

November 18, 2008-Regular Meeting

The Board of Trustees of the Village of Tularosa met in a Regular Meeting on Tuesday, November 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, Attorney Jefferson Rhodes as well as Finance Officer Valarie Delgado.

Absent: Village Clerk Dianna Brusuelas

Mayor Ray S. Cordova asked that all rise and join in the Pledge of Allegiance.

Item 1. Consideration of Agenda and Consent Agenda

Trustee Thomas McKean moved to consider the Agenda and Consent Agenda removing Item 11 (Reconsideration of adjustment of water bill at 1001 Monte Vista) from the Agenda and removing Item 1(d) (Village Bills) from the Consent Agenda requesting further research on the check for Ernie Byers and making Item 7, 2A. Trustee Gloria Sainz 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 2. Unscheduled correspondence and Public Comments

Anthony Tafoya requested a citizens group to look at the legality of terminating the trash service and wants the streets cleaned. Mr. Tafoya also asked about the grading of 9th street.

Trustee Patrick Garcia stated that the Fire Truck needs new tires.

Trustee Patrick Garcia also brought up the Christmas Eve celebration and needs organizations to help with purchasing the candy, apples and peanuts. It was suggested that Village Clerk Dianna Brusuelas bring up the request at her Rotary Meetings.

Trustee Thomas McKean brought up that the water bill would soon be going up 2.8%.

Item 2A. (previously Item 7) Rowena Laabs-Request placing a "Dead End Street" sign or a "Not a Thru Street" sign on Sierra Loop

Trustee Patrick Garcia moved to approve the installation of a street sign reading "Dead End Street" on Sierra Loop and was seconded by Trustee Fred Tyler.

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 3. Executive Session as per section 10-15-1(H) of the Open Meetings Act for the discussion of purchase, acquisition or disposal of real property - 35.209 acres

Trustee Thomas McKean moved to retire into executive session and was seconded by Trustee Fred Tyler. Mayor Ray Cordova stated that only the items announced for closure would be discussed in the closed session

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.

Upon returning from the closed session Mayor Ray Cordova announced that the items discussed in the closed session were limited only to those that were specified in the motion for closure.

Item 4. Approval of the sale of 35.209 acres by the Village of Tularosa

Trustee Fred Tyler moved to approve the sale of 35.209 acres by the Village and direct the Village Attorney to prepare all the documentation. 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 5. Chief Virgil Mayberry-Approval of employment of Jennifer Jones as a Probationary Full Time Regular Employee to the position of Certified Dispatcher at \$9.25 per hour DOH 10/23/2008

Trustee Thomas McKean moved to approve 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.

The Board of Trustees was informed that Matthew Mirabal would start attending the training academy in January.

Item 6. Veronica Hardison/Heather Gonzales-Overview of United Way Campaign

Ms. Hardison and Ms. Gonzales said they would like to bring some united way funding to Tularosa which would supplement the budgets. United Way needs pledges and contributions and in January Tularosa apply for the funding, for example for the Senior Center and the Recreation Program. Ms. Hardison and Ms. Gonzales stated that they would make a presentation to the village employees tomorrow at 1:15.

Item 7. (moved to Item 2A)

Item 8. Joan Price-Report on development of Tularosa Water Fair

Ms. Joan price gave an update on the Tularosa Water Fair naming some of the exhibits etc. that were invited to attend. They were listed as follows: Art Exhibit, Farmers Market, Tai Chi demo, Spiral dances, Weather Data Exhibit, Native Plant Society, Water Shed Exhibit, Ditch Association well depth. Ms. Price requested a liaison such as the Mayor or Mr. Rick Gutierrez and also requested using the Sign Display outside the courts.

Item 9. Executive Session as per section 10-15-1(H) of the Open Meetings Act subject to Attorney Client privilege pertaining to threatened or pending litigation RE: Enforcement of Alamo Disposal Waste Collection Contract, including right to terminate under default paragraph of contract

Trustee Thomas McKean moved to go into executive session as per section 10-15-1(H) of the Open Meetings Act subject to Attorney-Client privilege pertaining to threatened or pending litigation RE: Enforcement of Alamo Disposal Waste Collection Contract, including right to terminate under default paragraph of contract. Motion was seconded by Trustee Fred Tyler.

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.

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

Upon returning from executive session at 8:40 P. M. Mayor Cordova stated that the items discussed in the closed session were limited only to those items that were specified in the motion for closure and proceeded to go to Item 10.

Item 10. Consideration of termination of Alamo Disposal Waste Collection Contract

Trustee Thomas McKean moved to terminate the contract with Alamo Disposal effective January 9, 2009.

Mayor Ray Cordova suggested signing a Mutual Agreement to terminate between now and the 9th of January.

Trustee Thomas McKean amended his motion to have the Mutual Termination Agreement signed within 24 hours, if not signed within this time frame a Special Meeting would be called to terminate the contract effective January 9, 2009. 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 11. (removed) Reconsideration of adjustment of water bill at 1001 Monte Vista

Item 12. Authorization to go out to bid for Waste Collection services if necessary

Trustee Thomas McKean moved to authorize the village to go out to bid for Waste Collection services 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 13. Trustee Thomas McKean-Motion to go out for publication by Title and Subject Matter on a proposed ordinance changing the members of the Planning & Zoning Board from 7 to 5 adopted by Governing Body of Tularosa

Trustee Thomas McKean moved to go out for publication by Title & Subject Matter a proposed ordinance changing the members of the Planning & Zoning Board from 7 to 5. Motion was seconded by Trustee Fred Tyler.

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. Old Business

None

Item 15. New Business

Trustee Patrick Garcia requested a schedule of Sonya Gilillands' hours

Item 16. Adjourn

There being no further business to come before the board Trustee Thomas McKean moved to adjourn and was seconded by Trustee Fred Tyler.

Meeting adjourned at 9:00 P. M.

The written minutes are the official minutes of the meeting. The recorded CompactFlash 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 December 16, 2008.