

Regular Meeting-April 20, 2016

The Mayor and the Board of Trustees of the Village of Tularosa met in a Regular Meeting on Wednesday, April 20, 2016 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 Patrick A. Garcia
Trustee Robert L. Sainz
Trustee John 'Ray' Telles

Absent: Trustee Ronald Cooksey

Also present was Richard Gutierrez, Grants Coordinator and Dianna Brusuelas-Guilez, Village Clerk, as well as Jefferson Rhodes Village Attorney.

At 7:00 P.M. Mayor Ray S. Cordova called the meeting to order asking that all rise and join him in the Pledge of Allegiance and the Salute to the Flag of the State of New Mexico.

1. Consideration of Agenda and Consent Agenda

Trustee Patrick A. Garcia moved to consider the Agenda and the Consent Agenda. Trustee John 'Ray' Telles seconded the motion.

Roll Call Vote: Trustee Garcia, aye. Trustee Sainz, aye. Trustee Telles, aye. Motion carried with all board members present voting aye.

2. Unscheduled Correspondence and Pubic Comments (3 Minutes)

First to come before the Mayor and the Board of Trustees was David Shields, Engineer for Bohannon-Huston. Mr. Shields gave an update of the water plant saying there was a six week delay on the filter media but now two filters are back on line and the third filter is off-line, they are sandblasting and will finish the last filter within 10 days and will wrap up the final items in the next two months.

Village Clerk Dianna Brusuelas-Guilez asked Mr. Shields if this has anything to do with the Sanitary Survey letter from the Environment Department. Mr. Shields said he would respond to the survey and e-mail it.

In reference to the transmission line the surveyors will start Monday. Mr. Shields said he was going to start applying for a grant for a water master plan.

Trustee Patrick Garcia thanked David Shields for always keeping the Mayor and the Board of Trustees enlightened on what is going on.

Trustee Patrick Garcia asked Mayor Cordova if it would be possible to get a work order for the weeds in the medians coming into town. Mayor Cordova asked Mr. Rick Gutierrez to please submit a work order.

3. Information: Quit Claim Deed conveying the Redbrick School House to the Village of Tularosa

Mayor Ray Cordova announced that the Red Brick School building now belonged to the village and that he is currently seeking funding for repairs. Trustee John 'Ray' Telles asked about signage to keep people out.

4. Approval of membership and support to the SENM Economic Development District Council of Governments dues \$1,000.00

Trustee Patrick Garcia moved to approve membership to support the South Eastern New Mexico Economic Development District, Council of Governments. Trustee Robert Sainz seconded the motion.

Roll Call Vote: Trustee Garcia, aye. Trustee Sainz, aye. Trustee Telles, aye. Motion carried with all board members present voting aye.

5. Approval of Resolution 2015-2016-26 Participation in Capital Outlay program administered by the New Mexico Department of Transportation

Trustee Robert Sainz moved to approve Resolution 2015-2016-26 participation in the Capital Outlay program. Trustee John 'Ray' Telles seconded the motion.

Roll Call Vote: Trustee Garcia, aye. Trustee Sainz, aye. Trustee Telles, aye. Motion carried with all board members present voting aye.

6. Approval of Ordinance 256 adopting a new section 132.16 providing for the protection of Library materials and penalties and to Publish by Title and Subject Matter

Trustee Patrick Garcia moved to approve Ordinance 256 adopting a new section 132.16 for protection of library materials, penalties and to publish by Title and Subject Matter. Trustee John 'Ray' Telles seconded the motion.

Roll Call Vote: Trustee Garcia, aye. Trustee Sainz, aye. Trustee Telles, aye. Motion carried with all board members present voting aye.

7. Approval of Notice of Proposed Ordinance 257 adopting a new Section 90.25 for the prohibition of the operation of outdoor markets as a public nuisance and providing definitions and penalties

Trustee Robert Sainz moved to approve the Notice of Proposed Ordinance 257 adopting a new section for the prohibition of the operation of outdoor markets as a public nuisance and providing definitions and penalties. Trustee John 'Ray' Telles seconded the motion.

Roll Call Vote: Trustee Garcia, aye. Trustee Sainz, aye. Trustee Telles, aye. Motion carried with all board members present voting aye.

8. James Jones-Approve to permit mobile home at 1303 Bookout

Mr. James Jones presented himself to the village officials requesting permission to allow an older model trailer to be placed at 1303 Bookout Road. The question was asked about the age of the trailer. Mr. Jones did not know but thought possibly a 1990. Trustee Robert Sainz explained that the village has an ordinance that mobile homes are allowed to be 12 years old or newer and recently disallowed a mobile home on Marshall. Ms. Nancy Garcia spoke saying if there is an ordinance there are some RV's coming into town that are old.

Trustee Patrick Garcia said his issues were zoning where the trailer does not meet set back regulations and the second issue is the age of the trailer.

Trustee John 'Ray' Telles proceeded to move to deny the request to approve the mobile home

at 1013 Bookout. Trustee Patrick Garcia seconded the motion.

Roll Call Vote: Trustee Garcia, aye. Trustee Sainz, aye. Trustee Telles, aye. Motion carried with all board members present voting aye.

9. Mayor Cordova & the Frontier Program-allocation of money to create brochures that market Tularosa and it's historic downtown site

Trustee Patrick Garcia moved to allocate money to create brochures that market Tularosa and it's historic downtown site. Trustee Robert Sainz seconded the motion. Trustee John 'Ray' Telles asked if the money would come out of the General Fund. The Mayor and the Board all agreed that the money would come out of the General Fund.

