

## Regular Meeting-12/18/2007

The Board of Trustees of the Village of Tularosa met in a Regular Meeting on Tuesday, December 18, 2007 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 Garcia, Trustee Margaret Trujillo, Trustee Thomas McKean, Trustee Gloria Sainz, Village Attorney Jeff Rhodes, Finance Officer Valarie Delgado as well as Dianna Brusuelas, Village Clerk.

Mayor Ray S. Cordova welcomed everyone and led the Pledge of Allegiance.

### Item 1. Consideration of Agenda and Consent Agenda

Trustee Margaret Trujillo moved to consider the Agenda and the Consent Agenda removing Item 12 (Dianna Brusuelas-Is Fire Department still in charge of Christmas Eve doings?) from the Agenda. Motion was seconded by Trustee Thomas McKean though he requested that the comments from Mr. Obaidi be included in the minutes of November 20, 2007. Trustee McKean also questioned an item on the bills list, page 3, and felt the expense should come out of the Sewer Fund and not General Fund Financial Administration and he made a motion to that effect. It was explained that the \$10,953.00 would be reimbursed from Capital Outlay. After much discussion and so as not to confuse any audits Trustee Thomas McKean withdrew his motion.

Roll Call Vote: Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Trustee Trujillo, aye. Motion carried with all members of the board voting aye.

Items considered on the Consent Agenda were the Minutes of November 19, 2007 Special Meeting, Minutes of the November 19, 2007 Agenda Workshop, Minutes of the November 20, 2007 Regular Meeting, Village Bills, Business Registrations and Site & Sign Permits for November 2007 and announcement of the next Regular Meeting for January 15, 2008.

## Item 2. Unscheduled Correspondence & Public Comments

A resident suggested that a law's be put into Village ordinance like the county's subdivision laws. Mayor Cordova suggested to the resident to attend the next Planning & Zoning meeting and make his comments there because they are currently working of the subdivision ordinance. Trustee Margaret Trujillo felt that the village did have some of the laws requested in the ordinance already.

A question was asked on whether the Mesa Subdivision was annexed into the village limits and the response was no. The residents concern was the maintenance of Bookout Road.

Another concern was the dry weeds catching fire.

## Item 3. Information: Baja Broadband upcoming channel additions and changes on the cable system

Mayor Ray Cordova read a letter from Baja Broadband advising of some channel additions

and changes to the cable.

Item 4. Memorandum of Agreement between Department of Health and the Village of Tularosa

Trustee Thomas McKean moved to approve the agreement between the Department of Health and the Village of Tularosa, motion was seconded by Trustee Patrick Garcia.

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Roll Call Vote: Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Trustee Trujillo, aye. Motion carried with all members of the board voting aye.

Item. 5. Rick Gutierrez-Award bid for Yard Maintenance Building

Mayor Ray Cordova advised that there were two bids, one from LanCon for \$79,248.00 and the other from Jack Wayte Construction for \$105,227.00 not including Gross Receipts tax.

Trustee Margaret Trujillo moved to award the bid to LanCon and that the funds come from grant number SA-07-L-G-3760. Trustee Thomas McKean seconded the motion.

Roll Call Vote: Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Trustee Trujillo, aye. Motion carried with all members of the board voting aye.

Item 6. Monica Voorbach-Award leasing of water rights bid

Trustee Thomas McKean moved to award two of the water rights to Ralph Vigil at the rate of \$500.00 per water right. Trustee Patrick Garcia seconded the motion. Trustee Margaret Trujillo inquired about the third water right and stated that it could be leased on a first come, first serve basis also at \$500.00.

Roll Call Vote: Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Trustee Trujillo, aye. With all board members voting aye, motion carried.

#### Item 7. Harry Burcher–Traffic Safety, slow down traffic

Mr. Harry Burcher passed a list to the Mayor and Board of reasons for safety, complaints and recommendations of traffic on South Bookout and requested a 'No thru traffic' sign. Mr. Burcher felt that truckers are using South Bookout as a bypass. Mayor Cordova asked if a 10,000 lb limit sign could be put on city streets. A suggestion was to put a sign that said 'Local Traffic Only'. Trustee Margaret Trujillo questioned how to handle the portion of the road that belongs to the county and wondered if the Village Trustees should first approach the County. Trustee Thomas McKean stated that the first part of that was the villages. Trustee Patrick Garcia stated that the Village had to work with the county because the sign has to be placed before large trucks get into the turn.

