

## **Regular Meeting-July 16, 2014**

The Mayor and the Board of Trustees of the Village of Tularosa met in a regular meeting on Wednesday, July 16, 2014 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 (Mayor Pro-Tem)

Trustee Ronald Cooksey

Trustee Robert Sainz

Trustee John 'Ray' Telles

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

At 7:05 P. M. Mayor Ray S. Cordova called the meeting to order asking that all rise and join him in the Pledge of Allegiance to the flag and the salute to the flag of the State of New Mexico.

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

Trustee Patrick Garcia moved to approve the agenda and the consent agenda. 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.

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

Mayor Ray S. Cordova spoke about the talent show they had at the library and praised the Librarian, Randi Northrup.

David Shields from Bohannon-Huston gave an update on the Water plant stating that he had received the DOT permit, they are working on the line on Montezuma and N. Bookout. Mr. Shields said the wage rates would be emailed to Dianna the Village Clerk and she would forward them to him. The Trustees will soon have a set of plans.

Trustee Patrick Garcia said he received an email from Tina Cordova and announced that the 5<sup>th</sup> Annual Luminaria Lighting and Prayer Vigil would be held on July 26<sup>th</sup> at the Tularosa Little League Field and is sponsored by the Tularosa Basin Downwinders Consortium. Trustee Garcia invited everyone.

### **Item 3. Judge Angie Schneider-Presentation of Programs-Otero Juvenile Justice Council**

Judge Angie Schneider made a presentation about the Otero County Juvenile Justice Board on behalf of troubled youth. Judge Schneider said she spear headed this program when she practiced law in Lincoln County before being appointed by the Governor to be the 12<sup>th</sup> Judicial District Court Judge and would like to start the same program here in Otero county. Judge Schneider invited all to attend a meeting held at the Otero County Juvenile Probation Office at noon on the last Thursday of every month, the next one being on August 28<sup>th</sup>.

### **Item 4. Gloria Lopez-Requesting amendments to Lease Agreement and maintenance payments**

No. Action. Work session has been scheduled for July 23<sup>rd</sup> at 1:00 P. M.

### **Item 5. Wallace & Diolanda Moore-Approval to be included on city water service**

Mr. Wallace came before the Board asking for permission to connect to water outside the village limits and assured the Mayor and Board that it would be for house hold use only. They Board explained that he would have to pay for the meter installation and that the water rates were higher for outside the city limits than they were for inside. Mr. Wallace said he understood.

Trustee Patrick Garcia then moved to approve the request and was seconded by Trustee John 'Ray' Telles.

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

### **Item 6. Chief Charles Wood-Request to amend Animal Ordinance**

Chief of Police Charles Wood presented to the Mayor and Board of Trustees some changes he would like on the village ordinance referring to animals which included 95.03, 95.30, 95.31, 95.33 and 95.34.

Trustee Patrick Garcia moved to approve directing Jeff Rhodes the village attorney to review and prepare an amendment to the ordinance. Trustee Ronald Cooksey 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.

### **Item 7. Valarie Delgado-Approval of Resolution 2014-2015-1 Adopting Fiscal Year 15 Operating Budget**

Trustee Patrick Garcia moved to approve Resolution 2014-2015-1 adopting Fiscal Year 15 operating budget. 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 voting aye.

**Item 8. Valarie Delgado-Approval of Resolution 2014-2015-2 approving the June 30, 2014 (end of year) Financial Report**

Trustee Patrick Garcia moved to approve Resolution 2014-2015-2 approving the June 30, 2014 End of Year Financial Report. 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.

**Item 9. Richard Gutierrez-Approval of Resolution 2014-2015-3 entering into a Co-Op Agreement with NM Department of Transportation for street improvements NMDOT \$53,220.00 Village of Tularosa \$17,740.00**

Trustee Patrick Garcia moved to approve Resolution 2014-2015-3 entering into a Co-Op Agreement with NM Department of Transportation for street improvements, NMDOT \$53,220.00, Village of Tularosa \$17,740.00. Trustee Ronald Cooksey 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.

**Item 10. Richard Gutierrez-Approval of Resolution 2014-2015-4 entering into a Municipal Arterial Programs (MAP) Agreement with NM Department of Transportation for street improvements NMDOT \$164,585.00 Village of Tularosa \$54,862.00**

Trustee Robert Sainz moved to approve Resolution 2014-2015-4 entering into a Municipal Arterial Program (MAP) Agreement with NM Department of Transportation for street improvements NMDOT \$164,585.00, Village of Tularosa \$54,862.00. 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.

**Item 11. Chief Charles Wood-Request John Evans Animal Control Officer status change from Probationary employee to Regular Full Time status and increase salary from \$10.00 to \$11.00 effective 7/24/2014**

Police Chief Charles Wood commended John Evans on his work during his probationary period and requested his status be changed to Regular Full Time and increase his salary from \$10.00 per hour to \$11.00 per hour.

