

Regular Meeting 10/21/2009

The Board of Trustees of the Village of Tularosa met in a Regular Meeting on Wednesday, October 21, 2009 at 7:00 P. M. in the Court/Conference Room of the Public Safety Facility located at 609 St. Francis Drive, Tularosa, New Mexico.

Present: Mayor Ray S. Cordova

Trustee Fred Tyler

Trustee Patrick Garcia

Trustee Thomas J. McKean

Trustee Gloria Sainz

Also in attendance was Village Attorney Jefferson Rhodes, Village Clerk Dianna Brusuelas-Guilez, Grants Coordinator Richard Gutierrez, Finance Officer Valarie Delgado and Accounts Payable/Payroll Clerk Monica Voorbach.

Mayor Ray S. Cordova called the meeting to order and asked that all rise and join him in the Pledge of Allegiance.

Item 1. Consideration of Agenda and Consent Agenda

Motion was made by Trustee Thomas McKean and seconded by Trustee Patrick Garcia to consider the agenda and the consent agenda.

Roll Call Vote: Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Trustee Tyler, aye. Motion carried with all members voting in the affirmative.

Item 2. Unscheduled Correspondence and Public Comments

None

Item 3. Information: Summer Food Service Program-New Mexico ranked second in the nation in serving eligible children

Item 4. Information: \$200.00 to Tularosa Recreation Program from Fraternal Order of Eagles

Item 5. Information: Monica Voorbach awarded a \$700.00 scholarship to attend the 2009 Clerks Certification Institute

Item 6. Information: Resignation of Julian Martinez Jr. effective October 2, 2009

Mayor Ray S. Cordova announced that Items 3,4,5 and 6 were items of information and read each one individually asking that a Thank You note be sent to the Fraternal Order of Eagles.

Item 7. Acceptance of resignation of Monte Matheson effective September 16, 2009

Trustee Fred Tyler moved to accept the resignation of Monte Matheson as presented and was seconded by Trustee Thomas McKean.

Roll Call Vote: Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Trustee Tyler, aye. Motion carried with all members voting in the affirmative.

Item 8. Approval of Resolution 2009-2010-08 Increasing the Budget for the Older American Program

Trustee Thomas McKean moved to approve Resolution 2009-2010-08. Motion was seconded by Trustee Gloria Sainz.

Roll Call Vote: Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Trustee Tyler, aye. Motion carried with all members voting in the affirmative.

Item 9. Approval of Resolution 2009-2010-9 Approving a Records Management Program for the Village of Tularosa

Trustee Patrick Garcia moved to approve and was seconded by Trustee Thomas McKean.

Roll Call Vote: Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Trustee Tyler, aye. Motion carried with all members voting in the affirmative.

Item 10. Approval of Resolution 2009-2010-10 for Water Trust Board Fund

Trustee Thomas McKean moved to approve Resolution 2009-2010-10 for Water Trust Board Fund and was seconded by Trustee Fred Tyler.

Roll Call Vote: Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Trustee Tyler, aye. Motion carried with all members voting in the affirmative.

Item 11. Approval of Budget Adjustment Request 2009-4 Older American Center

Trustee Thomas McKean moved to approve Budget Adjustment Request 2009-4 and was seconded by Trustee Gloria Sainz.

Roll Call Vote: Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Trustee Tyler, aye. Motion carried with all members voting in the affirmative.

Item 12. Consideration of approval of Ordinance 238 providing for the required collection of Solid Waste by the Village of Tularosa as the exclusive hauler, setting fees for residential and commercial accounts and regulating placement and maintenance of receptacles and providing penalties

Trustee Thomas McKean said he felt this item should be postponed until the next meeting. Trustee Fred Tyler asked if the village was on firm legal ground if they pass this. Attorney Jeff Rhodes responded, yes.

Trustee Fred Tyler moved to consider the approval of Ordinance 238 providing for the required collection of Solid Waste by the Village of Tularosa as the exclusive hauler, setting fees for residential and commercial accounts and regulating placement and maintenance of receptacles and providing penalties.

Motion was seconded by Trustee Patrick Garcia.

Trustee Thomas McKean had a question on the second page (B), for irregular service and special pickups, the fee shall be agreed upon in advance by the customer and the company, who in the village will agree with this fee? It was responded that whoever the Mayor assigns. Village Clerk Dianna Brusuelas-Guilez stated that a set fee would not be feasible because it would depend on what and how much was being picked up and if we had the capability. Trustee Fred Tyler suggested having a minimum fee. Trustee Patrick Garcia did not believe it should be an issue. Trustee Thomas McKean stated he did not believe in forcing the commercial to use our service.

Roll Call Vote: Trustee Garcia, aye. Trustee McKean, nay. Trustee Sainz, aye. Trustee Tyler, aye. Motion carried with three members voting aye and one member voting nay.

Item 13. Approve the publication by Title & Subject Matter of Ordinance 238

Trustee Fred Tyler moved to approve the publication by Title and Subject Matter of Ordinance 238. Motion was seconded by Trustee Patrick Garcia.

Roll Call Vote: Trustee Garcia, aye. Trustee McKean, nay. Trustee Sainz, aye. Trustee Tyler, aye. Motion carried with three members voting in the affirmative and one member voting nay.

