

**Regular Meeting of the Labor Management Relations Board  
Held in the Conference Room at City Hall  
January 13, 2017**

Notice of this meeting was given to the public in compliance with Sections 10-15-1 through 10-15-4, NMSA 1978 and Resolution 16-69.

**ROLL CALL**

The meeting convened at 10:04 a.m. with chair Rich Olson presiding and members Pauline Ponce and Eugene De Los Santos present.

Staff Present: Sharon Coll, Devin Graham, Jason Sweatfield, Stephanie Garay and Aaron Holloman.

Guest Present: Juan Oropesa, Caleb Grant, Ron Chambers and Richard Garcia.

**APPROVAL OF AGENDA**

Ms. Ponce moved to approve the January 13, 2017 Labor Management Relations Board meeting agenda as presented. Judge De Los Santos was the second. A voice vote was unanimous and the motion passed.

**REGULAR ITEMS (ACTION ITEMS)**

1. Consider to accept or reject the Petition after considering procedural adequacy of service pursuant to Sections 1.2 and 2.1 of the Petition. Mr. Olson discussed the Petition seeking certification of a bargaining unit by the Roswell Professional Fire Fighters Association with the Labor Management Relations Board. Ms. Ponce moved to accept the Petition as filed with the City Clerk via the Roswell Professional Fire Fighters Association and record as filed on January 13, 2017. Judge De Los Santos was the second. A voice vote was unanimous and the motion passed.

2. Consider setting a date for a representation hearing after determining, pursuant to Section 2.7 of the Rules and Regulations of the Roswell Labor Relations Board, the need for a representation hearing concerning the Petition pursuant to Section 21.11 of the Rules and Regulations of the Roswell Labor Relations Board. Staff and the Labor Management Relations Board members discussed the timeline according to the rules and regulations and if Lieutenants would be included. Chair Olson discussed setting a hearing for this decision. Mr. Holloman stated he sees the timeline as the Notice of the Petition being filed today, January 13, 2017, the notice would need to be published to all eligible employees within 10 days and within 45 days of that posting the Labor Management Relations Board would be required to have a hearing as to the issues for the election. Ms. Ponce moved to reconvene in 20 days from this date (January 13, 2017) to set a meeting and 10 days after today (January 13, 2017) the City Attorney state their position, a prior position of Lieutenants of whether that is binding or not based on a past determination and the Fire Fighter Association respond to the City regarding their position to include Lieutenants in the Collective Bargaining Unit or not and at that meeting, to consider the position of the City and the Roswell Fire Fighter Association and if necessary set an evidentiary hearing, and if not, at that point, setting of a time of election will be determined. Judge De Los Santos was the second. A voice vote was unanimous and the motion passed.

3. Consider to accept or reject service of board members based on qualifications of board members after review. Mr. Olson disclosed his affiliation with the City of Roswell. Mr. Olson represented the City of Roswell temporarily on legal issues as consulted during the interval when the City was without a staff City Attorney. The firm also represents the insurance carrier for the City in connection to civil rights cases. Ms. Ponce moved that the Chairman has disclosed his affiliation with the City, legal representation and in matters with insurance carrier. The board feels there is no issue to disqualify Mr.

Olson of being a member of the Labors Management Relations Board. Judge De Los Santos was the second. A voice vote was 2-0 with Mr. Olson abstaining. The motion passed.

4. Consider the posting of appropriate notices of the filing of the Petition. Staff and the Labor Management Relations Board members discussed the timeline according to the rules and regulations and if Lieutenants would be included. Chair Olson discussed setting a hearing for this decision. Mr. Holloman stated he sees the timeline as the Notice of the Petition being filed today, January 13, 2017, the notice would need to be published to all eligible employees within 10 days and within 45 days of that posting the Labor Management Relations Board would be required to have a hearing as to the issues for the election. Ms. Ponce moved to reconvene in 20 days from this date (January 13, 2017) to set a meeting and 10 days after today (January 13, 2017) the City Attorney state their position, a prior position of Lieutenants of whether that is binding or not based on a past determination and the Fire Fighter Association respond to the City regarding their position to include Lieutenants in the Collective Bargaining Unit or not and at that meeting, to consider the position of the City and the Roswell Fire Fighter Association and if necessary set an evidentiary hearing, and if not, at that point, setting of a time of election will be determined. Judge De Los Santos was the second. A voice vote was unanimous and the motion passed.

5. Consider setting of subsequent meetings, as may be required under the Rules and Regulations of the Roswell Labor Relations Board, in connection with the investigation of the Petition and other matters as may be necessary to facilitate the consideration of and determining the Petition. The Labor Management Relations Board discussed the timeline briefly and the date. Ms. Ponce motioned to set the date for the next meeting on Thursday, February 2, 2017 at 10:00 a.m. Judge De Los Santos was the second. A voice vote was unanimous and the motion passed.

#### **NON-ACTION ITEMS**

Request for certain information necessary to facilitate the handling and consideration of the Petition.  
Mr. Holloman briefly discussed.

#### **ADJOURN**

Judge De Los Santos moved to adjourn. Ms. Ponce was the second. A voice vote was unanimous and the motion passed. The meeting adjourned at 10:38 a.m.