

Regular Meeting-May 20, 2009

The Board of Trustees of the Village of Tularosa met in a Regular Meeting on Wednesday May 20, 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 McKean, Trustee Gloria Sainz, Village Attorney Jeff Rhodes, Valarie Delgado Finance Officer, Richard Gutierrez Grants Coordinator as well as Dianna Brusuelas-Guilez Village Clerk.

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

### **Item 1. Consideration of Agenda and Consent Agenda**

Trustee Patrick Garcia moved to consider the agenda and the consent agenda. Trustee Fred Tyler seconded the motion. Trustee Gloria Sainz asked to move Item 13 to be Item 2b. Trustee Thomas McKean asked a question on the bills list about a payment to KLM

from the sewer plant. Mayor Ray Cordova explained that the pump at the lift station broke and KLM has to be hired to remove the sludge.

**Roll Call:** Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Trustee Tyler, aye. Motion carried with the change on item 13 with all members of the Board voting in the affirmative.

Items on the consent agenda consisted of the minutes of April 14, 2009 Workshop, minutes of April 15, 2009 Regular Meeting, minutes of May 5, 2009 Special Meeting and Budget Workshop, Village bills, business registrations and site and sign permits.

### **Item 2. Unscheduled correspondence and Public Comments**

Ernie Byers, Solid Waste Consultant updated the Mayor and the Board of Trustees on the Solid Waste program setting the target date as June 1st. The new truck is set to arrive on Thursday and new containers have been delivered to the residents. He will have the workers notify the residents of the progress with flyer's. Mr. Byers explained that his contract has been completed but that he would be willing to work with the Village on the next phase. He could be hired on a week to week or a month to month basis. Mayor Cordova asked Mr. Byers to submit a proposal as soon as possible.

### **Item 2B. (Previously item 13) Susan Flores-Approval of KTB 2009-2010 Budget and KTB 2008-2009**

Susan Flores KTB volunteer gave the Mayor and Board an update of the 2008-2009 Keep Tularosa Beautiful progress. Ms. Flores also stated that she had applied for the 2009-2010 grant of \$12,000.00 and had already received the agreement which calls for a 25% match. Ms. Flores said she was asking the village of \$2,000.00 towards the match and the other \$1,000.00 would come from donations or other means. Mayor Cordova recommended entering into the agreement.

Trustee Patrick Garcia moved to approve entering into the agreement. Motion was seconded by Trustee Thomas McKean and asked Ms. Flores to see the agreement clarifying that the village is only committed to \$2,000.00.

**Roll Call Vote:** Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Trustee Tyler, aye. Motion carried with all members of the board voting aye.

**Item 3. Information: Resignation of Darrell Chavez Police Officer**

Mayor Cordova announced the resignation of Darrel Chavez effective May 14, 2009 and thanked him for serving Tularosa.

**Item 4. Information: Resignation of Christopher Rupp Lt.**

Mayor Cordova announced the resignation of Lt. Christopher Rupp effective May 24, 2009 and thanked him for serving Tularosa.

**Item 5. Presbyterian Medical Services (Julie Baker) Request insurance reimbursement of \$2,072.27 for repairs to building**

Ms. Julie Baker introduced herself as the Administrator of Presbyterian Medical Services and requested the insurance reimbursement of \$2,072.27 since Presbyterian Medical Services paid Lancon \$8,100.00 for repairs on the building. Trustee Thomas McKean moved to give a check for \$2,072.27 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 aye.

**Item 6. Adoption of Ordinance 235 amending Sections 50.02, 50.16, 50.18, 50.19 and 50.21 of the Tularosa Code of Ordinances providing for the required collection of Solid Waste by the Village, setting fees for residential and commercial accounts and regulating placement and maintenance of receptacles and providing penalties**

Trustee Fred Tyler moved to approve the adoption of Ordinance 235 amending Sections 50.02, 50.16, 50.18, 50.19 and 50.21 of the Tularosa Code of Ordinances providing for the required collection of Solid Waste by the Village, setting fees for residential and commercial accounts and regulating placement and maintenance of receptacles and providing penalties. Trustee Patrick Garcia seconded the motion.

Trustee Thomas felt the garbage rates were to low.

**Roll Call Vote:** Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Trustee Tyler, aye. Motion carried with all members of the board voting aye.

Trustee Thomas McKean moved to publish ordinance 235 by Title & Subject matter. 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 of the board voting aye.

**Item 7. Rick Gutierrez-Prioritize ICIP List for 2009-2011**

Trustee Patrick Garcia moved to approve the ICIP List for 2009-2011 as it was last year except change the dollar amounts, Trustee Gloria Sainz seconded the motion. The top five projects were the Water Plant Sedimentation Pond, Recreational Facility/Swimming Pool, Department of Public Safety, Village Yard Maintenance Equipment/Building Rehab, 2009 Comprehensive Plan

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

**Item 8. Rick Gutierrez-Welcome Center/Museum/NMTD Agreement Does Board want to approve match of \$45,000.00**

Trustee Thomas McKean moved to postpone until additional information is received on the \$45,000.00 match. Motion 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 board members voting aye.

