

## Regular Meeting-1/15/2008

The Board of Trustee of the Village of Tularosa met in a Regular Meeting on Tuesday, January 15, 2008 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 Ray S. Cordova, Trustee Patrick Garcia, Trustee Margaret Trujillo, Trustee Thomas McKean, Village Attorney Jefferson Rhodes, Finance Officer Valarie Delgado as well as Dianna Brusuelas Village Clerk.

Absent: Trustee Gloria Sainz.

Mayor Ray S. Cordova led the Pledge of Allegiance calling the meeting to order and welcomed everyone.

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

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

Roll Call Vote: Trustee Garcia, aye. Trustee McKean, aye. Trustee Trujillo, aye. Motion carried with all members present voting aye.

Items on the consent agenda included the minutes of December 17, 2007 Workshop, minutes of the December 18, 2007 Regular Meeting, Village Bills, Site & Sign permits for December 2007 and announcement of the next Regular Meeting for February 19, 2008.

## Item 2. Mr. Mike Shiplett–The Gordian Group–Presentation on JOC

Mr. Shiplett explained Job Order Contracting which requires joining CES (Cooperative Education Services) at no cost and no obligation, he explained that they have developed a pricing catalog after going out for RFP. Mr. Shiplett represents the Gordian Group. Mr. Shiplett explained that the school districts in New Mexico have used Job Order Contracting and now the service is being extended to cities and towns. Under JOC there is a total break down of the service provided not just a contract with a price. This is where a lot of the change orders are stopped. For construction the two contractors that were contracted by JOC are HB Construction and National Construction. Mr. Shiplett says CES saves time and money. The state is broken down into regions, the south is in regions 5, 6A, 6B and 7 and Tularosa is in region 6A.

Village Clerk Dianna Brusuelas asked if State Purchasing was ok with this. Mr. Shiplett's response was that they were involved to the extent that CES had to have a Joint Powers Agreement with Department of Finance which they have had since 1979. The second question that Ms. Brusuelas asked was if there was no fee to the Village how did The Gordian Group make money. Mr. Shiplett answered that the Gordian Group charges 3% of the proposed total and CES has a 1% administrative fee which is built into the contractors adjustment factor.

Trustee Thomas McKean moved to join CES. Motion was seconded by Trustee Margaret Trujillo.

Roll Call Vote: Trustee Garcia abstained because he felt it was a conflict of interest. Trustee Trujillo, aye. Trustee McKean, aye. Motion carried with one

Trustee abstaining and two ayes.

### Item 3. Unscheduled correspondence & Public Comments

Trustee Margaret Trujillo asked if the village had received anything from Mr. Rhodes referencing Alamo Disposal. Village Clerk Dianna Brusuelas stated that nothing had been received.

Trustee Patrick Garcia asked about the mower or tractor. Mayor Cordova advised that it was received.

On the question about Alamo Disposal Attorney Jeff Rhodes stated that he had dictated a default notice and the company would have to cure the default.

Mayor Ray Cordova asked Attorney Jeff Rhodes about problems on Water Rights with the City of Alamogordo stating that Mr. Abercrombie made a presentation at the Workshop the previous evening and said that the Village of Tularosa was completely left out of the Agreement. Attorney Jeff Rhodes explained that the Village is not a participant in the case but that Alamogordo and Tularosa have an agreement where the Village would go to the State Engineer, not to increase the amount of water they are taking but to expand the service area. Mr. Rhodes stated that Mr. Abercrombie was correct, Alamogordo's application does not include Tularosa as a service area. Mayor Cordova asked two question's, it is not true that Alamogordo does not have a responsibility to Tularosa? Mr. Rhodes stated that through the Agreement with Alamogordo they do have a responsibility. Mayor Cordova's second question was; does Alamogordo have to make the application to expand the service area? Mr. Rhodes said yes because it is their application.

Trustee Margaret Trujillo posed a question to Attorney Jeff Rhodes about a gas line on 1st Street which is exposed in the ditch and people are afraid that the line will be hit when the ditches are being cleaned. Attorney Jeff Rhodes suggested the Village write to PNM and the Ditch Corporation telling them about the exposed line and as to what a safety hazard it is.

#### Item 4. Approval of Resolution 2007-2008-15

Trustee Margaret Trujillo moved to approve Resolution 2007-2008-15 on the Library Project. Motion was seconded by Trustee Patrick Garcia.

Roll Call Vote: Trustee Garcia, aye. Trustee McKean, aye. Trustee Trujillo, aye. Motion carried with all members present voting aye.

#### Item 5. Approval of Agreement with the Village of Tularosa and Jefferson R. Rhodes

Trustee Margaret Trujillo moved to approve the agreement and was seconded by Trustee Patrick Garcia. Trustee Thomas McKean asked what the effective date would be. The date agreed upon would be January 15, 2008.

Roll Call Vote: Trustee Garcia, aye. Trustee McKean, abstained. Trustee Trujillo, aye. Motion carried with two aye's and one Trustee abstaining.

## Item 6. Trustee Trujillo & Trustee Garcia–Police Department Policy Manual and Village Policy

Trustee Margaret Trujillo stated that she wanted to add to the village policy manual under 20.04 "changes to the Police Department Standard Operating Procedures will be at Police Chief's discretion and changes will be given to the Governing Body". Trustee Thomas McKean wondered what it had to do with 20.04 Promotions. Trustee Margaret Trujillo felt that this was the best place in the Village Policy Manual to insert this. Trustee Margaret Trujillo then made her statement in form of a motion. Trustee Patrick Garcia seconded the motion.

Roll Call Vote: Trustee Garcia, aye. Trustee McKean, nay. Trustee Trujillo, aye.

Motion did not pass because to change the Village Policy Manual requires three trustees.

## Item 7. Approval of Precinct Poll Workers and Salaries

Trustee Patrick Garcia moved to approve the Precinct Poll Workers and Salaries and was seconded by Trustee Margaret Trujillo.

Roll Call Vote: Trustee Garcia, aye. Trustee McKean, aye. Trustee Trujillo, aye. Motion carried with all members present voting aye.

## Item 8. Don Ogden – Planning & Zoning

(A) Extra–Territorial Review Riata Estates, Unit 2 by Bar M Construction approval of preliminary plat

Trustee Margaret Trujillo moved to postpone and was seconded by Trustee Patrick Garcia.

Roll Call Vote: Trustee Garcia, aye. Trustee McKean, aye. Trustee Trujillo, aye.

Motion carried with all members present voting aye.

(B) Status of Ordinance Revisions – Where are we?

Sign Ordinance

Zoning Ordinance Workshop

It was mentioned that the Sign Ordinance and the Dangerous Dog Ordinance Workshop would be on January 22, 2008.

Item 9. Old Business

Trustee Thomas McKean mentioned the Web Page stating that on one place the date for the village meeting is wrong, the Recreation is not on there and the October minutes are missing.

Village Clerk Dianna Brusuelas asked about the District Meeting stating that the Senior Center Director said they had no problem as long as the Seniors are notified early enough but wondered about the employees. It was decided that the employees could work or take annual leave or they were welcome to attend

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the District Meeting. The custodians could work in other areas. If the cooks were contracted by the New Mexico Municipal League they could take annual leave and then do the cooking for the District Meeting.

Item 10. New Business

None

Item 11. Adjourn

Trustee Thomas McKean moved to adjourn. Trustee Patrick Garcia seconded the motion. The meeting adjourned at 7:45 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.

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Ray S. Cordova, Mayor

ATTEST:

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Dianna R. Brusuelas, Village Clerk

Minutes approved by the Board of Trustees at the Regular Meeting  
of February 19, 2008.