

Regular Meeting-August 19, 2009

The Mayor and the Board of Trustees of the Village of Tularosa met in a Regular Meeting on Wednesday, August 19, 2009 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

Also in attendance was Village Attorney Jefferson Rhodes, Village Clerk Dianna Brusuelas-Guilez, Grants Coordinator Richard Gutierrez, Finance Officer Valarie Delgado and Monica Voorbach Accounts Payable Clerk.

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

Item 1. Consideration of Agenda and Consent Agenda

Trustee Thomas McKean moved to consider the agenda and the consent agenda with the following changes, item #7 postpone until more data is available and item #14 delete and item #16 postpone until after the August 21, 2009 Special Meeting. Trustee Patrick Garcia seconded the motion.

Roll Call Vote: Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Trustee Tyler, aye. Motion carried with an affirmative vote by all.

Item 2. Unscheduled Correspondence and Public Comments

A member of the public, Ms. Vivian Lueras asked who was responsible to erect signs and what the procedure is. Ms. Lueras stated she is referring to the sign on First St. & Higuera.

Mayor Ray Cordova stated that usually a problem with traffic has to be brought before the board or to one of the Trustees who should then address it to the Chief of Police who will investigate if there is a problem or a need for a certain traffic citation and then make his recommendation to the Board and the Board would then take action if necessary. Mayor Cordova stated that he has checked the corner at First St. & Higuera and felt there is a need for a sign and agreed that the signs erected were not very definitive. Ms. Lueras asked if the signs could be removed until the correct process would be followed. Mayor Cordova said he would request the signs be taken down until the proper signs are installed.

Trustee Patrick Garcia complemented the budget and the Audit.

Trustee Thomas McKean asked if the trees could be trimmed by Western Bank. Mayor Cordova said for Trustee McKean to submit a workorder.

Item 3. *Information: Receipt of \$1,200.00 for the Tularosa Recreation Program*

Mayor Ray Cordova announced that the Tularosa Recreation received \$1,200.00 from the Fraternal Order of Eagles on July 13, 2009 and showed his appreciation to the Eagles and the Acting Chief who is a member of the Eagles.

Item 4. Adoption of Ordinance 236 amending Sections 10.99 & 70.02(E) of the Tularosa Code of Ordinances and to Publish by Title & Subject Matter

Attorney Jeff Rhodes explained the changes to the ordinance by moving the Penalty Assessments to a place that makes sense in ordinance. Trustee Thomas McKean asked about Section 31.05. Attorney Jeff Rhodes said he would do another ordinance to correct those fees or refer them to 10.99.

Trustee Thomas McKean moved to adopt Ordinance 236 and to publish by Title and Subject Matter. Trustee Gloria Sainz seconded the motion.

Roll Call Vote: Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Trustee Tyler, aye. Motion carried with an affirmative vote by all.

Item 5. Adoption of Resolution 2009-2010-05 desiring the services of the Southeastern New Mexico Economic Development District/COG

Trustee Patrick Garcia moved to adopt Resolution 2009-2010-05 desiring the services of the Southeastern New Mexico Economic Development District/COG. 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 an affirmative vote by all.

Item 6. Adoption of Resolution 2009-2010-06 Infrastructure Capital Improvement Plan (ICIP)

Trustee Thomas McKean moved to adopt Resolution 2009-2010-06 Infrastructure ICIP and read the first five priorities: (1) Water Sedimentation Pond (2) Recreation Facility & Swimming Pool (3) Department of Public Safety equipment and cars (4) Village Yard building and equipment (5) Comprehensive Plan

Trustee Gloria Sainz seconded the motion.

Roll Call Vote: Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Trustee Tyler, aye. Motion carried with an affirmative vote by all.

Item 7. Alamotero Land Surveys, Approval of Rhino Subdivision at the Southeastern corner of S. Bookout Rd. & Highway 54/70

Postponed until further information is received.

Item 8. Andrea Carrillo-Allow to place a mobile home on Cedro Street to establish residence

Ms. Andrea Carrillo asked if she needed permission to demolish her brothers house on 104 Cedro St. stating that the house was built in the 1900s. Trustee Fred Tyler stated yes, she would need permission from the Planning & Zoning Commission.