Trustee John 'Ray' Telles moved to approve and was seconded by Trustee Ronald Cooksey.

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

**Item 12. Richard Gutierrez-Approval of lowest bidder for HVAC maintenance**

Mr. Richard Gutierrez said several specs went out but there was only one response.

Trustee Robert Sainz then moved to approve the HVAC maintenance to MGS Refrigeration. 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.

**Item 13. Mayor Ray Cordova-Discussion and approval of new schedule for Plant Operator's**

Mayor Ray Cordova present three options to the members of the board.

Trustee Ronald Cooksey moved to have a Work Session on July 23<sup>rd</sup> at 1:00 P. M. to discuss all the options. Trustee Patrick Garcia seconded the motion.

**Item 14. Trustee Patrick Garcia-Discussion of money saving measures-overtime etc.**

No Action.

**Item 15. Mayor Ray Cordova-Approval of Temporary Employment Agreement with Patrick Wooten from July 1, 2014 to December 31, 2014 as per Chapter II, Section 20.01, Paragraph E, of the Village of Tularosa Personnel Policy at \$10.75 per hour**

Trustee John 'Ray' Telles moved to approve the Temporary Employment Agreement. Trustee Cooksey seconded the motion. Trustee Patrick Garcia mentioned moving Patrick Wooten to the field division in one of those two slots available and then if Mike Gaston is on vacation or sick Mr. Wooten can sub-in on the Solid Waste. Trustee John 'Ray' Telles then amended his motion to make Patrick Wooten a Regular Full-time employee effective July 1<sup>st</sup> and still work at the same two departments that he does now. Trustee Patrick Garcia asked Trustee Telles to amend to say effective July 16<sup>th</sup> Trustee Robert Sainz seconded the motion. Trustee Telles accepted the July 16<sup>th</sup> date.

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

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

**Item 16. Mayor Ray Cordova-Approval of Temporary Employment Agreement with Susan Flores from July 1, 2014 to December 31, 2014 as per Chapter II, Section 20.01, Paragraph E, of the Village of Tularosa Personnel Policy at \$11.00 per hour**

Trustee John 'Ray' Telles moved to approve the temporary employment agreement with Susan Flores from July 1, 2014 to December 31, 2014 as per Chapter II, Section 20.01, Paragraph E, of the Village of Tularosa Personnel Policy at \$11.00 per hour. Trustee Ronald Cooksey seconded the motion.

**Roll Call Vote:** Trustee Cooksey, aye. Trustee Garcia, naye. Trustee Sainz, naye. Trustee Telles, aye. Mayor Cordova voted aye to break the tie. Motion carried with a three – two vote.

Trustee Patrick Garcia commended Ms. Flores' work with Keep Tularosa Beautiful but asked for the definition of a CSC Resource person and what the hours are. Trustee John 'Ray' Telles then amended his motion to include 20 hours per week and to sign in at city hall. Trustee Ronald Cooksey seconded that motion.

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

**Item 17. Richard Gutierrez-Approval of Lobbying services with Gabriel Cisneros for \$32,212.50**

Trustee Robets Sainz moved to approve, seconded by Trustee Patrick Garcia.

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

**Item 18. Executive Session as per Section 10-15-1(H) of the Open Meetings Act for the discussion of purchase, acquisition or disposal of real property (Marr)**

Trustee Patrick Garcia moved to go into executive session as per Section 10-15-1(H) of the Open Meetings Act for both Items 18 and 19 for the discussion of purchase, acquisition or disposal of real property (Marr) and the discussion of lease, sale of real property-American Tower. 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 Ray S. Cordova announced that only those subjects announced for closure will be discussed in the closed session. The Mayor and the Board then retired into executive session at 8:15 P. M.

**Item 19. 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**

The Mayor and the Board of Trustees reconvened at 9:03 P. M. with the Mayor stating that the matters discussed in the closed session were limited only to those specified in the motion for closure.

**Item 20. Decision on what procedure to take on the Marr property**

Mayor Ray Cordova moved that Trustee Patrick Garcia will negotiate with Joel and Teresa Marr and bring proposal to the Board for consideration. 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.

**Item 21. Decision on what procedure to take with Unison or American Tower**

Mayor Ray Cordova moved to have Village Attorney Jeff Rhodes draw up an RFP for a consultant on cell towers. 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 voting aye.

**Item 22. Monica Voorbach-*Information*: Time Clock Information**

Monica Voorbach gave the Mayor and the Board of Trustees some information on time clocks. No action was taken.

**Item 23. Old Business**

**Item 24. New Business**

Trustee Robert Sainz asked why village employees were working on the medians, he assumed whoever bought the roses from Keep Tularosa Beautiful were responsible for their own area. Trustee John 'Ray' Telles said he would check on it.

**Item 25. Adjourn**

Trustee Ronald Cooksey moved to adjourn, motion was seconded by Trustee John 'Ray' Telles.

The meeting adjourned at 9:23 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 August 20, 2014.