

Regular Meeting-December 15, 2010

The Mayor and the Board of Trustees of the Village of Tularosa met in a Regular Meeting on Wednesday, December 15, 2010 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 Joseph Lueras

Trustee Gloria Sainz

Also present was Village Attorney Jeff Rhodes, Richard Gutierrez Grants Coordinator and Monica Voorbach Payroll/Purchasing Clerk.

Absent: Dianna R. Brusuelas-Guilez, Village Clerk

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.

Item 1. Consideration of Agenda and Consent Agenda

Trustee Fred Tyler moved to consider the agenda and consent agenda. Trustee Joseph Lueras seconded the motion.

Roll Call Vote: Trustee Garcia, aye. Trustee Lueras, aye. Trustee Sainz, aye. Trustee Tyler, aye. Motion carried with all board members voting in the affirmative.

Trustee Lueras then asked to move Item 9 to 2A. A question arose as to it being too late to make any changes. Mayor Cordova asked if anyone had any objections. There being none. Trustee Patrick Garcia then asked to move Item 12 to Item 3. The Mayor then proceeded to make Item 3; 3A.

Item 2A. (Previously Item 9.) Trustee Fred Tyler-Require Keep Tularosa Beautiful Director to have all items placed in rose boxes along St. Francis Drive & Central immediately removed except signs and rose bushes (i.e., lights, artificial flowers etc.) and inform all sponsors that nothing is allowed except the signs and roses

Trustee Fred Tyler felt that the boxes are very distracting, several having spot lights, solar lights, artificial flowers and felt that was not the intent of the program.

Ms. Susan Flores, Director Keep Tularosa Beautiful explained that the medians belong to the State Highway Department who she had to get permission from to do the project. Ms. Flores has since contacted the Highway Department and asked if

there was a problem with what is in the medians right now and their response was no but that in the contract with the sponsors and Keep Tularosa Beautiful they cannot put anything else in their boxes without the permission of the KTB advisory council. Ms. Flores has had the advisory council contact the sponsors whose beds have items other than roses and the signs and asked that everything be removed except the roses and signs since the programs name is 'Bring back the Roses'. She too believes those are the only things which should be in the boxes. Ms. Flores and the Advisory Council did not see any problem with the low density solar lights in the corners of the beds and agreed to allow those.

Trustee Fred Tyler moved to have Keep Tularosa Beautiful Director to have all items placed in rose boxes along St. Francis Drive & Central immediately removed except signs and rose bushes and inform all sponsors that nothing is allowed except the signs and roses.

Trustee Patrick Garcia seconded the motion.

Roll Call Vote: Trustee Garcia, aye. Trustee Lueras, aye. Trustee Sainz, aye. Trustee Tyler, aye. Motion carried with all members of the Board voting aye.

Item 2. Unscheduled Correspondence and Public Comments

Keep Tularosa Beautiful Director Susan Flores made a presentation of several awards that had been received by Keep Tularosa Beautiful.

Mr. John Maes representing St. Francis Catholic Church requested police patrol on the 20th of December for the Posadas since the procession will be along the street. Mr. Maes also asked about playing Christmas music on Christmas Eve. Mayor Cordova said there would be no problem since it has been a tradition and suggested that whoever is in charge coordinate with the Police and Fire Chief's.

Item 2A. (Previously Item 12.) Trustee Patrick Garcia (1) status on bids on Otero Mini Market (2) is Recreation equipment ordered (3) Progress on new Senior Center (4) vehicles parking on driveway at 300 Encino

Mr. Harry Shatzer 300 Encino came before the board in regards to parishioners from the catholic church blocking his driveway and wondered if there was a sign that could be placed so that his driveway wouldn't be blocked. Mr. Shatzer's concern was if one of his children had an emergency or when they have to go to work and their vehicles are blocked in and they can't leave. Mayor Cordova suggested putting a no parking sign, talking to the Police Department and asking the parish priest to announce to the parishioners not to block driveways. Mr. John Maes said he would talk to the priest to make the announcement during church services. Trustee Patrick Garcia suggested the village put the sign since Mr. Shatzer came to the village for help.

Trustee Patrick Garcia explained that we are talking about Keep Tularosa Beautiful and Otero's Mini Market is still an eyesore on the highway. Trustee Garcia said the Mayor is getting bids to clean that place up. Mr. Hawthorne a Ruidoso attorney representing the property owner told the Mayor that he was in the process of hiring someone to clean the place. Mayor Cordova said he would once again call Mr. Hawthorne for an update.

Trustee Patrick Garcia said Recreation Director, Sonya Gililand is in the process of getting prices for equipment for the recreation department.

Trustee Patrick Garcia asked the Mayor for the progress on the new Senior Center. Mayor Cordova stated that there would be a walk through on the 17th and that furnishings and equipment would be delivered on the 20th with hopes of opening the first week in January, the contractor will put in the water line

Mayor Cordova said they are short of money and will not have curbs, gutters, sidewalks. paving and landscaping.

Item 3. Reports from Village Departments

None

Item 4. Approval of Adoption of Resolution 2010-2011-09 authorizing application for CDBG funds

Trustee Fred Tyler moved to approve the Adoption of Resolution 2010-2011-09 authorizing application for CDBG funds. Motion was seconded by Trustee Joseph Lueras.

Roll Call Vote: Trustee Garcia, aye. Trustee Lueras, aye. Trustee Sainz, aye. Trustee Tyler, aye. Motion carried with all members of the Board voting aye.

