

Regular Meeting Minutes–MARCH 15, 2023

The Mayor and the Board of Trustees of the Village of Tularosa met in a Regular Meeting on Wednesday, March 15, 2023, 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 Patrick Garcia
Trustee Robert Sainz
Trustee Deborah Cooksey
Trustee Mark Garwood

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 Garcia made a motion to accept the agenda. Trustee Sainz seconded the motion. All members voted aye; motion carried.

2. Unscheduled correspondence and public comments:

Amy Barela discussed that she is organizing a book walk with the library and she wanted the board to save the date for June 3, 2023. She would like all elected officials to read to the kids and just help in any way. There will be a path from the high school to the library and they will have food trucks and different activities for the kids.

3. Margaret Trujillo, Mayor asked to approve the appointment of Brandon Boyle to Chief of Police at a pay rate of \$30.00hr which is salaried pay. Trustee Sainz made a motion to approve, Trustee Garwood seconded the motion. Trustee Cooksey asked how many years in law enforcement did Chief Boyle have and he stated that he's been in law enforcement since 2014. She also stated that sometimes we have emergencies that require immediate assistance and wanted to know how fast he could get to the village. Chief Boyle stated that currently he resides in Las Cruces and is about an hour away. Trustee Cooksey also asked if he had ever held a Chief position and he stated no. Trustee Cooksey asked what positions has he held and he stated that he was a patrol officer, detective and a Sgt. Trustee Garcia stated that he would like to welcome Chief Boyle to Tularosa. Trustee Garcia also stated that he had a little concern about him living in Las Cruces but he assumes that over time he will move closer. Chief Boyle stated that he has a year lease and will be looking for a place closer and has the ability to break the lease with current landlord. Trustee Garwood asked what training

plans he has for the officers and what is his goal for Tularosa. Chief Boyle stated that he is going to become more familiar with the training centers throughout the state of NM and make sure his officers are in compliance with that and from there look into advanced training, de-escalation, and crisis. As far as his plans for Tularosa he doesn't have anything set in stone right now but his main goal is to get use to the area and citizens and see what the village needs first and then make plans from there. Trustee Garwood also asked about shift work and would he be able to work shifts that need to be covered if one of the other officers is sick or whatever the case may be. Chief Boyle stated yes, he would. Trustee Garcia asked if he was a big fan of community policing. Chief Boyle stated yes, and he believes strongly that policing cannot be done without the community being involved and if you are a part of the police dept than you need to have a close relationship with the community to learn what the community needs and wants. Trustee Sainz asked if he was certified in the state of NM, Chief Boyle stated that he is not and will be getting his cert by waiver by attending the academy for a two week training. Trustee Garcia stated that the reason for all the questions asked is because they don't get a chance to ask questions at any time but now and with the history of the police dept. they don't want to make the same mistakes as the past and they just have concerns and want to make sure they are making the right decision. All members voted Aye; motion carried.

4. Brandon Boyle, Chief of Police asked to approve the appointment of Edric Flores to Lieutenant. Chief Boyle stated that since he has been here Officer Flores has been a great help to him and prior to the department having a Chief, Officer Flores stepped up not only as a police officer on patrol but also a leader to the other patrol officers and has taken a role as a supervisor as well and has been doing admin work as well as time keeping, taking care of vehicles and equipment, and essentially all of the admin duties a LT. or Police Chief would have. Now that he is here Officer Flores has helped his get him acquainted as his role of Police Chief so in turn, he would like for him to continue being his second in command in the department. He also stated that from talking to the other police officers and citizens he has been a great asset to his community and while he institutes command structure at the Tularosa police department he would like for Officer Flores to serve as his Lt. with appropriate pay for that position. Trustee Garcia said he has no qualm with that but is it appropriate for an uncertified officer to be a Lt. Attorney Jefferson Rhodes stated that he does not think that it would make a difference if he is certified or not as everyone is temporary. Trustee Cooksey asked if he was certified right now and Officer Flores stated that he is not and will be attending academy in July. Trustee Cooksey also asked if he was commissioned still, and Officer Flores stated that his not currently commissioned and will be recommissioned right before he goes to the academy. Trustee Cooksey also asked if he was able to be a full capacity police officer right now and Officer Flores said no that he will be admin. Trustee Garwood stated that he would like to hold the position until he is fully certified but that's just his opinion it's up to these guys to vote with him or without him but he would say it would warrant you being Lt but not being certified and being in an administrative section

