

**SANDOVAL COUNTY LABOR MANAGEMENT RELATIONS BOARD MEETING
SPECIAL MEETING MINUTES
COMMISSION CHAMBERS
August 2, 2016 – 3:00 p.m.**

1. CALL TO ORDER

The meeting was called to order at 3:03 p.m. by Ted Baca who introduced himself as the Chair of the Sandoval County Labor Management Relations Board as well as the members of the Board, Marilyn Hill and Frank Marquez.

2. PLEDGE OF ALLEGIANCE

Pledge of allegiance was led by Chair Baca.

3. INTRODUCTIONS & ANNOUNCEMENTS

Chair Baca stated he had already introduced the members of the Board, and asked if there was anyone or anything else. There were no other introductions or announcements.

4. APPROVAL OF AGENDA

Frank Marquez motion to approve; second by Marilyn Hill. Motion passed. Vote was unanimous.

5. APPROVAL OF MINUTES

Marilyn Hill motion to approve the minutes from the meeting of July 19, 2016; second by Frank Marquez. Motion passed. Vote was unanimous.

6. RATIFICATION OF THE CONSENT ELECTION AGREEMENT, OR FAILING AGREEMENT, ISSUANCE OF AN ELECTION ORDER FOR A REPRESENTATION ELECTION FOR A NEW BARGAINING UNIT AT DETENTION

Chair Baca asked who will proceed. Dina Holcomb introduced herself for Sandoval County, and stated that there was an agreement on the date and time for the election, a draft copy of which was placed in each member's book. The agreed upon date is August 18, 2016. Election times will be 6:00 a.m. to 8:00 a.m. and 6:00 p.m. to 8:00 p.m. as there are shift changes at 7:00 a.m. and 7:00 p.m. The election will be held at the Detention Center training room.

In our previous meeting, we asked if one of the Board members would be willing to act as Election Supervisor. There are a couple of blanks that need to be filled in: Number 1 (Election Supervisor) and Number 4, Letter D, need to fill in where an Absentee Ballot would need to be sent. The Election Supervisor would need to choose either to release a home address, and we can put that in here, or we can have the Absentee Ballots sent to the County Clerk's office.

Chair Baca stated he was a little concerned as to whether any Board member should serve as the Election Supervisor, because of paragraph C 5 of your agreement : if there are challenged ballots, which could make a difference in the election outcome, the Election Supervisor would have to do an investigation and issue a report. And it says any party may request Board review of the Election Supervisor's report. So, if one of the Board members was the Election Supervisor, and we had to review that person's report, that person would have to disqualify them self because it's their report. Dina Holcomb replied that it was correct. Chair Baca stated that only leaves two members to vote and if it is a tie, we are stuck. Chair Baca then asked the other Board members and Frank Marquez replied that he thought Chair Baca had clarified the issue.

Chair Baca then asked if there was any suggestions from counsel as to who should be designated as an Election Supervisor. Dina Holcomb replied that there are a couple of options. There is a lady by the name of Virginia Carpenter, who used to be an assistant to the State Labor Board and she has conducted several of these. We could also reach out to Mike Williams who ran our last election for the Detention Center. Ms. Holcomb was not sure if there was anyone else who might be willing to do it. We could also seek a poll worker who has done this for the County. Ms. Holcomb was not sure if there would be any objection to that.

Speaking on behalf of the Union, Mr. Curtice replied that he would not have any objection to a poll worker, saying that "other local Boards that Dina and I have worked with tend to designate a Board members as Election Supervisors." The problem Chair Baca identified could surface, and though it has never occurred, that may just be the result of luck. The State Labor Board has an Executive Director who tends to serve as the Election Supervisor, but in terms of staff, we do not have that luxury with a local Board.

Mr. Curtice asked Ms. Holcomb the name of the person who previously served as Election Supervisor. Ms. Holcomb replied it was Mike Williams. Mr. Curtice asked what his position was. Ms. Holcomb responded he was a Board member. Mr. Curtice asked, so he did do it even as a Board member and Ms. Holcomb replied yes. Mr. Curtice said he was fine with a Board member serving as Election Supervisor. In the unlikely event that causes a problem, he was also fine with the Board designating somebody else. He was not sure on how to proceed to get it done today.

Board member Frank Marquez suggested that maybe we should designate the County Clerk by having someone go downstairs to inquire if the Clerk would be willing to conduct the election. Ms. Holcomb replied that we could do that.

Chair Baca then declared a short recess.

Chair Baca stated we were back on record at 3:22 p.m. and asked if there was anything to report with respect to the designation of an Election Supervisor. Ms. Holcomb replied, if we could simply put the County Clerk's office and will have a poll worker hired. The Clerk was not available, but we did talk to the Bureau of Elections and they don't think that will be a problem. It will require that the County and Union split the costs of the poll worker which is \$155.00 for the day, so it's not a lot of money. But if we can leave it open as the County Clerk's Office and then that the absentee ballots be turned in to the County Clerk's office, that would easiest for us, since we don't have a designated person.

