

Village of Tularosa-Regular Meeting-May 15, 2007

The Board of Trustees of the Village of Tularosa met in a Regular Meeting on Tuesday, May 15, 2007 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 Patrick Garcia, Trustee Margaret Trujillo, Trustee Thomas McKean, Trustee Gloria Sainz as well as Village Attorney Jefferson Rhodes and Village Clerk Dianna Brusuelas.

At 7:05 P. M. Mayor Cordova welcomed everyone and led the Pledge of Allegiance.

Item 1. Consideration of Agenda and Consent Agenda

Trustee Margaret Trujillo moved to consider the agenda and the consent agenda with the removal of item B under number 23. Trustee Thomas McKean asked under Item 21 remove all items except item B. Trustee Gloria Sainz seconded the motion.

Roll Call Vote: Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Trustee Trujillo, aye. Motion carried with all members of the Board voting aye.

Item 2. Public Comments

Mr. Fred Tyler voiced concern about the vandalism at the Community Center. Mayor Cordova advised that the Board was looking at security and some areas are already set up.

Ms. Tamaris Duke spoke of a neighbor of her's being vandalized and asked for Police patrol. A suggestion of a neighborhood watch was mentioned.

Item 3. Approval of Budget Adjustment 2007-2

Trustee Margaret Trujillo moved to approve Budget Adjustment Request 2007-2 and was seconded by Trustee Thomas McKean

Roll Call Vote: Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Trustee Trujillo, aye. Motion carried with all members of the Board voting aye.

Item 4. Approval of Budget Resolution 2006-07-02 to enter into a Grant Agreement with NMED (SAP 06-1165-GF) Water/WW Line Improvements

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

Trustee McKean requested to amend the motion to read if there are any left over funds it would have to come before the board to decide what to do with the excess funds. Trustee Gloria Sainz seconded the amendment

Roll Call Vote: Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Trustee Trujillo, aye. Motion carried with all members of the Board voting aye. Roll call vote was then taken on the original motion.

Roll Call Vote: Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Trustee Trujillo, aye. Motion carried with all members of the Board voting aye.

Item 5. Approval of Budget Resolution 2006-07-04 to enter into a Grant Agreement with NMED (SAP-1171-GF) Waste Water Reservoirs

Trustee Thomas McKean moved to approve Budget Resolution 2006-07-04 and was seconded by Trustee Gloria Sainz.

Roll Call Vote: Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Trustee Trujillo, aye. Motion carried with all members of the Board voting aye.

Item 6. Approval of resolution 2006-07-17 2007-2008 Budget

Trustee Thomas McKean moved to approve the Resolution 2006-07-17 with the changes which were correcting the capital outlay. Motion was seconded by Trustee Gloria Sainz.

Roll Call Vote: Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Trustee Trujillo, aye. Motion carried with all members of the Board voting aye.

Item 7. Approval of FY 2007-2008 Co-Op Road Project Application

Trustee Margaret Trujillo moved to approve FY 2007-2008 Co-Op Road Project Application

and was seconded by Trustee Patrick Garcia. Trustee Thomas McKean asked if this should not be a Resolution. Village Clerk Dianna Brusuelas advised that this was approval for the application and the Resolution would follow.

Roll Call Vote: Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Trustee Trujillo, aye. Motion carried with all members of the Board voting aye.

Item 8. Rick Gutierrez-Pick and prioritize projects for 2007-2008 Infrastructure Capital Improvement Plan (ICIP)

Mayor Cordova asked Village Clerk Dianna Brusuelas to read the list according to the discussion the previous night. The Village Clerk read the list as follows: (1) Recreation-Gym/Swimming Pool (Planning Study) (2) Animal Control Center-Furnishings, Equipment & Vehicle (3) Senior Center (4) Water/Sewer Lines (5) Streets/Sidewalks ADA Compliant (6) Police Cars and Equipment (7) Yard Equipment (8) Baseball/Softball Fields (9) Traffic Signal Lights (10) Community Center (11) Village Vehicle.

Trustee Thomas McKean moved to approve the ICIP list. Motion was seconded by Trustee Margaret Trujillo.

Roll Call Vote: Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Trustee Trujillo, aye. Motion carried with all members of the Board voting aye.

Item 9. Rotary Club of Tularosa (Machele Lackey) Request to allow Rotary Club to place benches at Bus Stop

Machele Lackey made a presentation of the history of the Rotary Club of Tularosa with its beginning in 2002. The request was to allow Rotary to install eight public benches where the Z-Trans bus stops and sell advertising on the benches, Ms. Lackey also asked that someone from the village be part of Rotary. The insurance carrier for the Rotary Club will cover the benches.

