Lower Gallinas Land Grant (LGLG)
July 22, 2023 – 12:00pm
In Person Meeting
Gallinas Fire Station, Gallinas, NM

Meeting Minutes

Call to Order: 12:10pm

Roll Call of officers:

Jonathan Jordan, President - Present
Avedona Lucero, Vice President - Present
Margaret Lucero, Treasurer - Present
Bobby Padilla, Collector - Present
Phillip Benavidez, Parliamentarian - Present
Andrew Ortega, Secretary - Present

Opening Prayer: Helen Padilla

Approval of Minutes For the January 21, 2023:

Motion was made by Gary Jordan to accept the minutes as read. Motion was seconded by Helen Padilla.

Motion passed after a majority vote.

Introduction of spouses and guests: Joseph Duran, Claudia Duran, Antonio Lucero, Joseph Padilla (secretary of Los Vigiles Land Grant), Vidal Quintana (board member of Los Vigiles Land Grant), Arturo Archuleta of the New Mexico Land Grant Council (NMLGC), Greta Archuleta (NMLGC), Anissa Baca(NMLGC).

Treasurer's Report:

A motion to approve the Treasurer's Report was made by Michael Benavidez and seconded by Max Benavidez.

Motion was passed after a majority vote.

Collectors Report:

Motion to approve the Collector's Report was made by Joan Vigil seconded by Gary Jordan.

Motion Passed after a Majority vote.

Old Business

A.) New member Applicants Melissa Gold and Julian Gutierrez read their individual application letters to the membership present on July 22, 2023. After letters/introductions were read the membership then voted on the approval of membership by ballot. Results of the votes are as follows.

Melissa Gold: For allowing membership 33 votes. Votes against membership 6 votes.

Julian Gutierrez: For allowing membership 35 votes. Votes against membership 2.

Both members were granted membership and welcomed into the LGLG association.

B.) Jonathan Jordan gave an update on his meeting with Forrester Charles Curtain. Mr. Curtain is employed by out attorney Michael Feinberg.

Jonathan informed that Mr. Curtain will be walking the entire land grant and taking photos. He will provide the report to the attorney and back to the LGLG. Member Bobby Padilla asked if there were any photos of the LGLG prior to the fire that are available. Pictures can be obtained from the NM Geology Association/Society

C.) Arturo Archuleta and the NMLGC gave a presentation on the New bill, HB 268 and its effects on the LGLG.

Note: this agenda item was moved to the last item of discussion. Before the Presentation by Arturo Archuleta and the NMLG council could be heard a vote was needed to extend the meeting past its appointed time constraints. Avedona Lucero Made a motion to extend the meeting and the motion was seconded by Joan Vigil.

Motion was passed with a majority vote.

The LGLG is now a unit of government and has certain rules and obligations that it has to uphold going forward. Arturo gave an overview of what was expected of the LGLG and was available to answer any questions by the membership.

Arturo informed that the LGLG became a Local Unit of Government effective 6/16/23. As such the LGLG is governed by New Mexico Statues Chapter 49 Section 1 (NMSC 49.1).

The LGLG is now eligible to receive an annual distribution from the Land Grant Merced Assistance Fund. The distribution is made annually and can be used for whatever the LGLG wants to use it for, it is not restricted funding.

The LGLG is now subject to the Open Meetings Act. As such minutes must be drafted and kept as part of the annual report to be submitted to the NMLGC. Minutes must cover all actions taken and do not require any notes of any portion of an executive session. Draft minutes must be available upon request within 10 days of any LGLG meeting.

The LGLG will have to submit an audit certification annually.

The LGLG annual report must be kept in a public place for inspection. It must contain all Resolutions, Treasurer Reports and Meeting Minutes. If the LGLG does not have a public office/physical location to house the annual report it can be housed at the NMLGC. Any request to inspect the annul report must be addressed within 3 days if the request can not be met. A copy of the report does not have to be provided only available for inspection.

The LGLG will have to submit a copy of their bylaws. It is likely necessary to update them to be compliant with NMSC 49.

The LGLG is now eligible to apply for capital outlay funding. That requires communication with our local legislators. Pete Campos, Joseph Sanchez and Christine Trujillo were mentioned as current legislators.

The NMLGC has had legal aid funds available to land grants in the passed and they are available by application.

The LGLG will need to have an EIN

The LGLG will need to gain access to the Local Government Budget Management (LGBM) system in order to upload annual budgets, budget adjustments and quarterly reports.

The LGLG will need to keep a log of their resolutions; they should be numbered.

LGLG board members that handle funds need to be bonded.

Andrew reassured that the NMLGC was available to help the LGLG with any questions and guidance to remain in compliance.

D.) Four LGLG Board Members attended a meeting with the Land Grant Interim Committee on July 12, 2023 and provided information on the status of the land grant. Board members present were Andrew Ortega, Bobby Padilla, Avedona Lucero, and Phillip Benavidez. Updates were given on work being done with becoming a political subdivision and an update on the Hermits Peak/Calf Canyon Fire.

