

## Regular Meeting–March 18, 2008

The Board of Trustees of the Village of Tularosa met in a Regular Meeting on Tuesday, March 18, 2008 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, Finance Officer Valarie Delgado as well as Village Clerk Dianna Brusuelas.

Mayor Ray Cordova introduced himself and the Trustees 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 with a second by Trustee Gloria Sainz. Trustee Thomas McKean then asked to move Item 24 (Dedicate of week as "Spring Clean up Week") to be Item 2A. All Board Members agreed.

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 2. Unscheduled Correspondence and Public Comments (Limit to 3 minutes)

Mr. John Walker asked about a sign he had requested about two months prior about the weight restriction that was approved by the Board, he also brought up that Bookout Road is in need of repair and the usual complaint about speeders. Mr. Walker was advised that the Village is working with the county and/or the state to place the sign on the highway prior to large trucks getting into Bookout Road.

Mr. Frank Bishop introduced several people who are interested in helping stray dogs in Tularosa and also introduced Paul Daniel of Spruce-Up Construction who put the roof on the Animal Control Building without any expense to the village. Mayor Cordova stated that he was going to give recognition tonight to the group who helped Lori Gunderson, the Villages Animal Control Officer. The group was received by a round of applause from the audience.

It was brought up that the ACO has also implemented the adoption process of animals.

Item 2A. (previously Item 24) Trustee Thomas McKean–Dedicate a week as “Spring Clean Up Week”

Mayor Ray Cordova stated that the week of April 5, 2008 through April 13, 2008 would be dedicated as Spring Clean up Week and that two containers would be provided, one at the village yard on Higuera Street and the other at the Community Center. Mr. Anderson from the Alamogordo Daily News was asked to give coverage.

Item 3. Presentation of Certificate to Ray Ramos as nominee for “Water Operator of the Year”

Mayor Ray Cordova announced that Mr. Ray Ramos has gained recognition by an outside agency who nominated him as Water Operator of the Year. It will be know later in the month whether he will be the Operator of the Year at the New Mexico Rural Water Association 30th Annual Meeting.

Item 4. Mayor Ray Cordova Proclaiming “Tribute to Teacher Excellence Day”, Friday, April 11, 2008

Mayor Cordova proclaimed April 11, 2008 as “Tribute to Teacher Excellence Day” and read the proclamation to everyone.

Item 5. Southeastern New Mexico Economic Development District-  
Requesting participation for Fiscal Year 2008-2009

Trustee Thomas McKean moved to participate in being members of the Southeastern New Mexico Economic Development District and was seconded by both Trustee's Gloria Sainz and Patrick Garcia.

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

Item 6. Mayor Cordova - Organization

Mayor Ray Cordova explained that every Election year, according to State Law, the Mayor is required to organize and appoint village employees. Mayor Cordova announced that he would keep all the employees and named Dianna Brusuelas as Village Clerk, Valarie Delgado as Finance Officer, Sallie Singleton as Utility Billing, Monica Voorbach as Payroll-Procurement, Dana Robb as Office Assistant/Accounts Payable, Sandy Baca as Motor Vehicle Clerk, Richard Gutierrez as Grant's Coordinator. At the Community Center Ralph Otero as Custodian Supervisor, Frank Young as Assistant Custodian. In the Field Reynaldo Guilez as Supervisor, Trinidad (Pat) Guilez as Water Plant Operator, Raymond Ramos as Sewer Plant Operator, Gregorio Rocha, Julian Martinez, Kevin Moheit and Eusebio Duran as Utility Service Technicians. In the Public Safety Department Virgil Mayberry as Police Chief, Christopher Rupp as Lieutenant, Darrel Chavez, Lance Ledford, Kyle Metzgar, Brian Smith and Timothy Winrow as Police Officers; Patrick Maturino as Lead Dispatcher and Dima Carr, Diadra Dugger and Jennifer Jones as Dispatchers, and Lori Gunderson as Animal Control Officer. Recreation Director, Sonya Gililland; Senior Program, Prestina Chavez, Director; Kelly Lawrence, Secretary; Steve Chavez, Cook Manager; John Taylor, Cook Aide; Pedro Galindo,

Driver; Cheryl Parker, Program Coordinator. Librarian, Randi Northrop; Court Personnel Vivian Lueras, Court Administrator; Vanessa Arreola, Court Clerk and Robert Chavez as Fire Chief.

Trustee Patrick Garcia moved to confirm the employees for the Village of Tularosa and was seconded by Trustee Thomas McKean.