at this time I would say award him to be a Lt. but not until he has completed the academy and is a certified police officer. Trustee Sainz stated that he concurs with what Chief Boyle stated and he has seen Officer Flores in the streets walking around, driving around talking to people and he has a good repour and I'm glad that he has helped you out my only drawback would be the certification and he would be the first one to say go for it but right now he is still up in the air on it but as the attorney stated everyone is temporary and he is gonna be honest if officer flores was certified he would not be asking all these questions and he respects him and sees his work and he would make a heck of a Lt. Trustee Cooksey asked so are you asking for him be a Lt. and raise his pay. Chief Boyle stated that he understands the reservations they may have but there is still plenty of work to be done within the department that he would still be able to do and carry out, in facts despite what happens tonight he will still be carrying out that work and he just wants him to have the title he deserves and his non certification does not preclude him from the many things that need to be done in the department and he would still be able to do. Mayor Trujillo stated that he would be basically working in the capacity of and administrative chief, somebody that cannot go out there and make arrests and such. Mayor stated that she would think it's a good idea because he has done everything that the Chief had been doing when we didn't have a Chief and with the Chief coming in Officer Flores has been an asset to him and has given him information that the Chief needs to know about and he is just asking for him to fill the role of LT. she understands that he is not certified but stated that we have had Chiefs before not certified and act as administrative chiefs and he will be doing the same and be an administrative Lt. until he gets certified and if he doesn't get certified than he is completely out of a job. But while the Chief goes in April to get certified they will still be needing someone in charge. Trustee Sainz stated that it goes to say that we just voted the Chief in and he is not certified and they still voted him in so that would qualify as the same category. Trustee Sainz also asked that if this would go against what they passed previously on the certified and uncertified pay. Mayor Trujillo stated that he is not asking for full Lt. pay until he comes back from the academy but just only a \$1.00 an hour more as he us currently earning the same exact amount as all the other uncertified officers but doing way more than them. Trustee Garwood stated that he has seen officer Flores in action and he is doing a very good job. Trustee Garcia stated to Officer Flores that he knows how he feels about him and his work and he has no reservation as long as the attorney says that it is ok than he is okay and doesn't want to lose him. Trustee Cooksey asked that as an un-commissioned officer would you be able to carry a gun and do all the things like that so what is your capacity as a non commissioned officer. Officer Flores stated that he cannot enforce arrests or write tickets in that sense and he can assist someone who is certified. She also asked that under the NM state law as a decommissioned officer are you able to carry a gun. Officer Flores stated that he will look into it and make sure. Trustee Cooksey stated that she would like him to make sure that way we do not get ourselves into trouble and that will be something the board members or mayor will be checking up on regarding wearing a badge or driving a car. Trustee

Cooksey stated that she truly believes that Officer Flores has helped out a lot and she sees his efforts and she doesn't have a problem as long as they are not doing the full Lt. pay until he gets certified. Mayor Trujillo stated that they are only looking a \$1.00 pay raise until he comes back certified but right now, he is doing way more than the other officers and should be compensated for it and as soon as he comes back certified he will get the full Lt. pay. Trustee Sainz made a motion with a \$1.00 raise; Trustee Garwood seconded the motion. All members voted Aye; motion carried.

5. Margaret Trujillo, Mayor asked to approve the contract for uncertified officers. Mayor stated that it basically says that when they send uncertified officers to the academy they will need to give them two years to the police department after being certified or they will have to pay for everything that was spent to have them attend the academy. She also stated that they have had many officers go to the academy and come back and leave us right away and we go back to being in the same position so this contract will give us time to recoup our monies being spent sending them to the academy and if they want to leave that's fine but just pay back the amount of money being spent. Trustee Sainz asked if it would be the amount of the academy or their wages as well. Village Clerk Rebekah Bryant explained that it would only be the cost of everything spent to get them to the academy, clothes, doctor appts etc. Trustee Sainz stated that he spoke with a Sheriff and that this contract wasn't worth the paper it was written on so is that true. Attorney Jefferson Rhodes stated that it does have grounds. Mayor Trujillo stated that other communities are doing the same thing. Trustee Garcia made a motion, Trustee Cooksey seconded the motion. All members voted Aye; motion carried.

6. Margaret Trujillo, Mayor asked to create an ordinance regarding road use by trucks over 26,000 lbs on residential streets. Mayor Trujillo stated that we are having a big problem with trucks from Mesa Verde and other trucking companies delivering heavy loads and they are using our residential streets and they are messing up our roads so we need an ordinance or something stating that they cannot use the roads if they are over 26,000lbs. Trustee Garwood stated that signs need to be put up on roads to state that any trucks over 26,000lbs with specific ordinance or law stating why. No action taken but a workshop will be scheduled to discuss this further.