Item 14. Gloria Lopez/Maria Gallegos-Presentation on allowing the Head Start Program to be housed at the Community Center

Maria Gallegos who oversees the Head start programs in Alamogordo, La Luz, and Tularosa made a presentation to the Mayor and the Board saying the partnership with the village is vital to the Head Start Program. The wish is to partner with the village in order to expand the services to pre-natal, infant and toddlers. Ms. Gallegos explained that they will present the plans to the village at the next council meeting and thanked everyone for their time. It will be a licensed child care facility.

Item 15. Alamotero Land Surveys-Approval of Village of Tularosa Subdivider's Contract with Steven Dyer reference Rhino Subdivision

Mr. Klad Zimmerle gave a presentation and asked the Board if there were any questions. Trustee Fred Tyler asked if the bonding was in place. Mr. Zimmerle said things will follow in place based on approval including water rights and the bond. Mr. Zimmerle stated that there would be no curbs and gutters nor sidewalks, Attorney

Jeff Rhodes then stated that the contract included that the subdivider would follow the provisions of Section 152.34 of the Village of Tularosa subdivision regulations. After much discussion Trustee Thomas McKean moved to table the item and was seconded by Trustee Gloria Sainz.

Roll Call Vote: Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Trustee Tyler, aye. Motion carried with all members voting in the affirmative.

Item 16. Alamotero Land Surveys, Approval of Rhino Subdivision at the Southeast corner of S. Bookout Rd. & Highway 54/70 (postponed from 8/19/09 meeting)

Mr. Klad Zimmerle from Alamotero Land Surveys requested that Item 16 be tabled. Trustee Thomas McKean then moved to table Item 16 and was seconded by Trustee Gloria Sainz.

Roll Call Vote: Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Trustee Tyler, aye. Motion carried with all members voting in the affirmative.

Item 17. Judge Timothy Flores-Request for village to advance the money to pay for the installation of new software and training and installation and training to be reimbursed by the municipal court automation fee

Court Clerk Vivian Lueras gave a summary of the request asking an advance of \$14,755.00 which would be reimbursed by the Court Automation Fund.

Trustee Thomas McKean moved to approve the advance of \$14,755.00 from the water fund until reimbursement is made, motion was seconded by Trustee Patrick Garcia.

Roll Call Vote: Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Trustee Tyler, aye. Motion carried with all members voting in the affirmative.

Item 18. Dianna Brusuelas-Guilez-Request approval for employees to use vacation for the following: November 27, 2009; December 24, 2009 & December 31, 2009

Trustee Patrick Garcia moved to approve and was seconded by Trustee Fred Tyler to approve the following days using vacation time, November 27, 2009, December 24, 2009 and December 31, 2009. A question arose about the garbage collection. It was stated that a notice would be sent.

Roll Call Vote: Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Trustee Tyler, aye. Motion carried with all members voting in the affirmative.

Item 19. Dianna Brusuelas-Guilez-Request change to Village of Tularosa Personnel Policy, Chapter IV, Section 40.02 (H). The work

Annual to Sick

Trustee Thomas McKean moved to approve adding "/Sick" to section 40.02(H) of the personnel policy. Motion was seconded by Trustee Gloria Sainz.

Roll Call Vote: Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Trustee Tyler, aye. Motion carried with all members voting in the affirmative.

Item 20. Trustee Pat Garcia-1) Status on Keep Tularosa Beautiful 2) Weeds on side of Highway 3) Weed status at Otero's Mini Market and Old Gas Co by Subway

Susan Flores gave information about things going on with Keep Tularosa Beautiful stating that she met with the Advisory Council on October 5th, has started a recycle program, the football team will help with the road side yard project. Trustee Patrick Garcia stated that his concern was the eye sores on the main highway. Ms. Flores stated that KTB was more of a litter program than a weed program. Mr. Dan Smolick said he would help with weed control and advised the Board to send someone to a class put on by the Otero County Extension Service on chemically controlling weeds. The Mayor and Board took his information under advisement.

Item 21. Old Business:

Trustee Thomas McKean-

A) Community Center Improvements status when are they going to start work?

B) Waste Water plant, latest update in the repairs

C) Fire Hydrant repairs update, how we stand

D) What about having Video Cameras installed at Community Center and Veteran's Memorial Park?

E) Latest update on Sedimentation pond?

F) Stimulus funding, are we going to receive any?

G) Status of village well and purchasing of land?

H) Status of New Senior Center Project and water line?

Trustee Thomas McKean stated that all his questions were answered at the Workshop.

Item 22. New Business:

Trustee Thomas McKean-Did we get an answer about harmless provision from Santa Fe yet?

Trustee Thomas McKean reminded everyone about the Veteran's Day Celebration at the Community Center on November 11th at 11:00 a. m.

Item 23. Adjourn

Trustee Thomas McKean moved to adjourn and was seconded by Trustee Patrick Garcia.

There being no further business to come before the Board the meeting adjourned at 8:15 P. M.

The written minutes are the official minutes of the meeting. The recorded Compact Flash are part of the minutes only for interpreting any ambiguity in the written minutes. When the minutes are approved and signed the written minutes are the official minutes of the meeting.

Ray S. Cordova, Mayor

ATTEST:

Dianna R. Brusuelas-Guilez, Village Clerk

Minutes approved by The Board of Trustees at the Regular Meeting of November 18, 2009.