

Regular Meeting Minutes–August 17, 2022

The Mayor and the Board of Trustees of the Village of Tularosa met in a Regular Meeting on Wednesday, August 17, 2022, at 6:00 P. M. in the Court Conference Room of the Public Safety Facility located at 609 St. Francis Drive, Tularosa, New Mexico.

Present: Mayor Margaret Trujillo
Trustee Janie Portillo
Trustee Patrick Garcia
Trustee Robert Sainz
Trustee Deborah Cooksey

Also present was Rebekah Bryant Village Clerk and Attorney Jeff Rhodes

At 6:00 P. M. Mayor Margaret Trujillo called the meeting to order asking that all rise and join her in the Pledge of Allegiance and the Salute to the Flag of the State of New Mexico.

1. Trustee Janie Portillo made a motion to accept the agenda, Trustee Sainz seconded the motion. All members voted aye; motion carried.

2. Unscheduled correspondence and public comments.
None.

3. Rebekah Bryant, Village Clerk asked to approve a \$1.00 pay raise for Judith Aguirre in the MVD Dept. Trustee Portillo made a motion, Trustee Garcia seconded the motion. All members voted Aye; motion carried.

4. Janie Portillo, Trustee asked to increase the sewer rates by \$10.00 for customers outside the village limits. Trustee Portillo made a motion, Trustee Garcia seconded the motion. All members voted Aye; motion carried.

5. Alisa Monaghan, Individual asked to create a new animal ordinance regarding animals being shot within the village limits. Sam Vigil came up to speak for his wife and explained that their dog had been shot by the neighbor as their dog had entered the neighbor's property. He also stated that five other dogs have also been shot by the neighbor that shot their dog. To their knowledge only their dog and another dog have died due to being shot by the individual. They stated that they contacted the Tularosa Police Department to make a report. He also explained that there is a lack of enforcement regarding an individual discharging his rifle in the city limits and ordinances regarding this situation. He stated that there has been failure to report from neighbors that this man's birds are out but

because they do not cause harm unless someone's dog chases after them and they get shot for following a bird into his yard. He stated that there is video evidence that this man's birds are outside of his property. Alisa stated that they have two police reports regarding the individual shooting dogs. Albert Delgado's dog along with their own report for their dog being shot and that there is a very indifference in the investigation. When they talked to animal protection services, they explained that the state statute cannot be used as a preventative measure so somebody can't shoot a dog on their property unless it is actively killing or harming livestock. In their case there is no evidence stating that their dog was doing that and they don't know if the investigation was followed up properly. They believe that this pattern of behavior by the individual shooting the dogs is disrupting the peace and well-being of the neighborhood. It is creating an environment that doesn't feel safe and secure so they would like for the village to review the ordinances in place and potentially update the ordinances. Trustee Cooksey explained that there is an ordinance 135.2 about harming an animal and another ordinance regarding discharging a firearm. She said that nobody should be discharging a firearm for no reason and if there is a dog on your property that is harming your fowl that the police need to be called. Chief McGuinness said that he will have a discussion with them after the meeting to go over what has happened with their case.

6. Baxter Pattillo, Alamotero Land Surveyors asked to approve an Alternate Summary Procedure. Mr. Pattillo explained that the property is located at 77 Shoeller place on the interior lot of the Crystal Springs Farm and that it has already been approved by the county. Trustee Garcia made a motion, Trustee Cooksey seconded the motion. All members voted Aye; motion carried.

7. Amanda Mancuso/Veronica Hardison, Rotary Club asked for approval to host the Wine Festival within 300 ft of the Church or School. Veronica explained that the festival will run from October 8-9, and they already have approval from the Church. Trustee Portillo made a motion, Trustee Sainz seconded the motion. All members voted Aye; motion carried.
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8. Linda Ziel, Red Brick Restoration Foundation wanted to give information regarding the use of the Red Brick Building being used for a movie. Linda explained that the movie would take about 1 to 2 days to film and would be done on the weekend and building would not be changed in any way. Trustee Sainz asked about the insurance coverage and Linda explained that they have insurance and the man making the movie also has insurance. Trustee Sainz also asked how many people will be involved and Linda said about 20 including film crew and actors. She explained this would be done the weekend of September 24 & 25 2022. Trustee Sainz also asked that they get in touch with the schools to let them know when this would be taking place as well. No action taken.

9. Old Business:

Trustee Cooksey gave an update on looking into a new PA system stating that she is getting a quote regarding two different upgrades.

Trustee Garcia gave an update on the Maverik gas station stating that they have now been inquiring about the property next to the Subway instead of the property across the highway they were interested at the beginning. He said they were inquiring about the water/ditch information since it is running along the property they are interested. Garcia stated that he had given him the Tularosa Ditch Corp. numbers to Maurice Hobson and Karen Lerner.

10. New Business:

Trustee Sainz said he had been passing by the Community Center and wanted to know what was happening with the concrete barrier around the electric box as it has been hit a couple of times and he is afraid someone could get hurt if it is not taken care of. Village Clerk Rebekah Bryant explained that that someone did wreck into the barrier and we have received payment to fix it and Ralph Otero is currently looking for a contractor to do the work.

Trustee Garcia asked about the Old Mescalero Rd on the corner where accidents keep happening, he asked if we could put some concrete barriers there. Richard Guilez explained that it was illegal to put those there. Mayor Trujillo asked if the people who wrecked could be responsible for the damage. Richard Guilez stated that when he arrived on the scene and was dealing with the damage that the Sheriffs were handling the case and the people that hit it had run off. He said he will be getting in touch with them to get more information. Trustee Portillo asked if they could at least put the post up with the guidewires again. Richard explained that that corner is just a bad area for accidents.

11. Adjourn: Trustee Portillo made a motion to adjourn, Trustee Sainz seconded the motion. All members voted Aye; motion carried meeting adjourned at 6:36pm.

Margaret Trujillo, Mayor

ATTEST: (seal)

Rebekah Bryant, Village Clerk