We ran into one other issue in that there was an anticipated change in shifts; going to a twelve hour shift. That is not going to occur until after the 18th, so we will need to change the polling times. If we can make an amendment to the polling times being 6:30 a.m. to 8:30 a.m., and 2:00 p.m. to 4:00 p.m.? Chair Baca recognized Mr. Curtice, who replied that the Union is agreeable as it was our proposal. The staff is

currently working three 8 hour shifts to cover the 24 hour facility. It was believed at the time we discussed shift schedules that the change of a twelve hour shift would have occurred by the 18th. We have since learned that change is not going to occur by the 18th, so the times as Ms. Holcomb amended will capture both outgoing and oncoming personnel for all shifts. Chair Baca asked for clarification on the second polling time. Ms. Holcomb replied 2:00 p.m. to 4:00 p.m. He stated that the County Clerk's office is designated by this Board as the Election Supervisor. Ms. Holcomb replied yes.

Ms. Holcomb then stated that the top of the second page could state that voters could request, in writing, an absentee ballot from the Election Supervisor at the Sandoval County Clerk's office.

Chair Baca stated that the final blank he saw is right below that. Ms. Holcomb replied that the blank would be populated with the date August 17, 2016. Chair Baca asked, to be counted an absentee ballot must be received by the Election Supervisor by August 17th? Ms. Holcomb confirmed that is correct and if voters are going to be absent on the day of the election, the County Clerk's office has to have the absentee ballot in to them the day before the election so it can be mixed with the other ballots. Chair Baca clarified the absentee ballots must be received by 5:00 p.m.

Chair Baca then asked if there was any other modifications or changes. Ms. Holcomb replied no. He asked who was going to sign the agreement and if it could be signed now. Ms. Holcomb stated that having Chair Baca sign as chair would be fine if the Board could take a roll call vote then have Mr. Curtice sign. Chair Baca then asked who is going to sign for the Election Supervisor. Ms. Holcomb replied that the poll worker can sign as soon upon selection or we can have the Sandoval County Clerk sign. Chair Baca then stated that will be left blank today. Chair Baca asked if there was a motion to approve the Consent Election Agreement as modified. Board member Marilyn Hill moved that we accept the Consent Election Agreement as modified. Board member Marquez second the motion. Motion passed. Chair Baca stated that the Consent Election Agreement, as modified, has been ratified by a unanimous vote of the Labor Board.

Chair Baca then stated that he will initial the blanks that had been filled in. Chair Baca then asked if counsel would approach to sign the agreement. Ms. Holcomb replied that we will have to give that to the County Manager or County Attorney to sign as she did not have the authority to enter into a contract for the County, but would get the signatures completed. Chair Baca replied okay. Chair Baca restated that he did initial all those blanks that were filled in. Chair Baca then asked who will take possession of this agreement. Patricia Miller, Director of Human Resources, was given

Board member Marilyn Hill then asked for clarification on the Notice of Election as to who will make the appropriate changes to that document. Ms. Holcomb replied that she will make the appropriate changes to that document and make sure that it gets posted here at the this building and as well at the Detention Center. Ms. Hill replied thank you.

7. OTHER BUSINESS

None.

8. PUBLIC COMMENTS

No comments.

9. SCHEDULE NEXT MEETING

Ms. Holcomb replied that after the election we will need to the Board to certify the results of the election. Ms. Holcomb stated that there is a five calendar day period in which any objections to the election can be filed with the Board. So she suggested that we wait at least five days after the election date to schedule the next meeting. Chair Baca replied that the election is August 18, 2016, which is a Thursday. Board member Ms. Hill asked if that was five calendar days or five workdays. Ms. Holcomb replied that it was calendar days.

Board members discussed their schedules and Chair Baca stated they were thinking of meeting August 26th at 3:00; it's a Friday. Human Resources Director Patricia Miller responded she would check and stepped out to see if the Commission Chambers would be available on that date. Board member Marquez asked if someone would go ask Ms. Miller to check to see if the room would be available earlier during the day at 9:00 in the morning instead of 3:00 in the afternoon. Ms. Miller returned and stated that at 9:00 a.m., Friday, August 26th was confirmed. Chair Baca stated the next meeting of the Sandoval County Labor Management Relations Board will be Friday, August 26 here in the Commission Chambers and it will commence at 9:00 in the morning.

11. ADJOURN

Motion to adjourn by Frank Marquez, second by Marilyn Hill. Motion passed. Vote was unanimous.

Chair Baca adjourned the meeting at 3:35 p.m.