Trustee Thomas McKean moved to have a sign installed saying 'Local Traffic Only' and a '5 ton weight limit' Trustee Patrick Garcia seconded the motion.

Roll Call Vote: Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Trustee Trujillo, aye. Motion carried with all members of the board voting aye.

Item 8. Donald Spain–Will the village provide fire protection, police protection and emergency for my address (1207 Randall Drive)

Mr. Spain asked if he would be provided police, fire and emergency protection since he is within the village limits and pays taxes. He presented the Mayor and the Board with a letter. Mayor Cordova said he talked to the Fire Chief and he assured the members of the board that he had a responsibility to provide fire protection to all residents of Tularosa. Mayor Cordova advised Mr. Spain that 911 works under correct addresses and his address was provided by the county. Mayor Cordova suggested that Mr. Spain call Otero county and ask if his address was in the 911 system. Mr. Spain also suggested opening Lawrence Road going East and West. Mayor Cordova stated that it was up to the subdivider to open it.

Item 9. Trustee Thomas McKean–Community Center Dining Room Deposit \$100.00. Community Center Dining Room with kitchen Deposit \$150.00. Individual

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Room Rent \$15.00 for the first hour \$10.00 each additional hour plus \$15.00 Deposit

Trustee Thomas McKean moved to approve the deposits and the fee for the room rent. Motion was seconded by Trustee Gloria Sainz.

Roll Call Vote: Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Trustee Trujillo, aye. With all members of the board voting aye, the motion carried.

Item 10. Adoption of Ordinance 227 adopting a Municipal Gross Receipts Tax and to publish by Title & Subject Matter

Trustee Margaret Trujillo moved to adopt ordinance 227 adopting a Municipal Gross Receipts Tax and to publish by Title & Subject Matter. Trustee Patrick Garcia seconded the motion. Trustee Thomas expressed his feelings that it should be dedicated to sewer and water and Mayor Cordova expressed his stating that he could ask for monies from the state for sewer and water and felt targeting this money for a retirement program would be better.

Roll Call Vote: Trustee Garcia, aye. Trustee McKean, nay. Trustee Sainz, aye. Trustee Trujillo, aye. With three members voting aye and one member voting nay the motion carried.

Item 11. Adoption of Resolution 2007-2008-14 Increases to Budget: Library, Older American Program, Capital Outlay

Trustee Thomas McKean moved to adopt Resolution 2007-2008-14 adding the number 1372 to Capital Projects NMFA, motion was seconded by Trustee Margaret Trujillo.

Roll Call Vote: Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Trustee Trujillo, aye. Motion carried with all members of the board voting aye.

Item 12. (Removed) Dianna Brusuelas-Is Fire Department still in charge of Christmas Eve doings?

Item 13. Old Business:

Trustee Thomas McKean:

(A) Update on fire hydrant repair list that was given to the Mayor at the last meeting.

(B) Has the contract been reviewed by the lawyer yet from Alamo Disposal and what is the next step on terminating contract?

Attorney Jeff Rhodes asked for a copy of the complaints or a list of what Alamo Disposal is not in compliance with in their contract then a letter will be submitted. Trustee Thomas McKean also asked for information on the discussion Mayor Cordova and Trustee Trujillo had with the owner of Alamo Disposal.

(C) Has letter been written to Prairie Subdivision?

Mayor Cordova said he would meet with Attorney Jeff Rhodes taking the plat and what ever was submitted to the Planning & Zoning.

Item 14. New Business:

Trustee Margaret Trujillo reminded the Board that they had received a packet from Cynthia Riedlinger from the Friends of Historic Tularosa asking for a letter to ExerPlay giving them the

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go ahead or a letter of approval for their project.

Item 15. Adjourn

Trustee Thomas McKean moved to adjourn and Trustee Gloria Sainz seconded the motion. There being no further business to come before the Board the meeting adjourned at 8:30 P.M. Mayor Ray Cordova thanked everyone for coming.

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.

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Ray S. Cordova, Mayor

ATTEST:

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Dianna R. Brusuelas, Village Clerk

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