

## **Regular Meeting-January 21, 2015**

The Mayor and the Board of Trustees of the Village of Tularosa met in a Regular Meeting on Wednesday, January 21, 2015 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 Ronald Cooksey  
Trustee John 'Ray' Telles  
Trustee Robert Sainz

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

At 7:12 P. M. Mayor Ray S. Cordova called the meeting to order and asked 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 Garcia moved to consider the agenda and the consent agenda. Both Trustees Ronald Cooksey and John 'Ray' Telles seconded the motion.

**Roll Call Vote:** Trustee Cooksey, aye. Trustee Garcia, aye. Trustee Sainz, aye. Trustee Telles, aye. Motion carried with all members of the board voting aye.

### **2. Unscheduled Correspondence and Public Comments**

First to come before the Mayor and the Board was Steve Chavez employee at the Tularosa Senior Center asking if there was anyway possible they could change his hours from 7:00 am to 3:00 pm to 6:00 am to 2:00 pm. Mayor Ray Cordova responded that the item was not on the agenda to discuss but asked Mr. Chavez to bring his concerns to him and he would discuss them with the Board. Mr. Chavez was told to place the item on the agenda and then they would discuss it.

Next to come before the board was David Shields from Bohannon-Huston with an update on the Village projects. On the Water Treatment Plant they will have a pre-bid conference on February 12<sup>th</sup> then on February 26<sup>th</sup> the bid will be awarded. On the Water Distribution Project they were not able to shut the water off completely and were not able to isolate the problem, the project will be rescheduled for next Monday, the contractor and the village will work together and run a test tomorrow. Trustee Patrick Garcia asked if there was a valve that was stuck. Mr. Shields said he thought it was a valve that was not shutting all the way. On the new Main Fire Station the earthwork has been started, the building ordered but FEMA says the property is on the flood zone and they are working with FEMA on that.

### **3. Approval of new additions to Tularosa Senior Program Policies and Procedures 1018-4, 1019-7 and 1044-7**

Trustee Patrick Garcia moved to approve the new additions to the Tularosa Senior Program policies and procedures. Motion was seconded by Trustee Robert Sainz.

**Roll Call Vote:** Trustee Cooksey, aye. Trustee Garcia, aye. Trustee Sainz, aye. Trustee Telles, aye. Motion carried with all members of the board voting aye.

### **4. Judge Billy Artiaga-Approval of appointment of Alternate Judge and sum to be paid**

Judge Billy Artiaga said he would like the board to approve the appointment of an Alternate Judge in case he is not available to hear certain cases and would have to recuse himself.

That way someone is already in place should that occur. Judge Artiaga also would like the ordinance to be amended to increase the salary of the alternate which is currently set at \$10.00 per day. Attorney Jeff Rhodes mentioned that in Alamogordo they pay the Alternate Judge \$75.00 per day. Trustee Robert Sainz asked if the Alternate Judge would be paid to be on call. Judge Artiaga said no, only when he performed a service.

Trustee Cooksey asked Judge Artiaga if he was going to submit a list of names. Judge Artiaga said no that he was submitting the name of Jerry Hardison and mentioned his credentials.

Trustee Patrick Garcia moved to approve Jerry Hardison as Alternate Judge, motion was seconded by Trustee Ronald Cooksey. Trustee Robert Sainz asked to amend the motion to include changing the salary of the Alternate Judge. Village Attorney Jefferson Rhodes said he would clean up the ordinance.

**Roll Call Vote:** Trustee Cooksey, aye. Trustee Garcia, aye. Trustee Sainz, aye. Trustee Telles, aye. Motion carried with all members voting in the affirmative.

**5. Acceptance of donated land and building at 501 1<sup>st</sup> Street from Sean William Sullivan and Adelina Marie Garcia**

Mayor Ray Cordova asked the Village Clerk Dianna Brusuelas-Guilez if the attorney Jeff Rhodes had check into this. The Clerk responded yes the attorney has prepared the Quit Claim Deed and it has been emailed to Ms. Garcia for signatures.

Trustee Patrick Garcia moved to accept the donated land and building at 501 1<sup>st</sup> Street from Sean William Sullivan and Adelina Marie Garcia. Trustee John 'Ray' Telles seconded the motion.

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

Mayor Cordova asked to be sure and send a Thank You card.

**6. Mayor Ray Cordova-Salary increase from \$19.75 to \$20.75 for Ray Ramos-Attained Water Level 4-running both Water & Wastewater plants**

Trustee Patrick Garcia informed the public that the village is currently in the process of advertising for a possible Level 1 Water or Wastewater who will continue training with Mr. Ramos, the village is looking to hire locally. Mayor Ray Cordova said the hirees will come on board with the understanding that they will have to train to be operators of the plants.

Trustee Patrick Garcia moved to increase the salary for Ray Ramos from \$19.75 to \$20.75. Trustee Robert Sainz seconded the motion.

**Roll Call Vote:** Trustee Cooksey, aye. Trustee Garcia, aye. Trustee Sainz, aye. Trustee Telles, aye. Motion carried with all members of the board voting aye.

Trustee Garcia clarified that the Water and Wastewater plant operators also have to work in other areas of the village they are not only working at the water plant, if a backhoe has to be used then they will have to help with all village matters.