Trustee McKean asked who the Assistant Village Clerk would be and Mayor Cordova responded that there would not be one at this time. Trustee Thomas McKean asked if the first person in each department list was the supervisor of the rest. Mayor Cordova stated that at city hall Dianna Brusuelas would be supervisor to all except Richard Gutierrez who would work directly under him, in the Custodian area Ralph Otero would be supervisor, in the Field Reynaldo Guilez would be supervisor, Virgil Mayberry would supervise the Police Department, Sonya Gililand would work directly under the Mayor, Prestina Chavez would supervise the people at the Senior Center, the Librarian would work under the Mayor, Vivian Lueras is the Court Administrator and would work under the Judge.

Roll Call Vote: Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Trustee Tyler, aye. With all members voting aye, motion carried.

#### Item 7. Appointment of Mayor ProTem

Trustee Gloria Sainz moved to nominate Trustee Patrick Garcia as Mayor ProTem. Trustee Fred Tyler moved to nominate Trustee Thomas McKean. Mayor Cordova asked for those in favor of Trustee Garcia, Trustee Sainz and Trustee Garcia voted for Garcia. Mayor Cordova asked for those in

favor of Trustee McKean, Trustee Tyler and Trustee McKean voted for McKean. Mayor Ray Cordova proceeded to cast his vote for Trustee Patrick Garcia and named Patrick Garcia Mayor ProTem.

Item 8. Approval of Resolution 2007-2008-21 Open Meetings Act Resolution

Trustee Thomas McKean moved to approve the Open Meetings Act Resolution 2007-2008-21 and was seconded by Trustee Fred Tyler.

Roll Call Vote: Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Trustee Tyler, aye. With all members voting aye, motion carried.

Item 9. Approval of Resolution 2007-2008-22 Increase Library budget by \$4,000.00 McCune Foundation donation

Trustee Thomas McKean moved to approve Resolution 2007-2008-22 and was seconded by Trustee Gloria Sainz.

Roll Call Vote: Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Trustee Tyler, aye. With all members voting aye, motion carried.

Item 10. Rick Gutierrez – Request additional funds of \$9,943.27 to pay Southwestern Wireless for the installation of Tower and Equipment at Police Department

Trustee Patrick Garcia moved to approve the request of additional funds of \$9,943.27 to pay Southwestern Wireless for the installation of Tower and Equipment at the Police Department from General Fund cash balance. Trustee Thomas McKean seconded the motion.

Roll Call Vote: Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Trustee Tyler, aye. With all members voting aye, motion carried.

Item 11. Approval of Resolution 2007–2008–23 Increase Public Safety–Capital Outlay to pay for the completion of the Tower at the Police Department

Mayor Ray Cordova explained that this was the Resolution referring back to Item 10. Trustee Thomas McKean moved to approve Resolution 2007–2008–23 and was seconded by Trustee Gloria Sainz.

Roll Call Vote: Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Trustee Tyler, aye. With all members voting aye, motion carried.

Item 12. Budget Adjustment Request 2008-2 To budget over expenditures and provide for expenditures to the end of Fiscal Year in the Fire Fund

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

Roll Call Vote: Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Trustee Tyler, aye. With all members voting aye, motion carried.

Item 13. Budget Adjustment Request 2008-3 To budget over expenditures and provide for expenditures to the end of Fiscal Year in the Police Department

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

Roll Call Vote: Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Trustee Tyler, aye. With all members voting aye, motion carried.

Item 14. St. Francis Mayordomos – Request Police assistance to block Durazno, Encino, 2nd and 3rd Streets, May 10 & 11, 2008 and extra patrol on Friday, May 9, 2008 at school grounds from 6:00 P. M. to 11:00 P. M. for 'Fiesta Coronation'

Trustee Fred Tyler asked that Ordinance 90.23 be followed. The Mayordomos were asked to get together with Chief Mayberry and Field Supervisor Reynaldo Guilez to put the barriers. The Mayordomos asked for dispensation from the sign ordinance and the noise ordinance for the 'yuncasos'.

Trustee Gloria Sainz moved to accept all the requests from the Mayordomos and to follow 90.23. Motion was seconded by Trustee Patrick Garcia.

Roll Call Vote: Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Trustee Tyler, aye. With all members voting aye, motion carried.

Item 15. John Walker – Request a “15 MPH when children present” sign on S. Bookout

Mayor Cordova felt that the wording 'when children present' implicated that it was a school zone so the Board took no action.

Item 16. Hope & Bill Berry – Request additional Water and Sewer hook-up for mobile home at Radio and Bednorz Lane

It was explained to Mr. and Mrs. Berry that there was no water available but as soon as it is available they will be able to hook up without coming back to the board, just paying the fees. No action was taken by the board.

Item 17. Chief Mayberry – Regular Full time Status (4/11/2008) & salary increase for Lori Gunderson from \$8.00 to \$9.25

Trustee Thomas McKean moved to make Ms. Gunderson a regular full time status and increase her salary from \$8.00 to \$9.25 effective April 11, 2008. Trustee Gloria Sainz seconded the motion.

Trustee Fred Tyler asked if the village had a graduated pay scale and hoped one could be worked on.