Andrew Ortega shared the importance of receiving guidance from FEMA. At this point two members have saw mills, Charles Martinez and Ron Ortega. Northern NM does not have a market for timber and we need to figure out what to do with the timber before it rots as there is a time limit to its marketability.

Bobby Padilla shared his point of view about flooding issues.

Phillip Benavidez shared that the loss to the LGLG will be long lasting and that it is not likely that it will be replenished for many years.

Avedona Lucero recapped various responsibilities of the LGLG in order to be compliant with requirements as a Political Subdivision. Avedona iterated that there is a potential financial benefit in the form of a distribution from the State of NM as long as the LGLG was compliant with requirements. The most pressing requirement was to submit a budget via the DFA system. Avedona informed she had received access to the State Auditors Office (SAO) system to be able to upload required audit tier certification in the future and she was working to gain access to the DFA system to be able to enter and submit the LGLG FY24 budget.

E.) The board shared that the LGLG Board has discussed that having LGLG meetings available via zoom would be a good idea for the LGLG going forward. It would be easier for out of state members to attend and be better informed.

F.) LGLG Board of officers informed the membership that a laptop, Printer, Microsoft Word, and a Zoom Meeting Package was purchased for use on land grant matters. The annual cost for zoom is $160 and Microsoft office is $106 annually.

This equipment would make record keeping and meetings for officers easier and more efficient ways to communicate on land grant issues.

G.) Ron Ortega Grazing Agreement: Johnathan Jordan read the proposed grazing lease agreement that Ron Ortega submitted to the LGLG membership for consideration. At this time LGLG Secretary Andrew Ortega informed the members and officers that this lease was from Ron Ortega and he (Andrew Ortega) is not involved in discussions on this lease agreement. Andrew Ortega further went on to explain to those present at the meeting that his reason for recusing himself from this motion was to avoid any and all claims of a conflict of

A discussion from the membership on issues such as fencing, lease term limits and other issues were discussed:

Gary Jordan asked the question as to who would be responsible for any repairs to fencing as a result of damage from grazing animals, would it be the responsibility of the lessee or the LGLG to repair damaged fences? Andrew Ortega informed that NM is a "fence out state," meaning that it is the responsibility of the property owner to keep livestock out.

Phillip Benavidez had a question about the wording addressing the grazing fee being $1.75/head may be assessed. He asked for clarification to the language, either it was or was not going to be assessed.

Horacio Benavidez asked whether the livestock had to be owned by the lessee. It was stated by many that the livestock should be owned by the lessee and branded with their brand.

Ron Ortega addressed the membership and made the following points regarding grazing rights and the proposed agreement:

Ron informed that his business, Canyon del Medio, LLC would need to know the answer as to whether the LGLG would allow his cattle to graze on the property for management planning purposes.

Ron informed that the first paragraph of the agreement came directly from the LGLG Management Plan.

Ron informed that in 1987 when he initially started to graze cattle at the LGLG he was allowed 45 animal units; a unit consisted of a cow, bull, steer, and a calf.

Ron informed that the second paragraph addressed the concern of overgrazing and stated that the land should not be overgrazed. He added that with respect to the current state of the LGLG he would not consider grazing on it for at least 5 years. He informed that the LGLG should make note of that as a loss to the LGLG, the loss of the ability to graze for some time.

After Ron's presentation there was much more discussion regarding grazing and a contract to allow it. The following summarizes the main questions/concerns:

The member must own the livestock.

Who pays for damage to the fences or any other LGLG property?

The cattle must be branded and a photo of the brand must accompany the agreement for reference/identification/compliance purposes.

Should the agreement/contract be notarized?

What should the lease term be? Should it be a 5 year term?

After the discussion Ron motioned to table the LGLG grazing agreement until the next meeting and appoint a committee to meet within 2 weeks.

The floor was opened to accept committee member volunteers. Gary Jordan, Jonathan Jordan, Bobby Padilla, and Ron Ortega volunteered. The committee was formed and agreed to meet within 2 weeks.

Motion made by Ron Ortega and Seconded by Margaret Lucero.

Motion Passed.

H.) An annual budget was presented to the membership of the LGLG by the LGLG board. The membership was informed the reason they were being presented with a budget was to have a review and discussion and ultimately a vote so that the budget could be turned into the NMLGC. The budget was an action item that required immediate action so the LGLG could be in compliance with the NMLGC for funding. The deadline for this was set for July 28, 2023.

Avedona shared the draft budget that the LGLG Board had come up with. Each item was gone over aloud with the membership. Avedona shared that the LGLG has historically operated on a calendar year budget but would be better to adopt the fiscal year in alignment with the State of NM which is July 1 – June 30. Doing so would make it easier with compliance requirements in the future.

Avedona Lucero Made a motion to accept the presented budget and Ron Ortega Seconded the motion.

Motion passed by a majority vote.

Motion to Adjourn was made by Joan Vigil and seconded by Michael Benavidez.

Motion Passed