

Regular Meeting-June 17, 2008

The Board of Trustees of the Village of Tularosa met in a Regular Meeting on Tuesday, June 17, 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, Finance Officer Valarie Delgado and Village Attorney Jeff Rhodes.

Absent: Dianna Brusuelas, Village Clerk.

At 7:05 P. M. Mayor Ray S. Cordova asked all present to rise and join in the Pledge of Allegiance.

Item 1. Consideration of Agenda and Consent Agenda

Trustee Thomas McKean asked to remove the minutes of the May 20, 2008 Regular Meeting from the consent agenda until the clarification that Trustee Fred Tyler requested at the Workshop is inserted into page 2, item 3.

Mayor Ray Cordova stated that Maria Gerbitz requested to be removed from the agenda (Item 12).

Trustee Patrick Garcia then moved to consider the agenda and the consent agenda with the two changes 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 all members of the Board voting aye.

Items on the consent agenda consisted of Minutes of the May 19, 2008 Workshop, Village Bills, Business Registrations for May 2008, Site & Sign Permits for April and May 2008 and the announcement of the next Regular Meeting for July 15, 2008.

Item 2. Unscheduled correspondence and Public Comments

Merlinda Castro representing SouthWest Disposal said she was there in case anyone had questions and stated their company was there to help Tularosa if needed.

Item 3. Machele Lackey-Update on Rotary Club of Tularosa

Ms. Lackey made a presentation to the Mayor and members of the Board letting them know that this year the Rotary awarded two \$500.00 scholarships to graduating seniors from Tularosa High School and are sending three students to

Girls State, helped for the Veterans Memorial Day celebration, they continue to make donations to the Community Food Bank. The Tularosa Rotary is applying to the national rotary for grant money and would like to know if the Village needs anything some suggestions are the sign at the Medical Center, Little League Baseball uniforms and the Fire Department. Mayor Ray Cordova wanted the public to know that the Tularosa Rotary has done a tremendous job for the community and that he was very proud of the Welcome to Tularosa signs and the benches which will be placed at the Z-Trans bus stops, a round of applause followed.

Item 4. Adoption of Resolution 2007-2008-25 Approving Affiliation with the Public Employees Retirement Association & Participation in Municipal General Member Coverage Plan 1

Item 5. Adoption of Resolution 2007-2008-26 Approving Affiliation with the Public Employees Retirement Association & Participation in Municipal Police

Member Coverage Plan 1

Item 6. Adoption of Resolution 2007-2008-27 Authorizing Employer Pick Up of Member Contributions for determining Tax Treatment under the Internal Revenue Code

Trustee Thomas McKean moved to approve the Adoption of Resolutions 2007-2008-25, 26 and 27. Motion was seconded by Trustee 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. Dianna Brusuelas-Request to postpone August Regular meeting from August 19, 2008 to August 26, 2008 (NMML Annual Conference August 13-15,2008)

Trustee Gloria Sainz moved to postpone the August 19, 2008 Regular meeting to August 26, 2008. Trustee Thomas McKean 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 8. Approve appointment of John Montoya as Fire Chief effective July 1, 2008

Mayor Ray Cordova announced that Fire Chief Robert Chavez tendered his resignation because his job has him working out of town the majority of the week and Mr. Chavez felt it was unfair to the community that he not be present should

there be fires. Fire Chief Chavez recommended John Montoya as a replacement. Mayor Cordova stated that he interviewed with Mr. John Montoya, he works for the Forest Service and has been working with Mr. Chavez at the Fire Department and knows the duties of the Fire Chief.

Trustee Thomas McKean moved to approve the appointment of John Montoya effective July 1, 2008 and 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 9. Mayor-Request to drop Village protest on wells T-128; T-768 and T-4182 for Hubbard Ranch & Black Gold Estates

Trustee Thomas McKean moved to drop the protest on wells T-128; T-768 and T-4182 for Hubbard Ranch and Black Gold Estates. 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 10. Mayor-Certificate of Appreciation to Jennifer Simpson "2008 Mrs. New Mexico Plus America"

Mayor Cordova announced his appreciation to Mrs. Jennifer Simpson for putting Tularosa on the map.

Item 11. Rick Gutierrez-Request Mayor and Board to establish Infrastructure Capital Improvement Plan

Trustee Thomas McKean read off the prioritized ICIP list as follows: (1) Water Plant Sedimentation Pond (2) Recreational Facility/Swimming Pool (3) Wastewater/Water Improvements (4) Department of Public Safety (5) Senior Center Facility (6) Village Yard Maintenance Equipment/Building (7) Wells (8) Playground and Park Maintenance Equipment and proceeded to moved to present the list on the Infrastructure Capital Improvement Plan. 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 12. Maria Gerbitz-2 Neighbors Code Enforcement, tree, trash, fence, dogs, dog feces, gas line, power lines, Codes

(REMOVED)

Item 13. Virginia Lee-709 Second Street-Request Rear Setback variance to be 5 feet from property line instead of 15 feet from property line

Mr. Ray Chavez made a presentation for Ms. Virginia Lee stating that Ms. Lee would like to add 925 sq. ft to her existing home which would include a master bath, bedroom and an exercise room and is requesting the setback variance.

Trustee Fred Tyler moved to approve the rear yard setback variance for the property at 709 Second Street and comply with the other existing building codes which includes the south property line set back. Trustee Patrick Garcia seconded the motion.