Trustee Margaret Trujillo moved to allow the placement of four benches, questions arose as to allowing four or eight benches. Trustee Margaret Trujillo then amended her motion to allow the placement of eight benches. Motion was seconded by Trustee Patrick Garcia.

Roll Call Vote: Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Trustee Trujillo, aye. Motion carried with all members of the Board voting aye.

Item 10. Tularosa Vineyards (David Wickham) Approval to serve wine at Coffee & More, 308 Granado for the Democratic Party of Otero County Fundraiser

Trustee Margaret Trujillo moved to approve and was seconded by Trustee Thomas McKean.

Roll Call Vote: Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Trustee Trujillo, aye. Motion carried with all members of the Board voting aye.

Item 11. Alamogordo Chamber of Commerce (Melissa Mackechnie) request to pay dues of \$242.00

Melissa Mackechnie made a presentation to the Board of Trustees and passed out a member-ship brochure stating that it is not only an 'Alamogordo Chamber' but promotes Otero County.

After much discussion Trustee Margaret Trujillo moved not to join the Alamogordo Chamber and was seconded by Trustee Gloria Sainz.

Roll Call Vote: Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Trustee Trujillo, aye. Motion carried with all members of the Board voting aye.

Item 12. Friends of Historic Tularosa (Cynthia Preloaded-Riedlinger) Veteran's Memorial Day Observance

Cynthia Prelo-Riedlinger presented a draft copy of the program for the Veteran's Memorial Day Observance and introduced Alex Candelaria mentioning all the activities having to do with the program. Ms. Prelo-Riedlinger invited all the Board members to the breakfast on Memorial Day. Mayor Cordova asked the Village Clerk to remind him to ask Rick Gutierrez to call Gentry Construction. A request for police patrol was also made.

Item 13. David Baca-Request to change water rate

Mr. David Baca requested an adjustment to his water bill showing that his RV Park only used 4,000 gallons of water which is below the minimum and his bill was over \$300.00 because he was billed 25.00 for each space whether they were occupied or not. Trustee Margaret Trujillo agreed with Mr. Baca because the consumption was only 4,000 gallons and after looking at the ordinance the 'occupied and unoccupied' wording needs to be changed.

Trustee Margaret Trujillo moved to make an adjustment to Mr. Baca's water bill and charge only for the 4,000 gallons used and stated that the ordinance has to be looked at again. The Board members recognized a problem with the ordinance. Trustee Gloria Sainz seconded the motion.

Roll Call Vote: Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Trustee Trujillo, aye. Motion carried with all members of the Board voting in favor of the motion.

Item 14. Senior Program (Prestina Chavez) Request Cheryl Parker Regular Full-time, 6 months probationary status over 5/6/2007 salary increase from \$7.50 to \$8.00

Trustee Thomas McKean moved to make Ms. Parker a Regular Full-time employee with the salary going up to \$8.00 per hour. Motion was seconded by

Trustee Margaret Trujillo.

Roll Call Vote: Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Trustee Trujillo, aye. Motion carried with all members of the Board voting aye.

Item 15. Mayor Cordova-Request Virgil Mayberry Regular Full-time, 6 months probationary status over 5/16/2007

Mayor Cordova stated that he inadvertently left Mr. Mayberry's salary increase from his request but would bring that up at the next Regular Meeting.

Trustee Thomas McKean moved to approve Mr. Mayberry as a Regular Full-time employee and was seconded by Trustee Gloria Sainz.

Roll Call Vote: Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Trustee Trujillo, aye. Motion carried with all members of the Board voting aye.

Item 16. Alamo Disposal (Art Cardiel) Request CPI increase

Mr. Cardiel presented the Board members with a letter requesting the increase. Trustee Thomas McKean asked to turn to page 19 and wondered if Mr. Cardiel would give the village another Attachment for the contract. Certain concerns were discussed with Mr. Cardiel.

Trustee Margaret Trujillo moved to approve the CPI increase and was seconded by Trustee Patrick Garcia.

Roll Call Vote: Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Trustee Trujillo, aye. Motion carried with all members of the Board voting aye.

Item 17. Monica Voorbach-Solid Waste – Do we go out to bid or retain

Trustee Margaret Trujillo moved to retain Art Cardiel dba Alamo Disposal and was seconded by Trustee Patrick Garcia.

Roll Call Vote: Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Trustee Trujillo, aye. Motion carried with all members of the Board voting aye.

Item 18. Trustee Margaret Trujillo-Request to Publish by Title & Subject Matter Ordinance 222 regulating the operation of Mobile Home Parks and Recreational Vehicle Parks

Trustee Margaret Trujillo moved to publish by Title & Subject Matter Ordinance 222 and was seconded by Trustee Thomas McKean.