**7. Trustee Ronald Cooksey-Discuss the issues about the Safe House proposal, do they need permits, etc.**

Trustee Ronald Cooksey said he wanted the public to bring their issues in front of the board and asked Pastor Randy Borrer if he would talk about what his Safe House would entail. Pastor Borrer began saying that he had given House Rules to the Board sometime back but

has since revised those. Pastor Borrer wants the village to know that they are not calling it a rehab and not calling it a rescue mission, they are calling it a "Community Enhancement Program" and named certain requirements such as having a job, drug screening and they will disciple people as Christian's regardless what their beliefs are. They are trying to solve some of the problems not bring problems in, the cliental will bring into the community rather than be takers of the community.

Trustee John 'Ray' Telles asked how many people would be housed. The response was possibly 15 to 20.

Trustee Ronald Cooksey asked if they were required to have a Dr. in house or any medical personnel. The response was that they are not taking guys in that are detoxing or on methadone, things like that because they do not have a Dr. Pastor Borrer said he knows this program will work because of previous experience but you have to be willing and those are the ones who will be housed there, the one's willing to make a change.

Trustee Robert Sainz asked how long the residency would be. The response was that it would be a year long program.

Mayor Ray Cordova wondered about the liability on the village if two clients get into an altercation or if a client walks off and hurts a citizen. The response was that they would carry liability insurance.

Village Attorney Jefferson Rhodes asked the Mayor and the Board to bear in mind that they are not involved in approving the program, if the property is zoned properly that's really the Boards only involvement, it is not something that requires a license. Mr. Rhodes said there may be some Department of Health regulations or Environment Department regulations if food is going to be served. Mr. Rhodes said the only control is through zoning.

Trustee Patrick Garcia thanked Pastor Borrer for his explanation of what he plans because the public had questions on what was happening at that property.

Pastor Randy Borrer said they were possibly going to have a meeting soon for the public to ask questions.

Trustee Robert Sainz wondered how they would house so many residents at one time in such a small place.

Next to come before the board was concerned citizen Steven Chavez who lives behind the property in question and voiced some concerns, one being his children and children of the neighborhood. Mr. Chavez produced statistics as to the percentage of people who use drugs and alcohol and relapse. Mr. Chavez said Pastor Borrer told him they will be taking court ordered clients and didn't feel these were people that wanted help but were made to go there. Mr. Chavez was also concerned for the value of his property. Mr. Chavez gave graphic details of incidents that have happened involving people who were being detoxed. Mr. Chavez also asked the village to rethink the zoning.

Trustee Patrick Garcia stated that all this venture was new for the Mayor and the Board in terms of legalities. Mr. Chavez says he understands the heart going into this project but does not think the location is the right spot and wants assurances that his kids will be safe.

Trustee Robert Sainz said he appreciates the concerns and admires the fact that an individual is trying to take control and see if he can help others. It is hard to protect all of our citizens, our children, it's been proven in Columbine and other areas no one can predict what is going to happen.

Attorney Jefferson Rhodes asked the board to be careful if they try to rezone, most rezoning is done at the request of the property owner.

Mayor Ray Cordova asked Pastor Borrer how he planned to enforce his rules. The response was that he would have an in-house supervisor.

Trustee Patrick Garcia asked Pastor Borrow to try to get a forum going.

The village attorney asked if that type of activity has to be approved by the Department of Health and suggested he might check on that.

**8. Monica Voorbach-Lowering minimum Water Right bid from \$1,000.00 to \$700.00 and awarding the lease of 7 water rights to Mr. Kenneth Owens**

Trustee Patrick Garcia moved to award the lease of 6 of the 7 water rights to Mr. Kenneth Owens at \$700.00 each and having the village hold on to 1 in case of an emergency. Trustee John 'Ray' Telles seconded the motion.

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

**9. Executive Session as per Section 10-15-1(H) of the Open Meetings Act for the discussion of the lease agreement with American Tower or Unisom**

Trustee Patrick Garcia moved to go into executive session as per Section 10-15-1(H) of the Open Meetings Act for the discussion of the lease agreement with American Tower or Unisom. Trustee John 'Ray' Telles seconded the motion.

**Roll Call Vote:** Trustee Cooksey, aye. Trustee Garcia, aye. Trustee Sainz, aye. Trustee Telles, aye. Motion carried.

Mayor Ray Cordova stated that only those subjects announced for closure will be discussed in the closed session. The Mayor and the Board of Trustees retired into executive session at 7:20 P. M.

At 8:45 Mayor Cordova called the meeting back to order stating that the matters discussed in the closed session were limited only to those specified in the motion for closure.

**10. Old Business**

Trustee Robert Sainz asked about the water line that was supposed to be placed on Pilar Chavez Lane some years back. It was determined that the line was placed on Lizzard Ranch Road because Pilar Chavez Lane has a 3" line and Lizzard Ranch Road only had a 1" line. It is hoped that once the valves to the village are replaced there will be more pressure on Pilar Chavez Lane because the valve that services Pilar Chavez Lane is frozen and cannot be opened all the way. It was mentioned that there are more than 21 families on Pilar Chavez Lane.

**11. New Business**

Trustee John 'Ray' Telles asked the status of Susan Flores, Keep Tularosa Beautiful, traveling to Washington. It was stated that she would be gone towards the end of January. Trustee Telles felt the money could be used elsewhere.

Trustee Telles also asked if Rooter's Mini Market had been bought at auction. Trustee Patrick Garcia said he would go to the Court House and see who owns the property.

**12. Adjourn**

There being not further business to come before the board Trustee Robert Sainz moved to adjourn and Trustee Patrick Garcia seconded the motion.

The meeting adjourned at 9:05 P. M.

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Ray S. Cordova, Mayor

ATTEST:

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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 February 18, 2015.