Roll Call Vote: Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Trustee Tyler, aye. With all members voting aye, motion carried.

Item 18. Chief Mayberry – Regular Full time Status (4/11/2008) & salary increase for Brian Smith from \$8.00 to \$9.25

Trustee Thomas moved to increase Brian Smith's salary from \$8.00 to \$9.25 effective April 11, 2008 and remain on probation for six months (until he completes the academy)

Roll Call Vote: Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Trustee Tyler, aye. With all members voting aye, motion carried.

Item 19. Dangerous Dog Ordinance – To publish by Title & Subject Matter

Trustee Fred Tyler moved to publish the Dangerous Dog Ordinance by Title and Subject Matter. Motion was seconded by Trustee Patrick Garcia.

Roll Call Vote: Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Trustee Tyler, aye. With all members voting aye, motion carried.

Item 20. Adoption of Ordinance 228 – Dangerous Dog Ordinance

After conferring with Attorney Jeff Rhodes, the adoption of the ordinance will be published for the April meeting.

Item 21. Adoption of Ordinance 226 – Ordinance Governing Signs

No action. The adoption of the ordinance will be at the April meeting.

Item 22. Trustee Thomas McKean – Request Executive Session for discussion of purchase and sale of land as allowed under Section 10-15-1 (H) of the Open Meetings Act

Trustee Thomas moved to go into executive session to discuss the purchase and sale of land as allowed under Section 10-15-1 (H) of the Open Meetings Act. Motion was seconded by Trustee Fred Tyler.

Roll Call Vote: Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Trustee Tyler, aye. With all members voting aye, motion carried.

Mayor Ray Cordova announced that only those subjects announced for closure would be discussed in the closed session. The Mayor and Members of the Board retired into executive session at 8:15 P. M.

After returning from executive session the Mayor announced that the matters discussed in the closed session were limited to only those specified in the motion for closure.

Trustee Thomas McKean moved to limited number of water taps and to purchase the 22 acres for \$90,000.00. Motion was seconded by Trustee Patrick Garcia.

Roll Call Vote: Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Trustee Tyler, aye. With all members voting in favor, motion carried.

Mayor Ray Cordova stated with all members in favor the village would make an offer to Ms. Wimberly.

Item 23. Trustee Thomas McKean – Casa del Sol Enterprises, which is the status of job satisfaction with the public

Trustee Thomas McKean stated that he was still not happy with Casa del Sol.

Item 24. (moved to Item 2A) Trustee Thomas McKean–Dedicate a week as 'Spring

Clean Up Week'

Item 25. Old Business

(A) Ask about Capital Outlay funding for 2007 & 2008 reauthorization and new funding – Rick will work with Trustee Thomas McKean to get the language straight.

(B) Status of Sign Ordinance for final publication by Title & Subject Matter – Already taken care of

(C) In December '06 Village received a list of fire hydrants that was in need

of repair has this been done? Does this effect our ISO rating? I understand it is

now Seven – Discussed and Fire Chief Robert Chavez is to meet with Field Supervisor Reynaldo Guilez and Mayor

(D) What is the status of the latest well application with the State Engineer? Attorney Jeff Rhodes said the change of ownership and extension of time has been filed. It was discussed whether to do one application at a time or to combine into one permit. Mayor stated that piece mealing could be costly. After a lengthy discussion Attorney Jeff Rhodes and Trustee Thomas McKean were to meet at Jeff's office the following day.

(E) What is the status of the latest water rights that was supposed to be transferred to Village from Subdivisions (Mia & Prairie) Mayor Cordova stated that Mr. Bruce Dickamore had talked to him and has the paperwork ready with the water rights.

(F) What is the status of our TDC water rights certificates? They would be taken care of after the Tularosa Ditch meeting on the 24th of March.

(G) What is the status of Audit being done for 2006–2007? Audit is in review at the Office of the State Auditor, once confirmation is received by the Auditor, she will contact our office.

(H) What happen to idea of having Video Cameras installed at Community Center? Mayor would like to hold off until money comes in to install video cameras all over including the Water and Wastewater Plants.

(I) Requesting another workshop on Dog Ordinance, or Special Meeting or pass as Jeff requested. Will be taken care of in the April meeting.

(J) Also want to thank Rick for getting more garbage cans for park playground. Thank Rick for calling Casa del Sol.

Trustee Thomas McKean also stated that he looked at the minutes which talked about Mia Estates and there were no requests for variances so they would be required to install curbs and gutters. They will also need to install two culverts and bar ditch.

Item 26. New Business:

None

Item 27. Adjourn

Mayor Ray Cordova entertained a motion to adjourn. Trustee Patrick Garcia moved to adjourn and was seconded by Trustee Thomas McKean. Motion carried with an affirmative voice vote by all.

The meeting adjourned at 9:00 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  
April 15, 2008.