and found a grant for \$30,000 to offset salary, and she found a CPA to complete the AUP. The professional services contract was so big because it is only supposed to be a yearlong and she plans to go back to her own career. A lot of work has been done. She's not trying to "highlight" herself. And she is here not as a predator, and wants to only help her community. She does not want the contract to become the issue. Chairman Sanchez commented that the council is here to present the concerns and would like to help you reach compliance and are trying to offer guidance. Ms. Velasquez asked if all contracts are reviewed and Mr. Salazar asked why the RFP wasn't brought up to Higinia. Mr. Archuleta responded that nothing on the outside previously led us to believe that we need to help. We were concerned with the amount because there are other expenses that the land grant has. You can't obligate more than the land grant has and that's why you set the budget. We can give advice and ultimately the board makes the decision. Councilor Polaco stated that the Tierra Amarilla Land Grant and the San Joaquín del Río de Chama Land Grant share ownership and governance on the PLVC with the Juan Bautista Baldés and they want to meet to discuss issues on the visitor's center. Ms. Velasquez closed, stating "I will work for free if that's what it takes."

5. Possible Action on Next Steps and Technical Assistance Support to Juan Bautista Baldés Land Grant

Chairman Sanchez stated that the Council will help the Juan Bautista Baldés Land Grant procure a proper contract. The Council will work to help the Grant qualify for LGMAF distribution in FY 2025. What we need from the board of trustees is dates and times that we can meet to do some trainings from the NMLGC, including statutory requirements, OMA, IPRA, etc. Regarding Higinia Gallegos, the Council and the Grant may both need to report to the Office of the State Auditor and/or the New Mexico Attorney General. All NMLGC communications with the Grant will go through board of trustees. The Council also encourages the grant to meet more than quarterly, likely monthly. Mr. Archuleta asked for the board to think about some dates when you'd like to do the training. We can make it some days that work for the grant and create a plan. While we are unsure if we have come to a full understanding of what transpired, and we might have to report to the Auditor's office, we wanted to meet to address the issues.

6. Adjournment

Councilor Polaco made a motion to adjourn; Councilor Padilla seconded the motion.

Roll call vote:

Councilor Padilla – aye

Councilor Polaco - aye

Chairman Sanchez – aye

The motion was passed.

The meeting adjourned at 6:25pm.