7. Rebekah Bryant, Village Clerk asked to award the Tularosa WWTP Groundwater Monitoring Wells Project SAP 19-D2498-GF to Yellow Jacket Drilling in the bid amount of \$230,735.00. Rebekah stated that the bids were open for this project on March 7th and had two companies with bids which included Yellow Jacket Drilling with a bid of 230,735.00 and also Stewart Brothers with a bid of \$258,130.00. Bid was given to Yellow Jacket Drilling. Trustee Sainz made a motion, Trustee Garwood seconded the motion. All members voted Aye; motion carried.

8. Samantha Chavez, Boys and Girls Club asked for approval to use the baseball field for the 2023 baseball league for the youth. Samantha stated that the boys and girls club would be taking over for the little league for youth baseball this year and just wanted to make sure it was okay to use the field. She stated that she knows that the softball girls are utilizing the field at the moment so they will wait until the season is done. Trustee Garcia made a motion, Trustee Cooksey seconded the motion. All members voted Aye; motion carried.

9. Ali Kassam, Individual asked to remove mobile homes and replace them with site-built homes and keep the existing footprint. Mr. Kassam stated that he bought the property a few years ago and the previous owner had not taken care of the place so when they bought it, it had 20 vacant homes and has caused a huge nuisance in the community. He has listed many of the trailers to be sold and has sold a few. His goal after that is to build a site built home with the same size as the trailers. The advantage of this is that it is easier for him to get financing on homes rather than trailers. Hopefully in a year he could do about 8-10 of them if possible and another 12-15 in 2024 depending. Trustee Cooksey asked how much area is needed to do that. Mr. Kassam stated that the lots are 4,000 square ft. Mayor Trujillo stated that he would need to ask for a variance since he is using less area than a regular house would need. Attorney Jefferson Rhodes stated that we might have to amend our ordinance to accommodate him if needed based on how many structures he will be using. Mr. Kassam stated that what would the village rather have a bunch of trailers or homes. Mayor Trujillo stated that in order for any of this to happen he would need to clean up and fix what he has at the moment because it is a mess, and he is in violation right now for not fixing everything there. Mayor Trujillo also stated that he would need to bring in plans and something concrete to show the board exactly what he is trying to do with the trailer park. No action taken.

10. Ali Kassam, Individual asked to remove benches from Veterans Park in an effort to reduce crime and loitering. Mr. Kassam stated that he lives right across from the park and is tired of seeing drinking in the park. Trustee Cooksey asked if he had called the police about this situation and he stated that yes but the problem is that when he calls and states what's going on unless the officer sees someone drinking that they cannot do anything. So the problem is that all these people come down and get drunk in the park and fight each other and drink and smoke from bongos and pipes all day then they leave the village and all he is asking is to remove the benches to make it less possible for them to be there. Mayor Trujillo stated that by doing that it will not change a thing and that his park is in worse condition than the park. Trustee Cooksey stated that no matter what you do they are still gonna be there no matter what. Those benches are for everyone and she could not vote for them to be removed since that is not the problem. The problem is community policing or moving the Z-Trans bus stop. It was stated that the bus stops cannot be moved as they have tried before.

Trustee Garcia made a motion to not remove the benches, Trustee Cooksey seconded the motion. All members voted Aye; motion carried.

11. Rebecca Michael, Individual asked to have a book signing/festival for her book she wrote with all proceeds going to the Tularosa Animal Shelter. Ms. Michael stated that every year she has to write to keep her education credit and she decided to write a childrens book and wants to donate all proceeds to the Tularosa Animal Shelter. She wants to do a book signing the weekend of the wine festival. She will be setting up in front of horse feathers for her book signing April 28 & 29. Discussion only.

12. Old Business:

Mayor Trujillo stated the the HELP Headstart is interested in renting another part of the community center and we will have Jeff write up a contract to add that room to the existing contract we already have.

Also wanting to put a wrong way street sign on Granado St. as people are still driving the wrong way.

13. New Business: Mayor and Trustees will be attending a meeting with the Governor to ask for funding for our supplemental water source.

14. Adjourn: Trustee Cooksey made a motion to adjourn, Trustee Sainz seconded the motion. Meeting adjourned at 7:28pm

Margaret Trujillo, Mayor

ATTEST: (seal)

Rebekah Bryant, Village Clerk