Ms. Carrillo asked if mobile homes are allowed. Trustee Tyler again responded that as long as they are double wides and newer than 12 years and they meet the Manufactured Housing Act. Ms. Carrillo was asked to go to the Planning & Zoning. Village Clerk Dianna Brusuelas-Guilez asked if Ms. Carrillo could get a permit for destruction from office personnel. Mr. Tyler said it had to be signed off by the P & Z. Mayor Cordova said he also has the authority to sign and asked Ms. Carrillo to come by the office but to be sure and check if the home was not considered a historical site. Ms. Carrillo stated that she was in contact with that office. It was stated that if the Planning & Zoning does not meet the Mayor may act as Chairman of the Planning & Zoning and sign the necessary permits.

Item 9. Peggy Korth-Waste water growing cattail-Approval for demonstration

Ms. Peggy Korth gave a presentation on a cattail evaluation and production of bio-fuel stating that Wastewater has nitrogen and cattails are nitrogen hungry. Cattails produce about 1,000 gallons of ethenol per acre. Ms. Korth's company is asking for a segment of land at the wastewater plant for her project and a place to demonstrate the remediation. Ms. Korth was asked how long the project would take and her response was no more than six months. Ms. Korth explained that this was a pilot project for Otero county placed in Tularosa and Otero county would be paying for the equipment used. Ms. Korth said that Commissioner Reardin said Tularosa could receive the fuel at cost and the remediation for free. Ms. Korth was asked if she would only use the effluent water from the plant and the answer was yes.

Trustee Fred Tyler moved to approve the wastewater growing cattail project 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 an affirmative vote by all.

Village Clerk Dianna Brusuelas-Guilez asked if there should be some sort of agreement. Attorney Jeff Rhodes said he would prepare a License Agreement. Ms. Korth requested a copy of a survey of the land so she could super impose her diagram on the survey to attach to the License Agreement.

Item 10. Frank Bishop/Robin Makowski-Grant permission for closing of Granado Street to vehicles October 31, 2009

A request by Ms. Makowski for the closure of Granado Street for a Parade of Pets on October 31, 2009 came before the Board.

Trustee Patrick Garcia moved to grant permission to close Granado Street from 7:00 A. M. to 5:00 P.M. on Halloween. Trustee Thomas McKean seconded the motion. Ms. Makowski was asked to coordinate with the Acting Chief on the street closures.

Roll Call Vote: Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Trustee Tyler, aye. Motion carried with an affirmative vote by all.

Item 11. Susan Flores-KTB Request approval of recycling bin for collection of aluminum can to be placed on the NW corner of Fresno & St. Francis Drive

Trustee Thomas McKean moved and Trustee Fred Tyler seconded the motion to allow KTB's recycling bin at the NW corner of Fresno and St. Francis Drive.

Roll Call Vote: Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye.

Trustee Tyler, aye. Motion carried with an affirmative vote by all.

Item 12. Casa del Sol Enterprises-Alamo Disposal-approve payment of \$128.38

Trustee Thomas McKean moved to *not* approve the the payment of \$128.38 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 an affirmative vote by all.

Item 13. Monica Voorbach-Permission to have Village water hookup to my property located at 1830 N. Bookout

Trustee Patrick Garcia moved to approve the water hookup at 1830 N. Bookout 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 an affirmative vote by all.

Item 14. Mayor Cordova-Approve appointment of Armando Salazar to a Regular Full Time position at \$10.00 per hour

Item deleted.

Item 15. Approve appointment of Monte W. Matheson as Police Officer at \$15.50 per hour, Date of Hire July 22, 2009 with 6 months probation

Trustee Fred Tyler moved to approve the appointment of Monte W. Matheson as Police Officer at \$15.50 per hour with the date of hire July 22, 2009 with 6 months probation. Trustee Thomas McKean seconded the motion.

Roll Call Vote: Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Trustee Tyler, aye. Motion carried with an affirmative vote by all.

Item 16. Approve the discharge of Timothy Winrow as Police Officer effective July 31, 2009

Item postponed.

Item 17. Approval of salary increase for Patrick Maturino from \$14.34 to \$15.50

Trustee Thomas McKean moved to table Item 17 and was seconded by Trustee Patrick Garcia. Trustee Thomas McKean then withdrew his motion and moved to table both Items 17 and 18. Trustee Gloria Sainz then seconded his motion.

