

Special Meeting-October 27, 2008

The Board of Trustees of the Village of Tularosa met in a Special session on Monday, October 27, 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 as well as Village Attorney Jefferson Rhodes and Village Clerk Dianna Brusuelas.

Mayor Ray S. Cordova called the meeting to order asking that all rise and join in the Pledge of Allegiance.

Item 1. Consideration of Agenda

Trustee Thomas McKean moved to approve the agenda as presented 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 2. Approval of Agreement and Adoption of Resolution 2008-09-11 supporting the Keep Tularosa Beautiful organization in Tularosa, NM and establishing a Keep Tularosa Beautiful Advisory Council

Ms. Susan Flores made a presentation stating that she talked to Joe Lobato of Keep New Mexico Beautiful in Santa Fe and felt that the \$2,500.00 travel money was in question. Mr. Lobato has agreed to raise the grant amount from \$6,800.00 to \$7,800.00 because to be part of Keep American Beautiful you have to provide 25% stating that 25% of \$6,800.00 is \$1,700.00. Ms. Flores said she has done work for New Mexico Clean & Beautiful and as part of her compensation he has agreed to raise the grant amount to the \$7,800.00 which the match would now be \$1,950.00 so instead of \$2,500.00 it is now \$1,950.00; the village has already put out \$1,029.00 for the travel already taken, once certified the village will receive \$1,000.00. For Susan's trip to DC the village would have to put \$661.55, NM Clean & Beautiful would put up \$1,000.00 and she would pay \$530.50. By being an affiliate the village can apply for other grants from corporate sponsors and stated that the village had been granted a \$10,000.00 grant from 'Think Green'. Village Clerk Dianna Brusuelas asked if there was a match to the \$10,000.00 grant, Ms. Flores said no. Trustee Patrick Garcia asked if this years money was \$950.00, Ms. Flores said there would be no more money coming out of this years budget from the village until the \$1,000.00 is refunded. Trustee Thomas McKean asked about the equipment bought with the grant, wondering if the equipment now belongs to the village and goes on village inventory. Ms. Flores said no that it is bought with state funds so it belongs to the state. The resolution read by Ms. Flores was different from the one in the Board Members packets. A recess was taken to Ms. Flores could make copies for the Board Members. After much more discussion Trustee Fred

Tyler moved to approve Resolution 2008-09-11 with the following changes: on the first page of the Resolution to include "and the attached Agreement of Support"; section VI the first "shall" changed to "may" and the third "shall" to be "may". The motion was seconded by Trustee Patrick Garcia.

Roll Call Vote: Trustee Garcia, aye. Trustee McKean, nay. Trustee Sainz, aye. Trustee Tyler, aye. Motion carried with three Members of the Board voting aye and one nay.

Item 3. Trustee Thomas McKean-Executive Session as per 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 the right to terminate under Default paragraph of contract

Mayor Ray Cordova announced that the only matter discussed will be Item 3.

Trustee Thomas McKean moved to retire into executive session and was seconded by Trustee Fred Tyler. Motion carried with all Members of the Board voting in the affirmative. The meeting closed for Executive Session at 8:05 P.M.

The Mayor and Members of the Board reconvened at 8:55 P.M. with Mayor Cordova announcing that the matters discussed in closed session were limited only to those that were specified in the motion to close.

Item 4. Trustee Thomas McKean-Consideration of termination of Alamo Disposal Waste Collection contract

Trustee Fred Tyler asked Mr. Art Cardiel if he has his DOT and EPA certification with him tonight. Mr. Cardiel responded no. Trustee Tyler also advised Mr. Cardiel that the Village was going to exercise their right to have the vehicles inspected and for him to consider this his 48 hour notice that anytime after 9 o'clock Thursday night until the next Regular Meeting the vehicles could be called for inspection. Trustee Fred Tyler proceeded to move to postpone any action on Item number 4, motion was seconded by Trustee Patrick Garcia. Trustee Thomas McKean asked, postpone until when. The response was the next Regular Meeting, November 18th. Mr. Cardiel asked for a copy of all that the village needed. Trustee Fred Tyler advised that it was in the letter already delivered to him.

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 putting Items 3, 4, and 5 on the November 18th agenda.

Item 5. Trustee Thomas McKean-Authorization to go out to bid for Waste Collection services if necessary

Trustee Thomas McKean moved to postpone Item 5 until the next Regular Meeting 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 6. Adjourn

Trustee Gloria Sainz moved to adjourn and was seconded by Trustee Patrick Garcia.

Meeting adjourned at 9:01 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.

Page 3-Special Meeting 10/27/2008

Ray S. Cordova, Mayor

ATTEST:

Dianna R. Brusuelas, Village Clerk

Minutes approved by The Board of Trustees at the Regular Meeting of November 18, 2008.