**Item 9. Mayor Cordova - Approval of appointment of Michael A. Gaston as Solid Waste Operator at \$11.50 per hour, date of hire 5/11/2009 with 6 months probation**

Trustee Patrick Garcia moved to approve the appointment of Michael A. Gaston as Solid Waste Operator at \$11.50 per hour, date of hire 5/11/2009 with 6 months probation. Motion was seconded by Trustee Gloria Sainz.

**Roll Call Vote:** Trustee Garcia, aye. Trustee McKean, nay. Trustee Sainz, aye. Trustee Tyler, aye. Motion carried with a vote of three to one.

**Item 10. Mayor Cordova - Approval of appointment of Joshua Brian Puckett as Solid Waste Operator at \$11.00 per hour, date of hire 5/11/2009 with 6 months probation**

Trustee Thomas McKean moved to approve and was seconded by Trustee Fred Tyler.

**Roll Call Vote:** Trustee Garcia, nay. Trustee McKean, aye. Trustee Sainz, aye. Trustee Tyler, aye. Motion carried with a vote of three to one.

**Item 11. Mayor Cordova - Approval of appointment of Lamont R. Robinson as Police Officer at \$10.00 per hour, date of hire 5/01/2009 with 6 months probation**

Trustee Gloria Sainz 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 an affirmative vote by all.

**Item 12. Mayor Cordova - Approval of temporary appointment of Armando Salazar as Parks Maintenance as per Chapter II, Section 20.01, paragraph E of the Village Personnel Policy at \$7.50 per hour from 5/11/2009 to 6/30/2009 (30 hours per week)**

Trustee Thomas McKean moved to approve the temporary appointment of Armando Salazar and adding 30 hours to the temporary agreement 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 Board members voting aye.

**Item 13. Susan Flores - Approval of KTB 2009-2010 Budget and KTB 2008-2009 Report (Item moved to 2B)**

**Item 14. Approval of Resolution 2008-2009-20 Budget Increase for additional funding from Keep NM Beautiful**

Trustee Thomas McKean moved to approve Resolution 2008-2009-21 Budget Increase 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 Board members voting aye.

**Item 15. Approval of Resolution 2008-2009-21 2009-2010 Budget**

Trustee Patrick Garcia moved to approve Resolution 2008-2009-21 2009-2010 Budget. Trustee Fred Tyler seconded the motion.

**Roll Call Vote:** Trustee Garcia, aye. Trustee McKean, nay. Trustee Sainz, aye. Trustee Tyler, aye. Motion carried with a three to one vote.

**Item 16. Approval of Letter of Intent between NM Department of Health and the Village of Tularosa for Fiscal Year 2009-2010**

Village Clerk Dianna Brusuelas-Guilez explained that NM Department of Health had requested that the Village sign a Memorandum of Agreement with them instead of the Letter of Intent and that a copy of the MOA was in their packet.

Trustee Thomas McKean moved to approve the Memorandum of Agreement 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 of the board voting aye.

**Item 17. Approval of Purchase Agreement between Village of Tularosa and Rebecca Jan Wimberly and Virgil M. House**

Trustee Thomas McKean moved to postpone until clarification is made on the amount of the property, if it is approximately 15 acres or 22 acres. Mr. Rick Gutierrez explained that the appropriation will pay for only the 15 acres at the appraisal price of approximately \$57,000.00. Trustee Fred Tyler seconded the motion.

**Roll Call Vote:** Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Trustee Tyler, aye. Motion carried with all members of the board voting aye.

**Item 18. Cynthia Riedlinger - Veterans Memorial Day Observance on May 25, 2009**

Mr. Bill Guthrie made a presentation for Ms. Riedlinger and advised the Mayor that he was already of the agenda for the Veterans Day celebration at 11:30 a.m. at the Community Center Park and continued to extend the invitation to the rest of the Board members.

**Item 19. Trustee Patrick Garcia - Police reports**

Trustee Patrick Garcia stated that he and Chief Mayberry had already addressed the issue.

**Item 20. Trustee Thomas McKean - Appointment of Mayor Pro Tem**

Trustee Thomas McKean said that it was time to appoint another Mayor Pro Tem. Mayor Ray Cordova said he would have someone appointed by this time next week and would then bring it before the board

**Item 20(B). Trustee Thomas McKean - Review expenditure line number for Susan Flores pay and Vanessa Arreola's pay**

No action was taken.

**Item 21. Old Business**

Trustee Thomas McKean asked about the Fire Hydrants. Mayor Ray Cordova said Mr. Rick Gutierrez had received two bids and was waiting for the third.

Trustee Thomas McKean asked Village Clerk Dianna Brusuelas-Guilez if Ordinance 226 had been sent to the codifiers. Ms. Brusuelas-Guilez response was that it had not but would be sent with the next group and they are sent once a year.

Trustee Thomas McKean asked about the work at the Community Center. Mayor Cordova responded that the work at the Senior Center would start this year and that the Baseball fields were already started and they would run \$100,000.00 short.

**Item 22. New Business**

None

**Item 23. Adjourn**

Trustee Thomas McKean moved to adjourn and Trustee Patrick Garcia seconded the motion. With no further business to come before the Board the meeting adjourned at 8:00 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.

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Ray S. Cordova, Mayor

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ATTEST:

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Dianna R. Brusuelas-Guilez, Village Clerk

Minutes approved by The Board of Trustees at the Regular Meeting of June 17, 2009.