Trustee Thomas McKean requested that a new drawing be submitted.

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 14. Lecia Elk-502 Ethel-Grant Site Permit for improvement of home with front and back porch and carport

Ms. Lecia Elk requested a variance on the north side for a carport.

Trustee Thomas McKean moved to grant the variance 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 of the Board voting aye.

Item 15. Laurie Montoya-Approve Double Wide installation on 1005 Bates Lane

The decision on the double wide on 1005 Bates Lane was if Ms. Montoya was in compliance with her permits and wrote the year of the mobile home on the permit the Mayor would sign off as ok.

Item 16. Approval of proposed Ordinance 230 to publish by Title & Subject Matter relating to Franchise Agreement between the Village of Tularosa & Tularosa Basis Telephone Company

Trustee Patrick Garcia moved to approve to publish by Title & Subject matter the proposed ordinance relating to the Franchise Agreement between the Village of Tularosa

and Tularosa Basin Telephone Company. Motion was seconded by Trustee Thomas McKean.

Attorney Jeff Rhodes clarified that the Ordinance would be published and adopted for the July meeting.

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 proposed Ordinance 229 to publish by Title & Subject Matter relating to the Drilling of Domestic Water Wells within exterior boundaries of the Village of Tularosa

(REMOVED)

Item 18. Award bid for Drug Screening

Trustee Thomas McKean moved to award the bid to BEH Drug Screening 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 of the Board voting aye.

Trustee Thomas McKean suggested using Ordinance number 229 for the franchise Agreement with Tularosa Basin Telephone Company instead of Ordinance number 230.

Item 19. Reynaldo Guilez-Request an additional \$2.00 salary increase for Kevin Moheit to \$10.93 per hour effective first pay period in July 2008

Trustee Gloria Sainz moved to approve the additional \$2.00 salary increase and was seconded by Trustee Fred Tyler as long as the Field Supervisor would have it come out of their budget.

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 20. Mayor-Request an additional \$1.40 salary increase for Rick Gutierrez to \$16.00 per hour effective first pay period in July 2008

Trustee Thomas McKean moved to approve the pay raise for Rick Gutierrez and 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 21. Mayor-Request an additional \$.84 salary increase for Dana Robb to \$10.30 per hour effective first pay period in July 2008

Trustee Thomas McKean moved to approve the additional 84 cents salary increase for Dana Robb 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 of the Board voting aye.

Item 22. Approve posted speed limit sign to 10 MPH on Hagee Lane

The request was to change the speed limit on Hagee Lane to 10 MPH to help control the dust in that area because there is a little girl who lives in the area who is on oxygen.

Trustee Thomas McKean moved to change the speed limit on Hagee Lane to 10 MPH and 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 23. Trustee Fred Tyler-Request Village Trustees approve creation of a Volunteer Committee to become liaison between Holloman AFB and the Village of Tularosa and to appoint Dwight Harp as Head of the Committee.

Trustee Fred Tyler moved to approve creation of a Volunteer Committee to become liaison between Holloman AFB and the Village of Tularosa. Trustee Thomas McKean amended the motion to request that a member of the Board be the liaison and that member be himself and that he would like to pick Dwight Harp as his assistant. Mayor Cordova stated that he would have a problem appointing Mr. Harp as Trustee McKean's assistant. Trustee Thomas McKean wondered if he could appoint his own committee. Mayor Cordova informed Trustee McKean that he appoints the committee and the Board approves the appointments. Attorney Jeff Rhodes confirmed the Mayor's statement. Mayor Cordova also suggested moving to create a committee and then decide how it will be structured and how many committee members there will be, how often they will meet etc. or he could keep it simple and just appoint a liaison. Trustee Fred Tyler amended his motion to say that he moved to approve creation of a Volunteer Committee to become liaison between Holloman AFB and the Village of Tularosa and to accept Trustee Thomas McKean as the Board Member volunteer. Trustee Patrick Garcia seconded the motion. Mayor Cordova asked what term the volunteer would serve.

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 24. Trustee Thomas McKean-Request review in proper procedures in the use of Village Vehicles

Trustee Thomas McKean asked that all employees be given a memo and a copy of Section 50.02 of the policy and requested a copy for himself and the other members of the board.

Item 25. Old Business

Under old business Mayor Cordova mentioned the newspaper article on Tularosa having trouble with the water supply. Mayor Cordova explained that there was a break on one of the 14" water lines that supplies one of the tanks, the part arrived today but there was never a shortage of water.

Trustee Fred Tyler asked Attorney Jeff Rhodes what steps are required to terminate the refuse contract. Attorney Jeff Rhodes said he would look at the agreement and write the Board a letter on the options.

Trustee Thomas McKean asked about the muffin valve. Attorney Jeff Rhodes informed the Board that JWC-Mesco had been served.

Trustee Thomas McKean requested a meeting with Jeff for the following day.

Item 26. New Business

Item 27. Adjourn

Trustee Thomas McKean moved to adjourn and was seconded by Trustee Patrick Garcia, a voice vote was taken. Meeting adjourned at 8:30 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.

Ray S. Cordova, Mayor

ATTEST:

Dianna R. Brusuelas, Village Clerk

Minutes approved by The Board of Trustees at the Regular Meeting of July 15, 2008.