Item 5. Chris Masters-HELP New Mexico-Lease of Senior Center at 1050 Bookout Rd. to provide Early Childhood Services, approve non-binding letter of intent to lease

Mr. Chris Masters requested from the Mayor and the Board of Trustees a non-binding letter of intent to lease a portion of the Community Center at 1050 Bookout for early childhood services. Trustee Patrick Garcia wanted the services to include up to 18 years and to incorporate a gymnasium in the future. Mr. Masters explained that he spoke to their executive director and advised that HELP New Mexico is applying for funds from the Kellogg Foundation for adolescents.

Trustee Joseph Lueras moved to approve the non-binding letter of intent to lease and was seconded by Trustee Gloria Sainz.

Roll Call Vote: Trustee Garcia, aye. Trustee Lueras, aye. Trustee Sainz, aye. Trustee Tyler, aye. Motion carried with all members of the Board voting aye.

Item 6. Approve Daniel Estrada, Police Officer, from Temporary Employment Agreement to a Probationary Employee for 6 months at the continued rate of pay of \$14.75 per hour

Trustee Patrick Garcia moved to approve Daniel Estrada as Police Officer from Temporary Employment Agreement to a Probationary Employee for 6 months at the continued rate of pay of \$14.75 per hour and was seconded by Trustee Joseph Lueras.

Trustee Fred Tyler asked if Mr. Estrada was certified and the response was yes.

Roll Call Vote: Trustee Garcia, aye. Trustee Lueras, aye. Trustee Sainz, aye. Trustee Tyler, aye. Motion carried with all members of the Board voting aye.

Item 7. Trustee Patrick Garcia-Flood Plan-Discussion & Decision

Trustee Patrick Garcia reminded everyone of the recent meeting that was held with Mr. Paul Quaroli noting that FEMA has expanded the flood zone for Tularosa to include Mescalero Road, Posey Lane and Alamo Street. Trustee Garcia made reference to the 100 year flood in which if the village does not meet FEMA requirements village citizens would not receive help from the feds should a flood hit the village. Trustee Garcia hoped that the Mayor and Mr. Quaroli would make contact. Mayor Cordova stated that Mr. Quaroli had made contact with Mr. Rick Gutierrez earlier in the day. Mr. Rick Gutierrez said he would contact Mr. Quaroli and set up a meeting with the Mayor and another gentleman that Mr. Quaroli wants the village board to talk to who could answer more of the questions.

Trustee Gloria Sainz moved to postpone and Trustee Joseph Lueras seconded the motion.

Roll Call Vote: Trustee Garcia, aye. Trustee Lueras, aye. Trustee Sainz, aye. Trustee Tyler, aye. Motion carried with all members of the Board voting aye.

Item 8. Trustee Fred Tyler-Approve requiring monthly reports from all departments to provide basic informational reports to the Board of Trustees

Trustee Patrick Garcia moved to approve requiring monthly reports from all departments to provide basic informational reports to the Board of Trustees. Trustee Fred Tyler seconded the motion.

Roll Call Vote: Trustee Garcia, aye. Trustee Lueras, nay. Trustee Sainz, aye. Trustee Tyler, aye. Motion carried with three members voting aye and one member voting nay.

Item 9. (moved to Item 2)

Trustee Fred Tyler-Require Kep Tularosa Beautiful Director to have all items placed in Rose boxes along St. Francis Dr. & Central immediately removed except signs and rose bushes (i.e., lights, artificial flowers etc.) and inform all sponsors that nothing is allowed except the signs and roses

Item 10. Monica Voorbach-Award the leasing of 5 irrigation Water Rights for 1 year

Ms. Monica Voorbach explained that there were three bidders for the lease of five irrigation water rights, the highest bidder bid \$700.00 for two rights, the next was \$610.00 for five and the last \$605.00 for five, there being only five available the highest bidder got two and the second highest got three.

Mr. Thomas Mckean then read a letter to the American Legion Post 108 from the Tularosa Police Department for Toys for Tots Program and proceeded to present the Mayor with a \$100.00 check from Post 108 to the department.

Item 11. Trustee Fred Tyler-Approval to ask attorney to file protest to the application filed by Joel H. and Teresa K. Marr with the State Engineer

After much discussion on water rights, procedures on protesting applications and the State Engineers stance Trustee Fred Tyler withdrew Item 11 because he felt that the amount of water the Marr's were requesting was not more than the property is allowed for the size of acreage.

by Item 12. (moved to Item 3)

Trustee Patrick Garcia (1) status on bids on Otero Mini Market (2) is Recreation equipment ordered (3) Progress on new Senior Center (4) vehicles parking on driveway at 300 Encino

Item 13. Old Business

None

Item 14. New Business

Trustee Fred Tyler mentioned a septic tank that was installed by Jontel in the village limits at 1109 Hagee because the property lot size is .417 of an acre and state law calls for 3/4 of an acre. Trustee Tyler wondered why it fell through the cracks and was never presented to the Planning & Zoning.

Mayor Cordova said he and Rick Gutierrez met there along with Lancon and believes that according to ordinance there is a requirement to hook up to village sewer if they are within 100 feet from the sewer main and this residence was beyond the 100 feet. Mayor Cordova said he was not aware of them being in violation of the state but did tell them they were not in violation of village ordinance since the village could not provide sewer service. Lancon looked into tying them into village sewer but they could not get tied in because our sewer lines are not available.

Trustee Patrick Garcia asked if the Sheriffs Department has been notified on the people that were jumping from tank to tank, east of the village.

Item 15. Adjourn

Trustee Gloria Sainz moved to adjourn and was seconded by Trustee Joseph Lueras. There being no further business to come before the Board the meeting adjourned at 9:00 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 January 19, 2011.