Roll Call Vote: Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Trustee Tyler, aye. Motion carried with an affirmative vote by all to table items 17 and 18.

Item 18. Approval of salary increase for Lori Gunderson from \$9.71 to \$10.75

Tabled.

Item 19. Approval of salary increase for Ken Selman from \$15.50 to \$17.00

Trustee Fred Tyler moved to approve Ken Selman as Acting Chief and increasing his salary from \$15.50 to \$17.00 per hour. Trustee Thomas McKean seconded the motion.

Roll Call Vote: Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Trustee Tyler, aye. Motion carried with an affirmative vote by all.

Item 17. was then brought off the table asking for approval of salary increase for Patrick Maturino for \$14.34 to \$15.50.

Trustee Fred Tyler moved to approve the salary increase for Patrick Maturino based on the fact that he is the only First Line Supervisor not getting \$15.50. Motion died for lack of a second.

Item 18. was then brought off the table asking for approval of salary increase for Lori Gunderson from \$9.71 to \$10.75.

Trustee Fred Tyler moved to increase Ms. Gundersons salary by .75 cents an hour to \$10.46 and was seconded by Trustee Gloria Sainz.

Roll Call Vote: Trustee Garcia, nay. Trustee McKean, nay. Trustee Sainz, aye. Trustee Tyler, aye. With a two and two vote Mayor Cordova broke the tie by voting aye. Motion carried.

Item 20. Approval of salary increase for Monica Voorbach from \$14.89 to \$15.89

Item 21. Approval of salary increase from Valarie Delgado from \$13.22 to \$14.22

Trustee Fred Tyler asked to bring both Items 20 and Item 21 together and proceeded to move to increase both Monica Voorbach and Valarie Delgado by 5% increasing Ms. Voorbach by .75 cents and Ms. Delgado by .66 cents. Trustee Gloria Sainz seconded the motion.

Roll Call Vote: Trustee Garcia, nay. Trustee McKean, nay. Trustee Sainz, aye. Trustee Tyler, aye. With two nay votes and two aye votes and the Mayor breaking the tie with an aye vote, motion carried.

Item 22. Trustee Thomas McKean-Request Personnel Policy Section 80.01 be updated to add Solid Waste Department

Trustee Thomas McKean requested to insert in the Personnel Policy the Solid Waste Department as Solid Waste Tech and the salary range between \$10.00 to \$15.00. 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.

Request under Public Safety add position to cover Lt/Sgt Detective

Trustee Thomas McKean moved to change 80.01 in the Personnel Policy the title Lt./Sgt/Detective and just leave the title Lt. and the Chief will decide if he will have a Lt. Detective or a Field Lt. Trustee Patrick Garcia 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 23. Old Business

There was not any old business brought up.

Item 24. New Business:

A. Community Center improvement status when they are going to start work

B. Wastewater plant latest update in the repairs

C. Fire Hydrant repairs and start date

D. What is latest status in Water Rights with the State Engineer?

E. What is the latest status in water right certificates with Tularosa Community Ditch Association

F. What about having Video Cameras installed at Community Center and Veterans Memorial Park?

G. Funding and latest update on Sedimentation pond?

H. Status of making pet signs at Village Parks?

I. Status of making new Veterans sign for Veteran's Memorial Park?

J. Status of village well and purchasing of land?

K. Status of New Senior Center project?

L. Would like to thank yard and community center personnel for installing water line at Veteran's Memorial park on July 21, 2009

Discussion on these matters were

Item 25. Trustee McKean-Discuss Personnel matters

Trustee Thomas McKean would like to see more money go into salaries of the Police Department. Trustee Fred Tyler felt that the village could not compete with Hobbs, Albuquerque, the bigger communities but officers should take into consideration the quality of life Tularosa has to offer. Trustee Thomas McKean asked that the Finance Officer and the Village Clerk check to see how much savings there would be by transferring one person from the General Fund to be paid out of the Water Fund.

Item 26. Adjourn

Trustee Thomas McKean moved to adjourn and motion was seconded by Trustee Patrick Garcia. The meeting ended at 8:30 P. M.

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.

Ray S. Cordova, Mayor

ATTEST:

Dianna R. Brusuelas-Guilez, Village Clerk

Minutes approved by The Board of Trustees at the Regular Meeting of September 16, 2009.