10. Chief Wood-Recognize Police Dispatcher Adriana Bock for successfully completing the NM Law Enforcement Academy Telecommunicator Certification class and to increase her pay to \$9.50 per hour

Trustee Patrick Garcia asked Chief Wood how many Dispatchers were still below \$10.00. Village Clerk Dianna Brusuelas-Guilez mentioned that Dispatcher's are also required to get their certification. Trustee Robert Sainz moved to increase Adriana Bock's salary to \$9.50 per hour. Trustee Patrick Garcia seconded the motion.

Roll Call Vote: Trustee Garcia, aye. Trustee Sainz, aye. Trustee Telles, aye. Motion carried with all board members present voting aye.

11. Trustee Robert Sainz-Requesting Keep Tularosa Beautiful fund from being handled by village personnel

Trustee Robert Sainz said that last year a letter, signed by the Mayor, had been sent to the state to adjust the Keep Tularosa Beautiful budget travel line from \$4,500.00 to \$1,000.00 but the budget stayed the same, so now his view is that if the Board has no control of the funds then village personnel should not keep track of funds. Trustee Sainz said he accepts and understands the value of the program but if they have no control of the funds he doesn't think the village should be involved. Trustee Sainz also said if the vote is not to handle funds he would like to include the removal of the building next to the court because it is blocking the emergency back-up system unit and also the office space that is being used could house the ambulance personnel. Trustee Sainz feels having an ambulance and ambulance personnel staying in that office would be more valuable for the Village of Tularosa. Trustee Sainz said that would be his recommendation and if there are not any questions he will make that in a form of a motion.

Mayor Ray S. Cordova said that the village cannot do anything about the shed on the side or the signs because that is not the question before the Board at this time. Mayor Cordova said if the village is not handling the funding they might have to drop for the program altogether and he would personally hate to do that. Trustee Sainz says he hasn't seen too much in the last several years, prior, two or three years ago there were physical signs of what was being done. Trustee Sainz said his intention is not to get rid of Keep Tularosa Beautiful.

Trustee Patrick Garcia clarified asking Trustee Sainz if he meant that the village would just not be the fiscal agent. Trustee Sainz said yes and suggested maybe the county wanted to take over.

Village Clerk Dianna Brusuelas-Guilez asked if that would be the agreement starting July 1, 2016. Trustee Sainz said yes. Trustee Sainz clarified his statement saying that he did not want the village to be the fiscal agent as of July 1 but the village is committed through the

end of this fiscal year.

Mayor Ray S. Cordova restated Trustee Sainz motion reading Trustee Robert Sainz requesting Keep Tularosa Beautiful funds from being handled by village personnel to take effect July 1.

Trustee Patrick Garcia asked Trustee Sainz if he was asking to vacate the office and the ambulance bay and move the building. Trustee John 'Ray' Telles asked what that building was blocking. Mayor Cordova responded nothing. Police Chief Chuck Wood asked if he could approach, the response was yes. Chief Wood proceeded to explain that there were two problems with the building, the exit door on the south side of the building is being blocked and you can't see if anyone is there hiding which makes it a security issue. Chief Wood says he has a problem with the location of the building because it obstructs access to the generator, citing that a few months ago there was a power outage and needed to get to the generator and they couldn't get a vehicle close enough to jump start it, they had to then call Ralph who had to take a battery from another vehicle, if the building wasn't there they could have driven a patrol car up and jump start the generator with the patrol car which would have avoided the delay. Trustee Telles said the building could probably be relocated to Fresno Street where the aluminum can's are. Trustee Sainz suggested placing it at the yard.

Trustee Sainz again proceeded to move that as of July 1st village personnel will no longer be the fiscal agent for Keep Tularosa Beautiful. Motion was seconded by Trustee Patrick Garcia.

Roll Call Vote: Trustee Garcia, aye. Trustee Sainz, aye. Trustee Telles, aye. Motion carried with all board members present voting aye.

12. Executive Session as per Section 10-15-1(H) of the Open Meetings Act for the discussion of lease/sale of real property—American Tower

Trustee Robert Sainz moved go go into executive session as per Section 10-15-1(H) of the Open Meetings Act for the discussion of lease/sale of real property-American Tower. Trustee Patrick Garcia seconded the motion.

Roll Call Vote: Trustee Garcia, aye. Trustee Sainz, aye. Trustee Telles, aye. Motion carried with all board members present voting aye.

Mayor Cordova stated that only those subjects announced for closure will be discussed in the closed session. At 7:40 P. M. the Mayor and the Board retired into an executive session.

At 8:03 the Mayor and the Board reconvened into an open meeting with the Mayor announcing that the matters discussed in the closed session were limited only to those specified in the motion for closure.

13. Old Business

Trustee Robert Sainz wondered about the Hagee Lane project. Mayor Ray S. Cordova said he spoke to Rick Gutierrez and Rick said he was getting figures from LanCon, those would be submitted to Steven Diehl from the Environment Department then they could proceed.

Trustee Sainz also asked about the sink hole on Marin Lane. Mayor said the contractor who placed the line there did not compact the dirt which created the sink hole. Mayor Cordova said Richard Gutierrez was going to call the real estate people.

Trustee John 'Ray' Telles mentioned the loss of a cook at the Senior Center.

14. New Business

Village Clerk Dianna Brusuelas-Guilez informed the Mayor and the Board of Trustees that at the start of the May meeting there would be two public hearings, one for the transfer of the liquor license from Tulie Cafe to Giant and the other is for a beer and wine license for Grill 49.

15. Adjourn

Trustee Robert Sainz moved to adjourn with a second from Trustee John 'Ray' Telles. The meeting adjourned at 8:17 P. M.

Ray S. Cordova, Mayor

ATTEST:

Dianna R. Brusuelas-Guilez, Village Clerk

The written minutes are the official minutes of the meeting. The recorded Compact Flash 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.

Minutes approved by The Board of Trustees at the Regular Meeting of May 18, 2016.