Roll Call Vote: Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Trustee Trujillo, aye. Motion carried with all member of the Board voting aye.

Trustee Thomas McKean asked if the Alamo Disposal Contract could be signed by Attorney Jefferson Rhodes.

Item 19. Trustee Margaret Trujillo-Ordinance 220, Section 51.01 (B) (C) (D) & (E) Occupied and Unoccupied spaces, time limit on reporting

Trustee Margaret Trujillo reminded everyone that this ordinance was discussed earlier and the Board requested a workshop. Trustee Margaret Trujillo also stated that Item 20 was also a request for a workshop. After some discussion the Mayor and the Board agreed on the workshop being at 6:00 P. M. on Thursday, June 7, 2007 for both items 19 and 20.

Item 20. Trustee Margaret Trujillo -Policy Manual Discussion

It was agreed to have the workshop with item 19 on June 7, 2007 at 6:00 P. M.

Item 21. Planning & Zoning (Don Ogden)

With Mr. Ogden not being present and item 21(A) (Variance Request Sign Permit Historic District Billboard), item 21(C) (Revisions to Zoning Ordinance), item 21(D) Code Enforcement, item 21(E) (Village Boundary Project-Review and Recommendations) and item 21(F) (Proposed projects-Approval to proceed) being deleted Mayor Cordova brought up item 21(B) Variance Request-Bob Scott Temporary Signs. The members of the Board decided to address the two signs on Mr. Scott's property and the third sign on the island at the Y was not approved. Mr. Fred Tyler approached the Board stating that the Planning and Zoning had approved the two temporary signs for six months until October 31, 2007.

Trustee Thomas McKean then moved to approve the two signs on Mr. Scott's property and was seconded by Trustee Gloria Sainz.

Roll Call Vote: Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Trustee Trujillo, aye. Motion carried with all members of the Board voting aye.

Item 22. Trustee Thomas McKean

(A) 16 March 2006-Passed by Board. What is being done about the decals on Village Vehicles

(B) 19 Dec 2006-Received a list of fire hydrants that need repairs what is being done?

(C) April 2006-Have been on the agenda what is being done in installing new fire hydrant on Rose & S. Bookout

(D) July 2006-What is the latest status to go out for bid to have Village limits surveyed?

Mayor Ray Cordova advised that most of these items were discussed at the workshop. Trustee Thomas McKean stated that he goes along with the answers but would like the fire hydrants taken care of.

Item 23. (A) Attorney Rhodes-Executive Session as per Section 10-15-1(H) of the Open Meetings Act, to discuss threatened or pending litigation (JWC Environmental)

It was determined that Mr. Richard Gutierrez was in the process of getting information together and there was no need for an executive session on this item.

(B) Trustee Trujillo-Executive Session as per Section 10-15-1(H) of the Open Meetings Act, to discuss limited personnel matters concerning packets given out to select Board of Trustee members

Item was removed.

(C) Trustee McKean-Executive Session as per Section 10-15-1(H) of the Open

Meetings Act, to discuss threatened or pending litigation on water issues

Trustee Thomas McKean moved to go into executive sessions per Section 10-15-1(H) of the Open Meetings Act to discuss threatened or pending litigation on water issues. Motion was seconded by Trustee Patrick Garcia.

Roll Call Vote: Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Trustee Trujillo, aye. Motion to go into executive session passed and the Board went into executive session at 8:55 P. M. Mayor Cordova stated that the board would convene into executive session for discussion only and no decisions would be made.

At 9:17 P. M. the Board reconvened into regular session with the Mayor stating that the matters discussed were limited only to those specified in the motion for closure and no decisions were made.

Trustee Thomas McKean the moved to transfer as many water rights to well T-20 as T-20 could sustain. Motion was seconded by Trustee Patrick Garcia.

Roll Call Vote: Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Trustee Trujillo, aye. Motion carried with all members of the Board voting aye.

Item 24. Old Business

None

Item 25. New Business

None

Trustee Thomas McKean brought up the survey of the village limits and requested the survey be done by degrees, not by lots and putting one stake in the ground and one above and to include the zoning.

Also was the appraisals for the property by the tanks.

Item 26. Adjourn

Trustee Margaret Trujillo moved to adjourn and was seconded by Trustee Thomas McKean. Motion carried with a voice vote from all members of the Board. Meeting adjourned at 9:25 P.M.

The written minutes are the official minutes of the meeting. The recorded tapes 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, Village Clerk

Minutes approved by the Board of Trustees at the Regular Meeting of June 19, 2007.